

2006 No. 139

NATIONAL HEALTH SERVICE

**The National Health Service (Service Committees and Tribunal)
(Scotland) Amendment Regulations 2006**

Made - - - - - *13th March 2006*

Laid before the Scottish Parliament *13th March 2006*

Coming into force - - - *1st April 2006*

The Scottish Ministers, in exercise of the powers conferred by sections 26(2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and of all other powers enabling them in that behalf, and after consultation with the Council on Tribunals and its Scottish Committee in accordance with section 8(1) and (3) of the Tribunal and Inquiries Act 1992(b), hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (Service Committees and Tribunal) (Scotland) Amendment Regulations 2006 and shall come into force on 1st April 2006.

Amendment of the principal Regulations

2.—(1) The National Health Service (Service Committees and Tribunal) (Scotland) Regulations 1992(c) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation)(d) in the definition of “General Ophthalmic Services Regulations”–

- (a) after “means” insert “in respect of the period prior to 1st April 2006,”; and
- (b) after “1986” insert “and in respect of the period from 1st April 2006 the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006”(e).

(a) 1978 c.29; section 26(2) was amended by the Health and Social Security Act 1984 (c.48), Schedule 1, paragraphs 2, 3 and 4 and Schedule 8, the Health Act 1999 (c.8) (“the 1999 Act”), section 56 and extended by the Health and Medicines Act 1988 (c.49), section 17 and is amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 19, with effect from 1st April 2006, in terms of S.S.I. 2006/ ; section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5 and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, paragraph 24 and the 1999 Act, Schedule 4, paragraph 60; section 108(1) defines “prescribed” and “regulations”. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) 1992 c.53; section 8(3) was amended by S.I. 2001/3649, article 335(3).

(c) S.I. 1992/434. Relevant amending instruments are S.I. 1994/3038, 1996/938, 1998/1424 and S.S.I. 1999/53 and 2005/334.

(d) Regulation 1(2) was amended by S.I. 1996/938 and 1998/1424 and S.S.I. 1999/53, 2005/118 and 334.

(e) S.S.I. 2006/135

(3) In regulation 1(4)(d)(a) after “1986” insert “and paragraphs 10 and 11 of Schedule 1 to the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006”.

ANDREW P KERR

A member of the staff of the Scottish Ministers

St Andrew's House,
Edinburgh
13th March 2006

(a) Regulation 1(4) was inserted by S.I. 1996/938 and amended by S.S.I. 1999/53 and 2005/118.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Service Committees and Tribunal) (Scotland) Regulations 1992 (“the principal Regulations”) which make provision as to the investigation of matters relating to services provided by doctors, dentists, pharmacists, ophthalmic medical practitioners and opticians under arrangements with Health Boards.

The amendments are made in consequence of the revocation of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986(a), and their replacement by the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006, with effect from 1st April 2006 (subject to certain transitional provisions).

(a) S.I. 1986/965, to which there were several amending regulations which are also to be revoked with effect from 1st April 2006.

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