



Scottish Board of Health Act 1919

1919 CHAPTER 20

4 Transfer of powers and duties to and from Board.

- (1) There shall be transferred to the Board—
- (a) all the powers and duties of the Local Government Board for Scotland ;
 - (b) all the powers and duties of the Scottish Insurance Commissioners ;
 - (c) all the powers of the Privy Council and of the Lord President of the Council under the Midwives (Scotland) Act, 1915 ;
 - (d) all the powers and duties of the Secretary for Scotland under the Alkali, &c, Works Regulation Act, 1906;
 - (e) all the powers and duties of the Secretary for Scotland under the Burial Grounds (Scotland) Act, 1855;
 - (f) all the powers and duties of the Secretary for Scotland under the Rivers Pollution Prevention Acts, 1876 and 1893, section fifty-five of the Local Government (Scotland) Act, 1889, and the Rivers Pollution Prevention (Border Councils) Act, 1898 ;
 - (g) all the powers and duties of the Secretary for Scotland under the Births, Deaths, and Marriages (Scotland) Acts, 1854 to 1910, the Marriage Notice (Scotland) Act, 1878, and the Vaccination (Scotland) Acts, 1863 to 1907 ;
 - (h) all the powers and duties of the Secretary for Scotland and the Highlands and Islands (Medical Service) Board under the Highlands and Islands (Medical Service) Grant Act, 1913 ;
 - (i) all the powers and duties of the Scottish Education Department with respect to the medical inspection and treatment of children and young persons :

Provided that, for the purpose of facilitating the effective exercise and performance by the Board of the last-mentioned powers and duties, the Board may make arrangements with the Scottish Education Department respecting the submission and approval of schemes of education authorities and the payment of grants to education authorities, so far as such schemes and payment relate to, or are in respect of, medical inspection and treatment:

And provided also that in such matters of a judicial nature under the National Insurance (Health) Acts, 1911 to 1918, as may be prescribed under those Acts, the powers and

duties of the Scottish Insurance Commissioners by this Act transferred to the Board shall be exercised by the Board through a special body or special bodies of persons constituted in such manner as may be prescribed.

- (2) It shall be lawful for His Majesty from time to time by Order in Council to transfer to the Board—
- (a) any of the powers and duties of the Secretary for Scotland under the enactments relating to lunacy and mental deficiency ;
 - (b) all or any of the powers and duties of the Minister of Pensions with respect to the health of disabled officers and men after they have left the service, so far as those powers and duties relate to Scotland ;
 - (c) any other powers and duties in Scotland of any Government department which appear to His Majesty to relate to matters affecting or incidental to the health of the people.
- (3) It shall be lawful for His Majesty from time to time by Order in Council to transfer from the Board to any other Government department any of the powers and duties of the Board which appear to His Majesty not to relate to matters affecting or incidental to the health of the people.

And it is hereby declared that it is the intention of this Act that, in the event of provision being made by Act of Parliament passed in the present or in any future Session for the revision of the law relating to the relief of the poor in Scotland and the distribution amongst other authorities of any powers exercisable by parish councils, there shall be transferred from the Board to other Government departments such of the powers and duties under the enactments relating to the relief of the poor then vested in the Board (not being powers or duties relating or incidental to the health of the people) as appear to His Majesty to be such as would be more conveniently exercised and performed by such other departments.

- (4) His Majesty may by Order in Council make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to any transfer of powers or duties by or under this section, including provision for the transfer of any property, rights, and liabilities held, enjoyed, or incurred by any Government department in connection with any powers or duties transferred, and may make such adaptations in the enactments relating to such powers or duties as may be necessary to make exercisable by the Board and the officers thereof, or by such other Government department and their officers, as the case may be, the powers and duties so transferred.
- (5) In connection with the transfer of powers and duties to or from the Board by or under this Act, the provisions set out in the First Schedule to this Act shall have effect.