

**2021 No. 330**

**NATIONAL HEALTH SERVICE**

**The NHS Education for Scotland Amendment Order 2021**

*Made* - - - - *21st September 2021*

*Laid before the Scottish Parliament* *23rd September 2021*

*Coming into force* - - *18th November 2021*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1)(b) and (1C) and 105(6) and (7) of the National Health Service (Scotland) Act 1978(a) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the NHS Education for Scotland Amendment Order 2021 and comes into force on 18 November 2021.

(2) In this Order, “the principal Order” means the NHS Education for Scotland Order 2002(b).

**Amendment of article 4(1) of the principal Order**

2. In article 4(1) of the principal Order (functions of the Board)(c), after paragraph (a) insert—

“(aa) functions to provide information services in support of the functions of the Scottish Ministers, Health Boards and other Special Health Boards including, without prejudice to the foregoing generality, services provided by digital means;”.

**Amendment of the schedule of the principal Order**

3.—(1) In Part II of the schedule of the principal Order, omit the entries relating to the Overseas Development and Co-operation Act 1980(d).

(2) In Part III of the schedule of the principal Order—

(a) omit the entries relating to the National Health Service (Food Premises) (Scotland) Regulations 1987(e).

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(a) 1978 c. 29. Section 2(1)(b) was inserted by section 28 of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), and amended by paragraph 2(2) of schedule 2 of the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13). Section 2(1C) was inserted by section 28(b) of the 1990 Act. Section 105(7) was amended by paragraph 5(1) of schedule 6 of the Health Services Act 1980 (c. 53), paragraph 24 of schedule 9 of the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), and paragraph 60 of schedule 4 of the Health Act 1999 (c. 8) (“the 1999 Act”). See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act 1998 (c. 46) (“the 1998 Act”). The functions of the Secretary of State, insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(b) S.S.I. 2002/103.

(c) Article 4(1)(a) was substituted by S.S.I. 2006/79.

(d) 1980 c. 63.

(e) S.I. 1987/2.

- (b) omit the entries relating to the National Health Service (Appointment of Consultants) (Scotland) Regulations 1993<sup>(a)</sup>.

St Andrew's House,  
Edinburgh  
21st September 2021

*HUMZA YOUSAF*  
A member of the Scottish Government

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(a) S.I. 1993/994.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the NHS Education for Scotland Order 2002 (“the principal Order”) which constituted the Special Health Board known as NHS Education for Scotland.

Article 2 amends article 4(1) of the principal Order to confer on NHS Education for Scotland functions to provide information services.

Article 3 removes references to legislation, in the schedule of the principal Order, that is no longer in force.

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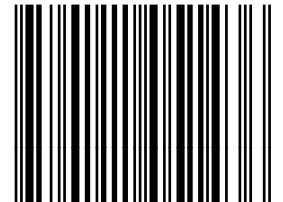
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