
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 226

NATIONAL HEALTH SERVICE

**The National Health Service (Discipline Committees)
(Scotland) Amendment Regulations 2010**

<i>Made</i>	- - - -	<i>9th June 2010</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>10th June 2010</i>
<i>Coming into force</i>	- -	<i>2nd July 2010</i>

The Scottish Ministers make the following Regulations, in exercise of the powers conferred by sections 17P, 25(2), 26(2), 27(2), 105(7), 106(a) and 108(1) of the National Health Service (Scotland) Act 1978(1) and section 17 of the Health and Medicines Act 1988(2) and all other powers enabling them to do so.

In accordance with paragraph 24(1) of Schedule 7 to the Tribunals Courts and Enforcement Act 2007(3), they have consulted the Administrative Justice and Tribunals Council and its Scottish Committee.

-
- (1) 1978 c.29; section 17P was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 5(2); section 25(2) was amended by the National Health Service and Community Care Act 1990 (c.19), (“the 1990 Act”), section 40(2) and Schedule 9, paragraph 19, the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2, paragraph 43 and Schedule 3, and the Health Act 1999 (c.8) (“the 1999 Act”), section 56, and is substituted by the [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#) (“the 2005 Act”), section 17 with effect from 20th May 2010 for the purposes of making regulations and with full effect from 2nd July 2010 in terms of [S.S.I. 2010/185](#); section 26(2) was substituted by the 2005 Act, section 19; section 27(2) was substituted by the National Health Service (Amendment) Act 1986 (c.66), section 3, and amended by the 1990 Act, Schedule 9, paragraph 19. Section 105(7), which contains provisions relevant to the making of Regulations, 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) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. 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).
- (2) 1988 c.49; section 17 was amended by [S.S.I. 2004/167](#).
- (3) 2007 c.15; Discipline Committees of a Health Board, or a joint committee of Health Boards, constituted in accordance with regulation 3 of the principal Regulations are listed tribunals for the purposes of Schedule 7 in terms of [S.S.I. 2007/436](#).