



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART I

ORGANISATION

Co-operation and assistance

15 Supply of goods and services to local authorities, etc.

- (1) The Secretary of State [^{F1}or a Health Board] may—
- (a) purchase and store and, on such terms and conditions as may be agreed, supply to persons [^{F2}—
 - (i)] providing [^{F3}primary medical services under a general medical services contract or], general dental or general ophthalmic services, or pharmaceutical services under Part II [^{F4} or
 - (ii) providing, in accordance with section 17C arrangements, [^{F5}primary medical services], personal dental services or other services of a kind that may be provided under this Part or Part III,]
- such equipment, goods or materials as may be prescribed;
- ^{F6}(b) purchase and store and, on such terms and conditions as may be agreed, supply to local authorities, education authorities, government departments and such public bodies or classes of public bodies as may be determined by the Secretary of State, any equipment, goods or materials of a kind used in the health service;
 - (c) provide local authorities and education authorities, on such terms and conditions as may be agreed, with any administrative, professional or other services of persons employed by [^{F7}or having contracts with] the Secretary of State [^{F8}or a Health Board];

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- (d) permit local authorities and education authorities, on such terms and conditions as may be agreed, to use premises occupied for the purposes of the health service;
- (e) permit local authorities and education authorities, on such terms and conditions as may be agreed, to use any vehicle, plant or apparatus belonging to a Health Board or the Agency;
- (f) permit education authorities, on such terms and conditions as may be agreed, and for the purpose of providing special education within the meaning of section ^{F9}1(5)(c) of the ^{M1}Education (Scotland) Act 1980], to use any premises or facilities provided under section 36;
- (g) carry out, on such terms and conditions as may be agreed, maintenance work in connection with land or buildings for the maintenance of which a local authority or education authority is responsible.

^{F10}(1ZA) Paragraph (a) of subsection (1) applies to the Agency as it applies to a Health Board.]

^{F11}(1A) Paragraphs (b) to (e) of subsection (1) apply to HIS (in respect of the exercise of its health service functions only) as they apply to a Health Board.]

- (2) In paragraphs (a) and (b) of subsection (1) [^{F12}(including [^{F13}paragraph (a) as applied by subsection (1ZA) and] paragraph (b) as applied by subsection (1A))], the power to supply equipment, goods and materials includes a power to make arrangements with third parties for the supply by them of those things.

(2A) ^{F14}

(2B) ^{F14}

(2C) ^{F14}

(2D) ^{F14}

- (3) The Secretary of State may by order provide that, in relation to a vehicle which is made available by him in pursuance of this section and is used in accordance with the terms on which it is so available, [^{F15}the Vehicles Excise and Registration Act 1994] and Part VI of the ^{M2}Road Traffic Act 1972 shall have effect with such modifications as are specified in the order.

Textual Amendments

- F1** Words in s. 15(1) substituted (22.9.2014) by [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#), **ss. 63(3)(a)(i), 72(2)**; S.S.I. 2014/231, art. 2
- F2** Words in s. 15(1)(a) renumbered as "(i)" (1.4.1998 for certain purposes, otherwise prosp.) by 1997 c. 46 s. 41(10), Sch. 2 Pt. I para. 35(a); S.I. 1998/631, art. 2(b), **Sch. 2**
- F3** Words in s. 15(1)(a)(i) substituted (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#), ss. 8, 9(1), **Sch. para. 1(2)(a)**; S.S.I. 2004/58, **art. 2(3)**.
- F4** S. 15(1)(a)(ii) and preceding word "or" inserted (1.4.1999 for certain purposes, otherwise prosp.) by 1997 c. 46, s. 41(10), **Sch. 2 Pt. I para. 35(b)**; S.I. 1998/631, art. 2(b), **Sch. 2**
- F5** Words in s. 15(1)(a)(ii) substituted (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#), ss. 8, 9(1), **Sch. para. 1(2)(b)**; S.S.I. 2004/58, **art. 2(3)**
- F6** S. 15(2) applied in part (1.4.1993) by S.I. 1993/577, art. 5(1)(2), **Sch. Pt. I** (with art. 6)
S. 15(2) applied in part (1.4.1995) by S.I. 1995/574, art. 5(1)(2), **Sch. Pt. I**
S. 15(2) applied in part (1.4.1999) by S.I. 1999/686, art. 5(1)(2), **Sch. Pt. I**
S. 15(2) applied in part (1.4.1999) by S.I. 1999/726, art. 5(1)(2), **Sch Pt. I**
- F7** Words inserted by [Health Services Act 1980 \(c. 53\)](#), **s. 3(2)**

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- F8** Words in s. 15(1)(e) repealed (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), **ss. 63(3)(a)(ii)**, 72(2); S.S.I. 2014/231, art. 2
- F9** Words substituted by Education (Scotland) Act 1980 (c. 44), **Sch. 4 para. 16**
- F10** S. 15(1ZA) inserted (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), **ss. 63(3)(b)**, 72(2); S.S.I. 2014/231, art. 2
- F11** S. 15(1A) inserted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **Sch. 17 para. 7(a)**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.
- F12** Words in s. 15(2) inserted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **Sch. 17 para. 7(b)**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.
- F13** Words in s. 15(2) inserted (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), **ss. 63(3)(c)**, 72(2); S.S.I. 2014/231, art. 2
- F14** S. 15(2A)-(2D) repealed (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), **ss. 63(3)(d)**, 72(2); S.S.I. 2014/231, art. 2
- F15** Words in s. 15(3) substituted (1.9.1994) by 1994 c. 22, s. 63, **Sch. 3 para. 13** (with s. 57(4))

Modifications etc. (not altering text)

- C1** Pt. 1 applied (7.12.2019) by The Public Health Scotland Order 2019 (S.S.I. 2019/336), art. 1(2), **sch. 1 Pt. 1** (with art. 4(4)(5))
- C2** S. 15 applied in part (with modifications) (7.12.2019) by The Public Health Scotland Order 2019 (S.S.I. 2019/336), art. 1(2), **sch. 1 Pt. 1** (with art. 4(4)(5))
- C3** S. 15(1)(a) modified (1.4.2004) by The General Medical Services and Section 17C Agreements (Transitional and other Ancillary Provisions) (Scotland) Order 2004 (S.S.I. 2004/163), **art. 96**
- C4** S. 15(1)(b)-(e), (2) applied (1.4.1991) by S.I. 1990/2639, art. 5(1)(2), **Sch. Pt. I**
- C5** S. 15(1)(b)-(e) applied (1.4.1993) by S.I. 1993/577, art. 5(1)(2), **Sch. Pt. I** (with art. 6)
S. 15(1)(b)-(e) applied (1.4.1995) by S.I. 1995/574, art. 5(1)(2), **Sch. Pt. I** (with art. 6)
S. 15(1)(b)-(e) applied (1.4.1999) by S.I. 1999/686, art. 5(1)(2), **Sch. Pt. I**
S. 15(1)(b)-(e) applied (1.4.1999) by S.I. 1999/726, art. 5(1)(2), **Sch. Pt. I**

Marginal Citations

- M1** 1980 c. 44.
M2 1972 c. 20.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16A(5) added by [2002 asp 5 Sch. 2 para. 2\(2\)](#)
- s. 19A(2)(b) words repealed by [2003 asp 4 sch. 4 para. 5\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(a) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(b) substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(c) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(e) word substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 70A inserted by [1997 c. 46 s. 26\(2\)](#)
- s. 70A(2) word substituted by [2005 asp 13 s. 14\(3\)](#)
- s. 85AB(7) inserted by [2005 asp 13 sch. 2 para. 2\(18\)\(b\)](#)
- Sch. 11 para. 2(1A) inserted by [2005 asp 13 s. 14\(6\)\(a\)](#)