

## POLICY NOTE

### THE PUBLIC HEALTH SCOTLAND AMENDMENT ORDER 2023

#### SSI 2023/24

The above instrument is made in exercise of the powers conferred by sections 2(1)(b) and 105(6) and (7) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative procedure.

**The purpose of the instrument is to amend the Public Health Scotland Order 2019 to confer on Public Health Scotland the function of the Scottish Ministers under section 40(1) of the National Health Service (Scotland) Act 1978 which relates to vaccination and immunisation.**

#### Policy Objectives

This instrument amends the Public Health Scotland Order 2019, which constituted and specified the functions to be undertaken by Public Health Scotland. The amendment confers the function in section 40(1) of the National Health Service (Scotland) Act 1978 on Public Health Scotland. The effect of the amendment is to confer the power of the Scottish Ministers to make arrangements for the vaccination or immunisation of persons against any disease on Public Health Scotland. This is required due to the expansion of the role of Public Health Scotland in vaccination and immunisation related activities.

#### Consultation

No formal consultation has taken place on the instrument. However, the affected parties, principally Public Health Scotland and National Services Scotland, have been consulted.

#### Impact Assessments

Full Impact assessments have not been prepared for this instrument. Pre-screening indicated that the changes made to the 2019 Order by this instrument will have no, or no significant, impact on the private, voluntary or public sectors in Scotland.

#### Financial Effects

The Cabinet Secretary for Health and Social Care confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Directorate for Population Health  
January 2023