

**Changes to legislation:** Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 7 is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 7

Section 14.

#### AMENDMENT OF NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

##### *Delegation of functions to Health Boards*

- 1 In section 2 of the <sup>M1</sup>National Health Service (Scotland) Act 1978 (constituting of Health Boards) in subsection (1), for the words from “functions” to “determine” where it secondly occurs substitute “such of his functions under this Act as he may so determine.”.

##### **Marginal Citations**

**M1** 1978 c. 29.

##### *Arrangements for provision of general medical services in Scotland*

- 2 In section 19 (arrangements and regulations for general medical services) of that Act—
- (a) at the end of subsection (2) insert—
- “(f) for the making of arrangements for the temporary provision of general medical services in an area;
- (g) for the circumstances in which a name added to the list by virtue of subsection (5) below may be removed from it.”.
- (b) after subsection (4) insert—
- “(5) The persons with whom arrangements for the temporary provision of general medical services in an area may be made by virtue of regulations under subsection (2) include medical practitioners who are not on the list of medical practitioners providing such services in the area, and the power to prepare and publish lists of medical practitioners conferred by paragraph (a) of that subsection accordingly includes power to add the names of medical practitioners with whom such arrangements are made to the lists.
- (6) Regulations may provide that this Act and any regulations made under it shall apply in relation—
- (a) to the making of arrangements for the temporary provision of general medical services; and
- (b) to the provision of general medical services in pursuance of any such arrangements,
- subject to such modifications as may be specified in the regulations.

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(7) Where the registration of a medical practitioner in the register of medical practitioners is suspended—

- (a) by a direction of the Health Committee of the General Medical Council under section 8(1) or (2) of the Medical Act 1978 (unfitness to practise by reason of physical or mental condition);
- (b) by an Order of that Committee under section 9(1) of that Act (order for immediate suspension); or
- (c) by an interim order of the preliminary Proceedings Committee of the Council under section 13(3)(b) of that Act.

the suspension shall not terminate any arrangements made with him for the provision of general medical services; but he shall not provide such services in person during that period of suspension.”.

#### *Disposal of land*

3 In section 79 of that Act (purchase of land and moveable property) after subsection (1) insert—

“(1A) Without prejudice to any other power of disposal, the Secretary of State may dispose of any land which he considers is no longer required for the purposes of any service under this Act and where he has delegated any of his functions with regard to the acquisition, management or disposal of land to a Health Board or to the Agency, any instrument in connection with the exercise of those functions shall be deemed to be validly executed by him if it is executed on his behalf by any officer of the Health Board or the Agency authorised by him for the purpose; and any instrument so executed shall, for the purposes of section 1(8) and (9) of the Reorganisation of Offices (Scotland) Act 1939, be deemed to have been executed by an officer of the Secretary of State duly authorised by him.”.

#### *Control of remuneration and conditions of service of employees*

4 (1) The following paragraph shall be added after paragraph 5 of Schedule 1 to that Act—

“5A Regulations or directions under paragraph 5 may provide for approvals, authorisations or determinations to have effect from a date (which may be before or after the date of giving or making them but may not be before if to the detriment of such officers and servants) specified in them.”.

(2) The following paragraph shall be added after paragraph 7 of Schedule 5 to that Act—

“7A Regulations or directions under paragraph 7 may provide for approvals, authorisations or determinations to have effect from a date (which may be before or after the date of giving or making them but may not be before if to the detriment of such officers and servants) specified in them.”.

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**Commencement Orders yet to be applied to the Health And Social Services And Social Security Adjudications Act 1983**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/288 art. 2-6](#) commences (2003 c. 43)
- [S.I. 2004/480 art. 2-5](#) commences (2003 c. 43)
- [S.I. 2004/1009 art. 2](#) commences (2003 c. 43)
- [S.I. 2004/1019 art. 2](#) commences (2003 c. 43)
- [S.I. 2005/2897 art. 2](#) commences (2002 c. 38)
- [S.I. 2005/2925 art. 24-11](#) commences (2003 c. 43)
- [S.I. 2006/345 art. 2-7](#) commences (2003 c. 43)
- [S.I. 2009/3074 art. 23](#) commences (2008 c. 4)
- [S.I. 2011/849 art. 2](#) commences (2010 nawm 2)
- [S.S.I. 2009/267 art. 2](#) commences (2007 asp 4)