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SCHEDULES

SCHEDULE 6

Section 64.

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

PART I

AMENDMENTS OF THE NATIONAL HEALTH SERVICE (SCOTLAND) ACTS 1947 TO 1968

The National Health Service (Scotland) Act 1947

- 1 In section 1 (duty of Secretary of State), the following amendments shall be made:—
- (a) in subsection (1), for the words " following provisions of this Act" there shall be substituted the words " provisions of the National Health Service (Scotland) Acts 1947 to 1972 ";
 - (b) in subsection (2), for the words " this Act" there shall be substituted the words " those Acts ".
- 2 In section 3 (charges and expenses), the following amendments shall be made:—
- (a) in subsection (3), at the end there shall be added the words " This subsection does not extend to appliances to which section 45 of this Act relates. ";
 - (b) in subsection (4), for the words " hospital and specialist services" there shall be substituted the words " any service under the National Health Service (Scotland) Acts 1947 to 1972 ".
- 3 In section 34(1) (general medical services), for the words " Executive Council" there shall be substituted the words " Health Board ".
- 4 In section 35 (distribution of medical practitioners), the following amendments shall be made:—
- (a) for the words " Executive Councils ", " Executive Council ", " an Executive Council" and " Council ", wherever they occur, there shall be substituted respectively the words " Health Boards " , "Health Board", "a Health Board" and " Board ".
 - (b) in subsection (3), for the words from " a Local Medical Committee" to " Committee" there shall be substituted the words " an area medical committee has been formed for the area of the Board and recognised under section 16 of the National Health Service (Scotland) Act 1972, consult that committee ".
- 5 In section 36(1) (prohibition of sale of medical practice), in the proviso, for the words from " in the area " to " been entered " there shall be substituted the words " in an area for which he has never been on any list of medical practitioners undertaking to provide general medical services ".
- 6 In section 39 (general dental services), the following amendments shall be made:—

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- (a) in subsection (1), for the words " Executive Council" there shall be substituted the words " Health Board ";
 - (b) in paragraph (e) of subsection (2), for the words "an Executive Council" there shall be substituted the words " a Health Board " and for the words " the Sixth Schedule to this Act" there shall be substituted the words " Schedule 1 to the National Health Service (Scotland) Act 1972 ".
- 7 In section 40(1) (pharmaceutical services), for the words " Executive Council" there shall be substituted the words " Health Board ".
- 8 In section 41(1) (provision of pharmaceutical services), for the words " the Executive Council" there shall be substituted the words " a Health Board ".
- 9 In section 42(1) (general ophthalmic services), for the words " Executive Council" there shall be substituted the words " Health Board ".
- 10 In section 43 (disqualification of persons providing services), the following amendments shall be made—
- (a) for the words " Executive Council", " an Executive Council " and " Councils ", wherever they occur, there shall be substituted respectively the words " Health Board ", " a Health Board " and " Boards " ;
 - (b) for subsection (8) there shall be substituted the following subsection—
 - “(8) Where immediately before the appointed day any person is disqualified under this section from inclusion in any list kept by an Executive Council under Part IV of this Act, he shall, until such time as the Tribunal or the Secretary of State directs to the contrary, be disqualified for inclusion in the appropriate list referred to in subsection (1) of this section.”;
 - (c) at the end there shall be added the following subsection—
 - “(9) The references in subsections (1), (3) and (5) above to a Health Board shall include a reference to such committee or joint committee as may be prescribed.”
- 11 In section 44 (powers of Secretary of State where services inadequate), for the words " Executive Council", in both places where they occur, there shall be substituted the words " Health Board ".
- 12 In section 56 (default powers of Secretary of State), the following amendments shall be made:—
- (a) in subsection (1), for the words from " any Regional" to" health authority " there shall be substituted the words " any Health Board ", and for the words " this Act " there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ";
 - (b) in subsection (2), for the words from " Except" to " health authority " there shall be substituted the words " When such an order is made ", and for the words " this Act" there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ";
 - (c) subsection (3) shall cease to have effect.
- 13 In section 69(1) (inquiries), for the words "this Act" there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ".
- 14 In section 70 (protection of certain bodies and officers), for the words from "a Regional" to " Council" there shall be substituted the words " a Health Board and

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the Common Services Agency for the Scottish Health Service ", and for the words " this Act, and " there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ".

- 15 In section 72(c) (proof of resolutions), for the words from " local " to " this Act" there shall be substituted the words " any bodies constituted under the National Health Service (Scotland) Acts 1947 to 1972 ".
- 16 In section 77 (arbitration), for the words " this Act" there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ".
- 17 In Schedule 3 (acquisition of moveable property), for the head-note and paragraph 1 there shall be substituted the following head-note and paragraph—

“Acquisition of Property other than Land

1 Where under the National Health Service (Scotland) Acts 1947 to 1972, in connection with the acquisition of any premises, the Secretary of State proposes to acquire any equipment, furniture or other moveable property used in or in connection with the premises, he may, at any time after the acquisition of the premises (in the case of acquisition by agreement) or at any time after the service of a notice to treat (in the case of a compulsory acquisition of premises), serve a notice on the owner of the premises specifying the property proposed to be acquired, and specifying the time within which and the manner in which any objection to such acquisition may be made”.

- 18 In Schedule 8 (tribunal), in paragraph 3, for the words from " associations " onwards there shall be substituted the words " body as the Secretary of State may recognise as being representative of Health Boards ".
- 19 In Schedule 10 (inquiries), in paragraph 6, for the words from " such reasonable " to " day " there shall be substituted the words " a reasonable sum ".

The National Health Service (Amendment) Act 1949

- 20 In section 8 (removal of doubts regarding section 35), after " Council" there shall be inserted the words " or a Health Board ".
- 21 In section 23(1) (transfer of property by voluntary organisations), for the words " a local health authority " and for the words " the authority ", where subsequently occurring, there shall be substituted the words " the Secretary of State ".
- 22 In section 28 (recovery of expenses), for the words " hospital and specialist services " there shall be substituted the words " services under the National Health Service (Scotland) Acts 1947 to 1972 ".

The National Health Service Act 1951

- 23 In section 1 (charges for appliances), the following amendments shall be made:—
- (a) in subsection (1), for the words " Part II or Part IV of those Acts respectively" there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ";
 - (b) in subsection (3)(a), for the words " said Part II" (where first occurring) there shall be substituted the words " National Health Service (Scotland) Acts 1947 to 1972, otherwise than under the said Part IV ", and for the

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words " the said Part II" (where second occurring) there shall be substituted the words " those Acts ";

- (c) in subsection (4), for the words "an Executive Council" there shall be substituted the words " a Health Board ".

- 24 In the Schedule, in the definition of " current specified cost", for the words "Part II of those Acts respectively" there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972, otherwise than under Part IV of the said Act of 1947 ".

The National Health Service Act 1952

- 25 In section 1(1) (charges), for the words from " as part" to " Part II" there shall be substituted the words " under the National Health Service Acts, otherwise than under Part IV ".

- 26 In section 7 (regulations as to charges), the following amendments shall be made—

- (a) in subsection (4), for the words from the beginning to " education authorities " there shall be substituted the words " For the purposes of section 6(2) of the National Health Service (Scotland) Act 1972 (which requires the Secretary of State ";
- (b) in subsection (6), for the words from "Regional" to " Council" there shall be substituted the words " Health Board ".

- 27 In section 8(1) (interpretation), for the word " 1951 " (where second occurring) there shall be substituted the word " 1972 ".

The National Health Service Act 1961

- 28 In section 1(4) (charges), for the words " of the Act of 1947 " there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ".

- 29 In section 3(1) (interpretation), in paragraph (a) of the definition of " the relevant time ", for the words " of the Act of 1947 " there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972, otherwise than under Part IV of the Act of 1947 ", and for the words "Part II or Part IV thereof" there shall be substituted the words " those Acts ", and, in paragraph (b) of that definition, for the words " either of the said Acts " there shall be substituted the words " the Act of 1947 ".

The Health Services and Public Health Act 1968

- 30 In section 1(1) (accommodation for private patients), for the words " providing hospital and specialist services" there shall be substituted the words " vested in him ".

- 31 In section 2(1) (accommodation and treatment of non-resident private patients), for the words "providing hospital and specialist services " there shall be substituted the words " vested in him ".

- 32 In section 29(3) (regulation of financial arrangements of certain bodies), after the words " as if—" there shall be inserted the following paragraph— " (aa) in subsection (1) there were substituted for the words from " Regional" to " 1946 Act" the words " Health Boards, the Common Services Agency for the Scottish Health Service " ; " and paragraphs (b) and (d) shall be omitted.

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- 33 In section 30(1) (certificates for exemption from prescription charges), for the words " section 38(3) of the 1946 Act" there shall be substituted the words " section 40(3) of the 1947 Act " and for the words " as part of hospital and specialist services under Part II of the 1946 Act" there shall be substituted the words " under the National Health Service (Scotland) Acts 1947 to 1972, otherwise than under Part IV of the 1947 Act ".
- 34 In section 31 (power to make services available), the following amendments shall be made—
- (a) for the words " hospital and specialist services " (where first occurring) there shall be substituted the words " services under the National Health Service (Scotland) Acts 1947 to 1972 ";
 - (b) for the words " hospital and specialist services" (where second occurring) there shall be substituted the words " services under those Acts ".
- 35 In section 32 (power to dispose of and produce goods), the following amendments shall be made—
- (a) in subsection (1), for the words "hospital and specialist services " there shall be substituted the words " any service under the National Health Service (Scotland) Acts 1947 to 1972 ";
 - (b) in subsection (2), for the words " 1947 Act" there shall be substituted the words " National Health Service (Scotland) Acts 1947 to 1972 ".
- 36 In section 40(1) (accommodation for persons displaced in course of development), for the words " of hospital" there shall be substituted the words " or the National Health Service (Scotland) Act 1972 of ".

PART II

AMENDMENTS OF OTHER ENACTMENTS

The Infectious Disease (Notification) Act 1889

- 37 In section 3(1) (notification of infectious disease), for the words "medical officer of health" (wherever they occur) there shall be substituted the words " chief administrative medical officer of the Health Board ".
- 38 In section 6 (definition of infectious disease), for the words " local authority for the district" there shall be substituted the words " Secretary of State ".
- 39 In section 8(2) (notices and certificates), for the words " a medical officer of health " there shall be substituted the words " the chief administrative medical officer of a Health Board ", for the words " his office or residence " there shall be substituted the words " the office of the Health Board " and for the words " his office or at his residence " there shall be substituted the words " that office ".
- 40 In section 13(2) (application of Act to ships, etc.), for the words from " district of any " onwards there shall be substituted the words " area of any Health Board shall be deemed for the purposes of this Act to be within the area of the Board nearest which it is lying ".

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The Burgh Police (Scotland) Act 1892

41 In section 126 (manure offensive to health), for the words "medical officer of health" there shall be substituted the words "sanitary inspector".

42 In section 255 (defective privies), for the words "medical officer of health" there shall be substituted the words "designated medical officer".

The Public Health (Scotland) Act 1897

43 In section 18 (power of entry), for the words "medical officer", wherever they occur, there shall be substituted the words "designated medical officer", and for the words "their officers", where first occurring, and the words "their officers or other persons" there shall be substituted the words "others aforesaid".

44 In section 36(1) (nuisance), for the words "their medical officer" there shall be substituted the words "the designated medical officer or their sanitary inspector".

45 For the purposes of sections 46 to 51, 53 to 57, 59, 62 to 64, 66, 69 (so far as relating to infectious diseases), 70, 96 and 97, the term "local authority" means a county council or the town council of a large burgh within the meaning of the Local Government (Scotland) Act 1947.

46 In section 47(1) (cleansing and disinfecting of premises), for the words "medical officer or any other legally qualified medical practitioner" and for the words "medical officer or of any other legally qualified medical practitioner" there shall be substituted the words "designated medical officer".

47 In section 49 (launderers to supply names), for the words "medical officer of health" there shall be substituted the words "designated medical officer".

48 In section 51 (infected lodgings not to be let), for the words "medical officer" there shall be substituted the words "designated medical officer".

49 In section 53(1)(a) (disinfection of houses), for the words "medical officer" there shall be substituted the words "designated medical officer".

50 In section 54(1) (hospitalisation of infected persons), for the words from "medical officer" to "to be removed" there shall be substituted the words "designated medical officer".

51 In section 56(1)(c) (exposure of infected persons), for the words "medical officer" there shall be substituted the words "designated medical officer".

52 In section 57 (penalty for sending infected child to school), for the words "medical officer" there shall be substituted the words "designated medical officer".

53 In section 62(1) (dead bodies not to be retained), for the words "medical officer" there shall be substituted the words "designated medical officer".

54 In section 63(1) (infected bodies to be removed only for burial), for the words "medical officer" there shall be substituted the words "designated medical officer".

55 In section 69 (power to order removal of body to mortuary), in subsections (1) and (3), for the words "medical officer", wherever they occur, there shall be substituted the words "designated medical officer".

56 In section 73(3) (entry to tents, etc.), for the words "medical officer", wherever they occur, there shall be substituted the words "designated medical officer", and after

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the words " local authority " there shall be inserted the words " or the designated medical officer ".

57 In section 96 (removal of sick to hospitals), for the words from "without further warrant" to "so certified" there shall be substituted the words " on the certificate of the designated medical officer that the disease is infectious and that the patient may be safely removed, cause him to be removed to a hospital vested in the Secretary of State, but if removal be considered dangerous to life by such officer and is so certified, ".

58 In section 97 (sick persons in common lodging-houses), for the words "medical officer", wherever they occur, there shall be substituted the words " designated medical officer ".

59 In section 98 (inspection of common lodging-houses), after the Word " authority" there shall be inserted the words " or by the designated medical officer ".

The Notification of Births Act 1907

60 In section 1 (early notification of births), the following amendments shall be made—

- (a) in subsection (1), for the words " medical officer of health of the district" there shall be substituted the words " chief administrative medical officer of the Health Board for the area ";
- (b) in subsection (2), for the words " medical officer of health " there shall be substituted the words " chief administrative medical officer of the Health Board ", and for the words "the medical", where second occurring, there shall be substituted the word " that ";
- (c) in subsection (4), for the words " medical officer of health "there shall be substituted the words " chief administrative medical officer of the Health Board ".

The Milk and Dairies (Scotland) Act 1914

61 In section 4(3) (inspection of dairies), for the words "medical officer of health ", where second occurring, there shall be substituted the words " sanitary inspector ".

62 In section 6 (intimation of inspection of dairies), for the words " medical officer of health ", where first occurring, there shall be substituted the words " sanitary inspector ".

63 In section 15 (notification of sick employees), for the words " medical officer of health for the district " there shall be substituted the words " chief administrative medical officer of the Health Board for the area. "

64 For section 16 (dairies and infectious disease), there shall be substituted the following section—

“16 Notification of districts to which milk is consigned.

Where infectious disease occurs among the persons employed, or in the families of persons employed, or among the persons residing at a dairy from which milk is consigned, the dairyman may be required to furnish the designated medical officer with a list of the districts to which the milk is consigned.”

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- 65 In section 17(1) (persons with disease not to assist in dairy), for the words " the medical officer of health " there shall be substituted the words " a medical officer duly authorised by the Health Board or any officer duly authorised by the local authority ".
- 66 In section 18 (procedure for stoppage of milk supplies), the following amendments shall be made—
- (a) in subsections (1) and (3), for the words " medical officer of health " and " medical officer ", wherever they occur, there shall be substituted the words " designated medical officer or sanitary inspector ";
 - (b) in subsection (6), for the words " their medical officer " and "medical officer" there shall be substituted the words " the designated medical officer or sanitary inspector ".
- 67 In section 19 (dairymen to produce lists of customers), for the words " medical officer of health " there shall be substituted the words " designated medical officer or sanitary inspector ", and after the words " such medical officer " there shall be inserted the words " or sanitary inspector ".
- 68 In section 20 (power to inspect dairies), for the words " medical officer of health " there shall be substituted the words " designated medical officer or sanitary inspector ".
- 69 In section 21 (sampling of milk), for the words "medical officer of health ", wherever they occur, there shall be substituted the words " designated medical officer ".

The Local Government (Emergency Provisions) Act 1916

- 70 In section 5(b) (notification of disease), for the words " medical officer of health of the district" there shall be substituted the words " chief administrative medical officer of the Health Board for the area " and for the words " local authority " there shall be substituted the words " Health Board ".

The Nursing Homes Registration (Scotland) Act 1938

- 71 In section 1 (registration), the following amendments shall be made—
- (a) in subsection (2), for the words " local authority" there shall be substituted the words " Health Board ", and for the words " a fee of £1 " there shall be substituted the words " such fee as may be so prescribed ";
 - (b) in subsection (3), for the words " local authority" and " authority" there shall be substituted respectively the words " Health Board " and " Board ".
- 72 In sections 2 and 3 (cancellation of registration and notification thereof), for the words " local authority " and " authority ", wherever they occur, there shall be substituted respectively the words " Health Board " and " Board ".
- 73 At the end of section 4(1) (regulations), there shall be added the following words—
- “and
- (d) with respect to such matters as appear to be expedient in order to secure continuity between the system of registration by local authorities and the system of registration by Health Boards.”.

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74 In section 5(1) (inspection of nursing homes), for the words from the beginning to " made by the authority " there shall be substituted the words " Any medical officer, qualified nurse or other officer of the Health Board duly authorised by the Board ".

75 In section 6 (power to exempt certain institutions), for the words " local authority " and " authority", wherever they occur, there shall be substituted respectively the words " Health Board " and " Board ".

The Public Health (Scotland) Act 1945

76 In section 1 (enforcement of regulations) the following amendments shall be made—

- (a) in subsection (3), after the words " port local authorities " there shall be inserted the words " or Health Boards ", and, in the proviso, after the word " authority " there shall be inserted the word " Board ";
- (b) in subsection (4), after the word " authority " there shall be inserted the word " Board ";
- (c) in subsection (8), in the definition of " authorised officer ", for the words " medical officer of health" there shall be substituted the words " designated medical officer ".

The Polish Resettlement Act 1941

77 In section 4(1) (health services for Poles), for the words " local health authorities ", where first occurring, there shall be substituted the words " Health Boards ".

78 In section 11(3)(b) (application to Scotland), for the words " any corresponding Act applying to Scotland " there shall be substituted the words " the National Health Service (Scotland) Acts 1947 to 1972 ".

The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

79 In section 1(1)(d) (compulsory purchase of land by Secretary of State), for the words from " 57 " to " 1947 " there shall be substituted the words " 58 of the National Health Service (Scotland) Act 1972 ".

The Local Government (Scotland) Act 1947

80 For section 79(7) (medical officer and sanitary inspector), there shall be substituted the following subsection—

“(7) The sanitary inspector of a county shall not be removable from office except by or with the sanction of the Secretary of State.”

81 For section 87(8) (burgh medical officers and sanitary inspectors), there shall be substituted the following subsection—

“(8) The sanitary inspector of a burgh shall not be removable from office except by or with the sanction of the Secretary of State.”

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The National Assistance Act 1948

- 82 In section 24(6) (ordinary residence of patient), for the words " Part II of the National Health Service (Scotland) Act 1947 " there shall be substituted the words " in a hospital vested in the Secretary of State ".
- 83 In section 47 (removal of persons in need of care), the following amendments shall be made—
- (a) in subsections (2) and (7), for the words " medical officer of health " there shall be substituted the words " designated medical officer ";
 - (b) in subsection (8), for the words " Act 1947 " there shall be substituted the words " Acts 1947 to 1972 ".

The Midwives (Scotland) Act 1951

- 84 In section 17 (local supervising authorities), for the words from " local health " to " 1947 " there shall be substituted the words " Health Board ", and for the words " the authority " there shall be substituted the words " the Health Board ".
- 85 In section 28(2) (apportionment of balances), for the words from " proportion " to " time being " there shall be substituted the words " such proportion as the Secretary of State may approve ".

The Nurses (Scotland) Act 1951 General amendments

- 86 For the words " regional nurse-training committee", " a regional nurse-training committee" and " regional nurse-training committees ", wherever they occur, there shall be substituted respectively the words " area nurse-training committee " , " an area nurse-training committee " and " area nurse-training committees "

Particular amendments

- 87 In section 19(4) (definition of " area"), for the words " a hospital area " there shall be substituted the words " the area of a Health Board ", and for the words " two or more hospital areas " there shall be substituted the words " the areas of two or more Health Boards ".
- 88 In section 20 (schemes for training of nurses), the following amendments shall be made—
- (a) in subsection (1), for the words " Board of Management acting on behalf of a Regional Hospital Board" and for the words " Board of Management" there shall be substituted respectively the words " Health Board " and "Health Boards";
 - (b) in subsections (2) and (3), for the words " Regional Hospital Board ", wherever they occur, there shall be substituted the words " Health Board ".
- 89 In section 22 (expenditure on training of nurses), for the words " Board of Management", wherever they occur, there shall be substituted the words " Health Board ", and, in subsection (1), for the words " section 54 of the National Health Service (Scotland) Act 1947" there shall be substituted the words " section 60 of the National Health Service (Scotland) Act 1972 ".
- 90 In section 32 (supplemental), for the definition of " licensing authority " there shall be substituted the following definition—
- “" licensing authority" means the Health Board for the area concerned.”

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91 In Schedule 4 (nurse-training committees), for the words " Regional Hospital Board" and " Regional Hospital Boards", wherever they occur, there shall be substituted respectively the words " Health Board " and " Health Boards " .

92 In paragraphs 1(a) and 4(1) of Schedule 4, for the words " more than one hospital area " there shall be substituted the words " the area of more than one Health Board " .

The Rag Flock and Other Filling Materials Act 1951

93 In section 35 (interpretation), in the definition of " authorised officer of a local authority ", for the words " medical officer of health " there shall be substituted the words " designated medical officer " .

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

- 94 In Schedule 2 (relevant service), the following amendments shall be made—
- (a) in item 15, for the words "the National Health Service (Scotland) Act 1947" there shall be substituted the words " a Health Board or the Common Services Agency for the Scottish Health Service or other body constituted under the National Health Service (Scotland) Acts 1947 to 1972, and, in the second column, after the word " Council" there shall be inserted the word " Agency " ;
 - (b) in item 16, in the second column, after the word " Council " there shall be inserted the words " or Health Board " .

The Food and Drugs (Scotland) Act 1956

95 In section 22 (notification of food poisoning), for the words "local health authority", wherever they occur, there shall be substituted the words " Health Board " , and, in subsection (1), for the words " medical officer for that area" there shall be substituted the words " chief administrative medical officer of the Board " .

96 In section 24 (suspected food), for the words " medical officer of any local authority " and the words " medical officer " , wherever they occur, there shall be substituted the words " designated medical officer or sanitary inspector " , and, in subsection (3), for the words " local authority " , in both places where they occur, there shall be substituted the words " Health Board " .

97 In section 58(1) (interpretation), in the proviso to the definition of " authorised officer " , for the words " medical officer " there shall be substituted the words " designated medical officer " .

The Medical Act 1956

- 98 In section 16 (employment in health centres), the following amendments shall be made—
- (a) in subsection (1), for the words " section 15 of the National Health Service (Scotland) Act 1947" there shall be substituted the words " section 2 of the National Health Service (Scotland) Act 1972 " ;
 - (b) in subsection (2)(b), for the words from " such out-patient" to " 1947 " there shall be substituted the words " the services of specialists or other services provided for out-patients in such a health centre as is referred to in subsection (1) above " .

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The Dentists Act 1957

- 99 In section 42(4) (national and local authority health services), the following amendments shall be made—
- (a) in paragraph (a), after " 1948 " there shall be inserted the words " or of services under section 2 of the National Health Service (Scotland) Act 1972 ";
 - (b) in paragraph (b), for the words " section 15 of the National Health Service (Scotland) Act 1947" there shall be substituted the words " section 2 of the National Health Service (Scotland) Act 1972 ";
 - (c) in paragraph (c), for the words " section 22 of the National Health Service (Scotland) Act 1947" there shall be substituted the words " section 5 of the National Health Service (Scotland) Act 1972 ";
 - (d) in paragraph (d), for the words from " section 51 " to " 1956" there shall be substituted the words " section 6 of the National Health Service (Scotland) Act 1972 ".

The Opticians Act 1958

- 100 In section 21(2)(b) (restriction on sale or supply of optical appliances), after the word " 1947 " there shall be inserted the words " the National Health Service (Scotland) Act 1972 ".

The National Assistance (Amendment) Act 1959

- 101 In section 1(1) (determination of ordinary residence), for the words " Part II of the National Health Service (Scotland) Act 1947 " there shall be substituted the words " in a hospital vested in the Secretary of State ".

The Mental Health Act 1959

- 102 In section 81(2)(a) (removal of patients to Scotland), for the words " board of management" there shall be substituted the words " Health Board responsible for the administration of the hospital ".

The Road Traffic Act 1960

- 103 In section 214(1)(c) (payment for treatment), for the words from "any" onwards there shall be substituted the words " the Health Board responsible for the administration of the hospital ".

The Radioactive Substances Act 1960

- 104 In section 14(1) (application to Crown), for the words " Board of Management", in both places where they occur, there shall be substituted the words " Health Board ".

The Mental Health (Scotland) Act 1960

- 105 In section 7(1A) (functions of local authorities), for the words " the aforesaid persons" there shall be substituted the words " persons who are or have been suffering from mental disorder ".

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- 106 In section 15(3)(a) (registration of private hospitals), for the words from " provided " to " 1947 " there shall be substituted the words " vested in the Secretary of State ".
- 107 In section 27 (medical recommendations), the following amendments shall be made—
- (a) in paragraph (b), for the words " Regional Hospital Board " there shall be substituted the words " Health Board ";
 - (b) in paragraph (c), for the words "section 5 of the National Health Service (Scotland) Act 1947" there shall be substituted the words " section 1 or 2 of the Health Services and Public Health Act 1968 ".
- 108 In section 30(2) (rectification of application etc.), for the words " medical officer of the local authority " there shall be substituted 'the words " designated medical officer ".
- 109 In the proviso to section 34(2) (correspondence of patients), after the words " any of the following—" there shall be inserted the following item—
- “(i) the European Commission of Human Rights ;”.
- 110 In section 53(1)(5) (interpretation), for the words from "the medical" to " that authority " there shall be substituted the words " any medical practitioner authorised by the local authority ".
- 111 In section 57(1) (medical evidence), for the words "Regional Hospital Board" there shall be substituted the words " Health Board ".
- 112 In section 60(2) (restriction of discharge), for the words " Regional Hospital Board" there shall be substituted the words " Health Board ".
- 113 In section 65(4) (removal to hospital of prisoners awaiting trial), for the words " Regional Hospital Board" there shall be substituted the words " Health Board ".
- 114 In section 92(2) (limitation on valuables held on behalf of a patient), for the words " an amount of one hundred pounds " there shall be substituted the words " such sum as the Secretary of State may from time to time direct ".
- 115 In section 91(1)(b) (protection of female patients), for the words from " or in pursuance " onwards there shall be substituted the words " or in the care of a local authority under the Social Work (Scotland) Act 1968 or resident in a house provided by a local authority under that Act ".
- 116 In section 101(2) (pocket money for patients), for the words "Act 1947" there shall be substituted the words " Acts 1947 to 1972 ", and for the words from "hospital" to "that Act" there shall be substituted the words " services are provided under those Acts ".
- 117 In section 111(1) (interpretation), in paragraph (a) of the definition of " board of management", for the words " board of management" there shall be substituted the words " Health Board responsible for the administration ", and at the end of that definition there shall be added the words " or if the management has been delegated to a Health Board or to the Common Services Agency for the Scottish Health Service, that Board or Agency, as the case may be ".

The Public Bodies (Admission to Meetings) Act 1960

- 118 In paragraph 2 of the Schedule (bodies to which Act applies), for sub-paragraphs (d) and (e) there shall be substituted the following paragraph—

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“(d) Health Boards constituted under the National Health Service (Scotland) Act 1972, but only so far as regards the exercise of their executive functions”.

The Factories Act 1961

- 119 In section 8(6) (enforcement by district council), for the words " medical officer of health" there shall be substituted the words " sanitary inspector " .
- 120 In section 9(2) (powers of inspectors), for the words " of health " there shall be substituted the words " of the Health Board for the area " .
- 121 In section 153 (officers of councils), the following amendments shall be made—
- (a) in subsection (1), for the words " medical officer of health " there shall be substituted the words " sanitary inspector " ;
 - (b) in subsection (3), after the words " this Act", where first occurring, there shall be inserted the words " the designated medical officer " , and after the words " except by " there shall be inserted the words "the designated medical officer or .
- 122 In Schedule 5, in section 110(2) and (3) (provisions of Act of 1901), for the words "medical officer of health", in both places where they occur, there shall be substituted the words " designated medical officer " .

The Education (Scotland) Act 1962

- 123 In section 57 (regulations as to medical and dental examination and inspection), for the words from " this Act" onwards there shall be substituted the words " the performance of his duties under section 6 of the National Health Service (Scotland) Act 1972 " .
- 124 In section 58(2) (medical inspection of pupils and young persons), for the words " their duty under this section " there shall be substituted the words " the duty of the Secretary of State under section 6 of the National Health Service (Scotland) Act 1972 " , and for the words " by the authority" there shall be substituted the words " by the Health Board in agreement with the authority " .
- 125 In section 58A(2) (dental inspection of pupils and young persons), for the words " their duty under this section " there shall be substituted the words " the duty of the Secretary of State under section 6 of the National Health Service (Scotland) Act 1972 " , and for the words " by the authority " there shall be substituted the words " by the Health Board in agreement with the authority " .
- 126 In section 61 (power to ensure cleanliness), the following amendments shall be made—
- (a) in subsection (1), for the words " the authority " there shall be substituted the words " the Health Board for the area " ;
 - (b) in subsection (2), for the words from " the medical officer " to " their behalf " there shall be substituted the words " the authority " ;
 - (c) in subsection (6), for the words " he may, if he considers " there shall be substituted the words " he shall so advise the authority, who may, if they consider " ;
 - (d) in subsection (7), for the words " an education authority " there shall be substituted the words " a Health Board " .

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- 127 In section 101(d) (admissibility of documents), for the words " an education authority" onwards there shall be substituted the words " a Health Board, and to be signed by such officer " .

The Emergency Laws (Re-enactments and Repeals) Act 1964

- 128 In section 15 (interpretation), for the words " 1947 to 1961 " there shall be substituted the words " 1947 to 1972 " .

The Registration of Births, Deaths and Marriages (Scotland) Act 1965

- 129 In section 51(b) (returns), for the words " medical officer of health for the local authority " there shall be substituted the words " chief administrative medical officer of the Health Board " .

The Redundancy Payments Act 1965

- 130 In Schedule 3 (National Health Service Employers), for paragraph 1 there shall be substituted the following paragraph—

“1 A Health Board or the Common Services Agency for the Scottish Health Service”,

and, in paragraph 7, for the words " section 32(4) of the said Act of 1947 " there shall be substituted the words " section 13(8) of the National Health Service (Scotland) Act 1972 " .

The Ministry of Social Security Act 1966

- 131 In section 6(1)(b) (medical requirements etc), for the words " 1947 to 1966" there shall be substituted the words " 1947 to 1972 " .

The Housing (Scotland) Act 1966

- 132 In sections 98(1), 180, 184 and 185(1)(5), for the words " medical officer of health", wherever they occur, there shall be substituted the words " sanitary inspector " .

The Parliamentary Commissioner Act 1967

- 133 In paragraph 8 of Schedule 3 (matters not subject to investigation), for the words " Regional Hospital Board " there shall be substituted the words " Health Board ", and for the words " Board of Management" there shall be substituted the words " the Common Services Agency for the Scottish Health Service " .

The Superannuation (Miscellaneous Provisions) Act 1967

- 134 In section 7(5) (superannuation provisions of National Health Service Acts), for the words " Act 1947 " there shall be substituted the words " Acts 1947 to 1972 " .

The Health Services and Public Health Act 1968

- 135 In section 63 (provision of instruction for employees), the following amendments shall be made—

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- (a) in subsection (1)(a), for the words from " Regional" to " teaching hospital" there shall be substituted the words " Health Board ";
 - (b) in subsection (1)(b). for the words from " specified" to " Treasury " there shall be substituted the words " deter-mined by him ";
 - (c) in subsection (2)(tf), for the words " an Executive Council" there shall be substituted the words " a Health Board ";
 - (d) in subsection (8), in paragraph (b) of the definition of " the relevant enactments ", for the words " sections 58 and 59 of the Education (Scotland) Act 1962" there shall be substituted the words " section 6 of the National Health Service (Scotland) Act 1972 ".
- 136 In section 64 (financial assistance to voluntary organisations), the following amendments shall be made—
- (a) at the end of subsection (4)(a) there shall be added the words " and the National Health Service (Scotland) Act 1972 ";
 - (b) in subsection (4)(b), for the words " an Executive Council" there shall be substituted the words " a Health Board ".
- 137 In section 65(6) (assistance by local authorities to voluntary organisations), for subsection (2B)(c) there shall be substituted the following paragraph—
- “(c) " the relevant enactments" means the National Health Service (Scotland) Acts 1947 to 1972, Part III of the National Assistance Act 1948 and section 3 of the Disabled Persons (Employment) Act 1958 ;”.
- 138 In section 71(1) (compensation for stopping employment), for the words " medical officer of health " there shall be substituted the words " designated medical officer ".
- 139 In subsections (1) and (2) of section 72 (sheriff may order medical examination), for the words " medical officer of health", wherever they occur, there shall be substituted the words " designated medical officer ".
- 140 In section 73 (power of medical officers to enter premises), for the words " medical officer of health", wherever they occur, there shall be substituted the words " designated medical officer ".

The Social Work (Scotland) Act 1968

- 141 In section 60(1)(f) (control of certain establishments), at the end there shall be added the words " or the National Health Service (Scotland) Act 1972 ".

The Medicines Act 1968

- 142 In section 55(2)(b) (exemptions for doctors etc.), for the words " a local health authority in Great Britain " there shall be substituted the words " the Secretary of State ".
- 143 In section 131(5) (meaning of certain expressions), for the words " Act 1947 " there shall be substituted the words " Acts 1947 to 1972 ".
- 144 In section 132(1) (interpretation), in the definition of " health centre ", for the words from "section 15 " to " 1947 " there shall be substituted the words " section 2 of the National Health Service (Scotland) Act 1972 ".

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The Post Office Act 1969

- 145 In section 86(1) (interpretation), in paragraph (b) of the definition of " national health service authority ", for the words from " a regional " onwards there shall be substituted the words " a Health Board or the Common Services Agency for the Scottish Health Service constituted under the National Health Service (Scotland) Act 1972 ".

The Chronically Sick and Disabled Persons Act 1970

- 146 In section 17(1) (separation of younger and older patients), for the words from " Regional ", where second occurring, to " 1947 " there shall be substituted the words " Health Board constituted under the National Health Service (Scotland) Act 1972 ".

The Hospital Endowments (Scotland) Act 1971

- 147 In section 1(4) (Scottish Hospital Trust), in the proviso, for the words from " Boards " onwards there shall be substituted the words " Health Boards ".

- 148 In section 3 (powers of the Trust), the following amendments shall be made—
- (a) in paragraph (c), for the words from " Boards " to " Boards " there shall be substituted the words " Health Boards ";
 - (b) for paragraph (e) there shall be substituted the following paragraph—
 - “(e) to accept from any Health Board for investment and management on behalf of the Board any endowments or accumulated income thereof transferred to the Board under Part VI of the National Health Service (Scotland) Act 1972, and any endowments or accumulated income thereof otherwise held by a Health Board ;”;
 - (c) in paragraph (f), for the words "Board of Management" there shall be substituted the words " Health Board ";
 - (d) in paragraph (g), for the words from " Board " to " Board " there shall be substituted the words " Health Board ".

- 149 In section 5 (further provisions relating to transference of funds), the following amendments shall be made—
- (a) in subsection (1), for the words from the beginning to " Board ", where second occurring, there shall be substituted the words " A Health Board ";
 - (b) in subsection (2), for the words " such Boards " there shall be substituted the words " Health Boards ".

- 150 In section 6 (borrowing by Boards), the following amendments shall be made—
- (a) in subsection (1), for the words from " Board " to " Board " there shall be substituted the words " Health Board ";
 - (b) in subsection (2), for the words " such Boards " there shall be substituted the words " Health Boards ".

- 151 In section 7 (distribution of income), the following amendments shall be made—
- (a) in subsection (1), for the words "Boards of Management, Regional Hospital Boards " there shall be substituted the words " Health Boards ";
 - (b) in subsection (2), for the words " Boards of Management, Regional Hospital Boards and the Committees " there shall be substituted the words " Health Boards and the bodies charged with the management ";

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- (c) in subsection (3), for the words " Boards of Management and Regional Hospital Boards " there shall be substituted the words " Health Boards ".

The Tribunals and Inquiries Act 1971

152 In paragraph 41 of Part II of Schedule 1 (tribunals supervised by Scottish Committee), the following amendments shall be made—

- (a) for sub-paragraph (a) there shall be substituted the following paragraph—
 “(a) Health Boards and joint committees of those Boards constituted under section 13 of the National Health Service (Scotland) Act 1972 ;”;
- (b) in sub-paragraph (c), for the words " an Executive Council " and "Act 1947 (c.27)" there shall be substituted respectively the words " a Health Board or a joint committee of Health Boards " and " Acts 1947 to 1972 ".

The Industrial Relations Act 1971

153 In section 167(2) (interpretation), in paragraph (a), after the words " 1946 or " there shall be inserted the words " by a Health Board ", and, in paragraph (b), for the words " Executive Council" there shall be substituted the words " Health Board ".

The Education (Milk) Act 1971

154 In section 2(1)(b) (provision of milk in Scotland), for the words " education authority" there shall be substituted the words " Health Board ".

The Immigration Act 1971

155 In section 24(1)(d) (offences), for the words " a medical officer of health " there shall be substituted the words " the chief administrative medical officer of a Health Board ".

156 In paragraph 7 of Schedule 2 (medical examination after entry), for the words " such medical officer of health " there shall be substituted the words " the chief administrative medical officer of such Health Board " and the words " of health " shall be omitted.

The Employment Medical Advisory Service Act 1972

157 In section 1(6) (school medical records), for the words "education authority", where second occurring, there shall be substituted the words " Health Board ".