

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings sections 108 to 110 of the Public Services Reform (Scotland) Act 2010 (“the Act”) further into force with certain exceptions. Sections 108 to 110 relate to health care. Scrutiny and improvement and have already been commenced as regards Healthcare Improvement Scotland’s (“HIS”) functions in relation to independent hospitals, private psychiatric hospitals and independent clinics. The effect of this Order is that HIS’s functions in relation to independent medical agencies are commenced. The insertion of section 10Z9(1)(a) of the National Health Service (Scotland) Act 1978 by section 108 of the Act is not commenced until 19 June 2025 so that, while independent medical agencies will be subject to regulation by HIS from 19 June 2024 and can be registered from that date, it is not an offence not to be registered. The offence provision comes into force on 19 June 2025.

Sections 103, 109, 132, 133 and 134 of the Act came into force on Royal Assent (28th April 2010).