

## SCHEDULES

### SCHEDULE 1

Sections 13 and 15.

#### HEALTH BOARDS AND UNIVERSITY LIAISON COMMITTEES

##### PART I

##### HEALTH BOARDS

- 1 A Health Board shall be a body corporate and shall have a common seal.
- 2 A Health Board shall consist of a chairman appointed by the Secretary of State and such number of other members so appointed as the Secretary of State thinks fit.
- 3 Appointments under paragraph 2 above shall be made after consultation with the following bodies—
  - (a) county councils and town councils of large burghs (within the meaning of the Local Government (Scotland) Act 1947) in the area of the Health Board concerned ;
  - (b) any university appearing to the Secretary of State to have an interest in the provision of health services in that area;
  - (c) such organisations as the Secretary of State may recognise as representative in that area of the medical, dental, nursing, pharmaceutical and ophthalmic professions and such other professions as the Secretary of State considers appropriate, or of those professions generally ; and
  - (d) such other organisations as appear to the Secretary of State to be concerned.
- 4 In the case of appointments made before the appointed day for the transfer of functions to a Health Board, the Secretary of State shall also consult with such of the following bodies providing services in the area of the Health Board as appear to him to be appropriate, that is to say—
  - (a) Regional Hospital Boards ;
  - (b) Boards of Management;
  - (c) Executive Councils ; and
  - (d) local health authorities.
- 5 The Secretary of State may pay to the chairman of a Health Board such remuneration as he may, with the approval of the Minister for the Civil Service, from time to time determine.
- 6 In Part III of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies offices the holders of which are disqualified under that Act) as it applies to the House of Commons of the Parliament of the United Kingdom, there shall be inserted at the appropriate point in alphabetical order the entry " Paid chairman of a Health Board constituted under the National Health Service (Scotland) Act 1972 ".

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- 7 A Health Board may employ such officers and servants on such terms as to remuneration and conditions of service as the Board may, subject to regulations, determine.
- 8 Regulations may make provision with respect to the method of appointment of officers or servants of a Health Board and as to the qualifications, remuneration and conditions of service of those persons.
- 9 No officer or servant of a Health Board to whom regulations apply shall be employed otherwise than in accordance with the regulations.
- 10 Regulations under paragraph 8 above shall not contain a requirement that all consultants employed for the purpose of hospitals shall be employed whole-time.
- 11 The application of the seal of a Board to any document shall be attested by at least one member of the Board and by the person for the time being acting as Secretary of the Board.
- 12 Every document purporting to be an instrument issued by a Board and to be sealed and attested as aforesaid or to be duly signed on behalf of the Board shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

## PART II

### UNIVERSITY LIAISON COMMITTEES

The University Liaison Committee for any area or combination of areas shall consist of such number of members as the Secretary of State thinks fit, and of those members—

- (a) not less than one-third shall be appointed by any university or universities appearing to the Secretary of State to have an interest in the health service in the area or combined areas ;
- (b) a number, equal to the number appointed under paragraph (a) above, shall be appointed by the Health Board for the area or, as the case may be, by the Health Boards for the combined areas acting jointly ; and
- (c) any other members shall be appointed in such manner as may be provided in the order constituting the Committee.

The Committee shall appoint one of their number to be chairman.

## PART III

### SUPPLEMENTARY PROVISIONS

- 1 Regulations may make provision—
- (a) as to the appointment, tenure of office and vacation of office of chairmen and members of Health Boards and University Liaison Committees ;
  - (b) as to the delegation of functions to committees or subcommittees composed, as to a majority, of members of those bodies;
  - (c) as to the procedure of those bodies, their committees and sub-committees; and

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- (d) for the payment by Health Boards of subscriptions, of such amounts as the Secretary of State may approve, to the funds of such associations or other bodies as he may from time to time approve.
- 2 The proceedings of a Health Board or a University Liaison Committee shall not be invalidated by any vacancy in membership or by any defect in the appointment of any member thereof.
- 3 The Secretary of State shall pay to members of a Health Board, the committees and sub-committees thereof, and to members of University Liaison Committees, such travelling and other allowances, including compensation for loss of remunerative time, as he may, with the approval of the Minister for the Civil Service, from time to time determine.
- 4 Allowances shall not be paid under paragraph 3 above except in connection with the performance of such powers or duties, in such circumstances, as the Secretary of State may determine.
- 5 Payments under paragraph 3 above shall be made at such times and in such manner, and subject to such conditions as to records, certificates or otherwise, as the Secretary of State may determine.

## SCHEDULE 2

Section 17.

### SCOTTISH HEALTH SERVICE PLANNING COUNCIL

- 1 The Scottish Health Service Planning Council shall consist of a chairman appointed by the Secretary of State, and other members appointed as follows—
- (a) one member appointed by each Health Board ;
  - (b) one member appointed by each university in Scotland which has a medical school;
  - (c) not more than six officers of the Secretary of State appointed by him; and
  - (d) such other members, not being officers of the Secretary of State, as may be appointed by him.
- 2 The Secretary of State shall have power to appoint a vice-chairman from among the membership of the Council.
- 3 Regulations may make provision for—
- (a) the appointment, tenure and vacation of office of the chairman, vice-chairman and members of the Council;
  - (b) enabling alternate members to attend in place of any member of the Council who may be absent;
  - (c) the attendance as assessors at meetings of the Council of the chairmen of the national consultative committees;
  - (d) the appointment by the Council of committees whose membership may include persons who are not members of the Council; and
  - (e) the procedure of the Council or of any committee thereof.
- 4 The proceedings of the Council or of any committee thereof shall not be invalidated by any vacancy in the membership of the Council or committee or by any defect in the appointment or qualification of any member thereof.

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- 5           The Secretary of State shall pay to members of the Council, the committees and sub-committees thereof, such travelling and other allowances, including compensation for loss of remunerative time, as he may, with the approval of the Minister for the Civil Service, from time to time determine.
- 6           Allowances shall not be paid under paragraph 5 above except in connection with the performance of such powers or duties, in such circumstances, as the Secretary of State may determine.
- 7           The Secretary of State shall have power, after consultation with the Council, to make such arrangements for the provision of secretarial and other services and facilities for the Council as appear to him to be appropriate.

### SCHEDULE 3

Section 19.

#### THE COMMON SERVICES AGENCY FOR THE SCOTTISH HEALTH SERVICE

- 1           The Agency shall be a body corporate and shall have a common seal.
- 2           The affairs of the Agency shall be managed by a management committee constituted in accordance with paragraph 3 below.
- 3           The management committee shall consist of a chairman appointed by the Secretary of State and other members appointed as follows—
- (a) five members appointed by the Secretary of State ;
  - (b) six members appointed by the Secretary of State on the nomination of the Health Boards acting jointly; and
  - (c) such other members as may be appointed by the Secretary of State after consultation with the Health Boards, acting jointly.
- 4           The proceedings of the management committee shall not be invalidated by any vacancy in its membership or by any defect in the appointment of any member thereof.
- 5           The Secretary of State shall pay to members of the management committee and sub-committees thereof such travelling and other allowances, including compensation for loss of remunerative time, as he may, with the approval of the Minister for the Civil Service, from time to time determine.
- 6           Allowances shall not be paid under paragraph 5 above except in connection with the performance of such powers or duties, in such circumstances, as the Secretary of State may determine.
- 7           The Agency may employ such officers and servants on such terms as to remuneration and conditions of service as the management committee may, subject to regulations, determine.
- 8           Regulations may make provision with respect to—
- (a) the appointment, tenure and vacation of office of the chairman and members of the management committee ;
  - (b) enabling alternate members to attend in place of any member of the committee who may be absent;
  - (c) the appointment by the management committee of subcommittees whose membership may include persons who are not members of the management committee;

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- (d) the procedure of the management committee ; and
  - (e) the method of appointment of officers or servants of the Agency and the qualifications, remuneration and conditions of service of those persons.
- 9 No officer or servant of the Agency to whom regulations apply shall be employed otherwise than in accordance with the regulations.
- 10 The application of the seal of the Agency to any document shall be attested by at least one member of the management committee and by an officer authorised for the purpose by the management committee.
- 11 Every document purporting to be an instrument issued by the Agency and to be sealed and attested as aforesaid or to be duly signed on behalf of the Agency shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

#### SCHEDULE 4

Section 32.

##### PUBLIC HEALTH FUNCTIONS

- 1 Functions with respect to the notification of infectious disease under the Infectious Disease (Notification) Act 1889.
- 2 Functions with respect to persons infested with vermin under the Cleansing of Persons Act 1897.
- 3 Functions with respect to the notification or prevention of infectious disease, mortuaries or common lodging-houses under the Public Health (Scotland) Act 1897 or the functions of a port local authority under that Act.
- 4 Functions with respect to the notification of births under the Notification of Births Act 1907.
- 5 Functions with respect to the prevention and treatment of epidemic, endemic or infectious diseases, or food poisoning.
- 6 Functions of local authorities under the Food and Drugs (Scotland) Act 1956.
- 7 Functions with respect to preventing the spread of infectious disease or food poisoning under section 71 of the Act of 1968.

#### SCHEDULE 5

Section 45.

##### ACTION NOT SUBJECT TO INVESTIGATION

- 1 Action taken by medical practitioners, dental practitioners, pharmacists, ophthalmic or dispensing opticians in pursuance of their contracts with Executive Councils or Health Boards under Part IV of the Act of 1947.
- 2 Action taken in connection with the diagnosis of illness or disease or the care or treatment of a patient, being action which, in the opinion of the Commissioner, was taken solely in the exercise of clinical judgment, whether formed by the person taking the action or by any other person.

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- 3 Action taken by an Executive Council or a Health Board in the exercise of their functions under the National Health Service (Medical and Pharmaceutical Service Committees and Tribunal) (Scotland) Regulations 1948, Parts VI and VII of the National Health Service (General Dental Services) (Scotland) Regulations 1948, Part III of the National Health Service (Joint Ophthalmic Services Committees) (Scotland) Order 1948 or any regulations or order amending or replacing those regulations or that order.
- 4 Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters in relation to service under the Health Service Acts.
- 5 Action taken in matters relating to contractual or other commercial transactions other than in matters arising from arrangements between a body subject to investigation and an authority or body outwith the health service for the provision of services to patients by that authority or body.
- 6 Action which has been or is the subject of an inquiry under section 69 of the Act of 1947.
- 7 Action in relation to which the protective functions of the Mental Welfare Commission have been, are being or may be exercised under the Mental Health (Scotland) Act 1960.

## 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 ".

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- 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:—
- (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 " .

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- 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 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 ".



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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 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

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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.
- 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 ".

#### *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 ".

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- 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 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 ".

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*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.”

- 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 ".

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*Status: This is the original version (as it was originally enacted).*

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*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.”.
- 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 ".

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*Status: This is the original version (as it was originally enacted).*

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*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.”

*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"

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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.”

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 ".



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- 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 ".

*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 ".

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*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 ".
- 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 ".

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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—

“(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

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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 ".

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 ".

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*Status: This is the original version (as it was originally enacted).*

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*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—

- (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 ".

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*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 ".

*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—

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- (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 ";
  - (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.

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*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 " .

SCHEDULE 7

Section 64.

REPEAL OF ENACTMENTS

**PART I**

REPEALS RELATING TO THE NATIONAL HEALTH SERVICE (SCOTLAND) ACTS 1947 TO 1968

Chapter	Short Title	Extent of Repeal
<a href="#">10 &amp; 11 Geo. 6. c. 27.</a>	The National Health Service (Scotland) Act 1947.	<p>Section 2.</p> <p>In section 3, subsections (1) and (2) , and, in subsection (3), the words " as part of the hospital and specialist services " and the words " part of the services " .</p> <p>In section 4, the words " as part of the hospital and specialist services " .</p> <p>In section 6, subsections (1) to (3) , and subsections (5) to (8).</p> <p>Sections 7, 9 and 10 to 15.</p> <p>Section 16(2).</p> <p>Section 17(2).</p> <p>In section 18, in subsection (1), the word " bacteriological " , and subsection (2).</p> <p>In section 19, the words " in providing hospital and specialist services " .</p> <p>Sections 20 to 22.</p> <p>Sections 24 to 26.</p> <p>Section 27, so far as concerned with functions relating to medical, dental or nursing care, or to health visiting.</p>



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Chapter	Short Title	Extent of Repeal
		<p>Sections 29 to 33.</p> <p>In section 35, subsection (1), subsection (2)(a) and, in subsection (2)(b), the word "such".</p> <p>Section 38.</p> <p>In section 42, in subsection (1), the words from the beginning to "optical appliances", and subsections (2) and (2A).</p> <p>Section 47.</p> <p>Section 53(7).</p> <p>Sections 54 and 55.</p> <p>Section 56(3).</p> <p>Sections 57 to 59.</p> <p>In section 60, the words "and in the making of appointments to the Board of Management".</p> <p>Sections 61 to 65.</p> <p>Sections 67 and 68.</p> <p>Section 71.</p> <p>In section 73, in subsection (1), in paragraph (a), the words "(except regulations made under section 67)", in paragraph (b), the words "under subsection (2) of section 2 or" and the words "or under subsection (3) of section 32", paragraphs (c) and (d), and subsection (2).</p> <p>In section 74, the words from "and the enactments" to "that Part", and the words "and repeal".</p> <p>Sections 75 and 76.</p> <p>Section 78.</p> <p>In section 80, in subsection (1), the definitions of "appointed day", "</p>

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Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 93.	The National Health Service (Amendment) Act 1949.	<p>insurance committee " and " local health authority", and subsection (3).</p> <p>Schedule 1.</p> <p>Schedule 4.</p> <p>Schedule 6.</p> <p>In Schedule 11, in Part I, the entry relating to the Infectious Disease (Notification) Act 1889, in the entry relating to the Public Health (Scotland) Act 1897, the words from the beginning to " local health authority", where second occurring, the entry relating to the Notification of Births Act 1907 and all entries following thereon.</p> <p>Section 3(1).</p> <p>Section 12.</p> <p>Section 20(2).</p> <p>In section 29(1), the proviso, and section 29(3).</p> <p>In Part II of the Schedule, the entries relating to sections 15 and 33 and to Schedule 6.</p>
14 & 15 Geo. 6. c. 31.	The National Health Service Act 1951.	<p>In section 1(2), the words " under the said Part II ".</p> <p>Section 3.</p>
1968 c. 46.	The Health Services and Public Health Act 1968.	<p>In section 1, in subsection (2), the words " providing hospital and specialist services ", and, in subsection (3), the words " providing hospital and specialist services" and the words " hospital and specialist ".</p> <p>Section 8.</p> <p>Section 9(2).</p> <p>Sections 10 and 11.</p> <p>Section 14(2).</p>

*Status: This is the original version (as it was originally enacted).*

Chapter	Short Title	Extent of Repeal
		<p>Section 15.</p> <p>In section 19, subsections (2) and (3) and (5) to (7).</p> <p>In section 21(4), the words from " but section 15(6) " onwards.</p> <p>Section 24.</p> <p>Section 27(2).</p> <p>Section 28.</p> <p>In section 29(3), paragraphs (b) and (d).</p> <p>Section 30(2).</p> <p>In section 33, in subsection (4), the words " as part of hospital and specialist services ", and the words " supplied as part of such services ", and subsection (6).</p> <p>In section 37(1)(a), subparagraphs (i) to (iii), except the words "the Scottish Dental Estimates Board ".</p> <p>In section 39, the words " as part of the hospital and specialist services ".</p> <p>Section 41.</p> <p>In section 43(4), the words from " and in section 64 " onwards.</p> <p>In Part I of Schedule 3, the entry relating to the Act of 1947.</p>

## PART II

### REPEALS RELATING TO OTHER ENACTMENTS

Chapter	Short Title	Extent of Repeal
52 & 53 Vict. c. 72.	The Infectious Disease (Notification) Act 1889.	<p>Section 2.</p> <p>Section 4(2) and (3).</p> <p>Section 5.</p>

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Chapter	Short Title	Extent of Repeal
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act 1892.	<p>Section 8(1).</p> <p>Section 11.</p> <p>Section 14.</p> <p>In section 16, the definitions of " urban or rural district " and " port sanitary district " .</p> <p>In section 17, the words from "The expression "local authority " " onwards.</p> <p>In section 118, the words " medical officer of health " and the words " medical officer ", in both places where they occur.</p> <p>In section 243, the words " the medical officer of health or " .</p>
60 & 61 Vict. c. 38.	The Public Health (Scotland) Act 1897.	<p>In section 3, the definitions of " medical officer of health " and " medical officer " .</p> <p>In section 15, the words " the medical officers and " .</p> <p>In section 31(2), the words " or medical officer " .</p>
7 Edw. 7. c. 40.	The Notification of Births Act 1907.	<p>In section 1(2), the words " or residence", in both places where they occur.</p> <p>In section 4, the words from " (1) The expression" to " 1897, and".</p>
4 & 5 Geo. 5. c. 46.	The Milk and Dairies (Scotland) Act 1914.	<p>In section 4, in subsection (1), the words " the medical officer of health or ", in subsection (3), the words " medical officer of health or " and the words " medical officer of health ", where last occurring, and, in subsection (5), the words " Medical officers of health " .</p> <p>In section 5, the words " the medical officer of health " .</p>

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Chapter	Short Title	Extent of Repeal
1 & 2 Geo. 6. c. 73.	The Nursing Homes Registration (Scotland) Act 1938.	<p>In section 6, the words " medical officer of health ", where second occurring.</p> <p>In section 7(3), the words " medical officer of health ".</p> <p>In section 18(1), the words " in the district", and section 18(2).</p> <p>In section 21, the words " medical officer of health or", where first occurring, and the words from " such examination " to " shall be final".</p> <p>Section 9.</p> <p>In section 10, the definitions of "local authority" and " county ".</p>
2 & 3 Geo. 6. c. 94.	The Local Government Staffs (War Service) Act 1939.	<p>In section 15(5), in the section substituted for section 2, paragraph (a) and the words " medical officer or ".</p>
9 & 10 Geo. 6. c. 15.	The Public Health (Scotland) Act 1945.	<p>In section 1(8), in paragraph (c) of the definition of " local authority", the words from " and includes " onwards.</p>
10 & 11 Geo. 6. c. 19.	The Polish Resettlement Act 1947.	<p>In section 4(1), the words from " on or after " to " that Act ", where first occurring.</p>
10 & 11 Geo. 6. c. 43.	The Local Government (Scotland) Act 1947.	<p>In section 79, in subsection (1), the words from " a medical" to " health of the county and ", the words " medical officer and ", and the words " and their relations to each other ", subsection (2), in subsection (4), the words " the medical officer of health and ", subsection (5), in subsection (6), the words " the medical officer of health of a county or", in subsection (9), the words " The medical officer of health</p>

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Chapter	Short Title	Extent of Repeal
14 & 15 Geo. 6. c. 54.	The Midwives (Scotland) Act 1951.	<p>of a county and ", and, in subsection (10), the words " two or more medical officers of health or" and proviso (a).</p> <p>In section 83, in subsection (1), the words " a medical officer of health of a county ", and subsection (4).</p> <p>In section 87, in subsection (1), the words from " a medical " to " health of the burgh, and ", the words " the medical officer and " and the words "and their relations to each other ", subsection (2), in subsection (4), the words " the medical officer of health and ", subsection (5), in subsection (6), the words " the medical officer of health of a large burgh or ", subsection (7), in subsection (10), the words " The medical officer of health of a burgh and" and, in subsection (11), the words " two or more medical officers of health or " and proviso (a).</p> <p>In section 93, in subsection (1), the words " a medical officer of health of a burgh ", and subsection (5).</p> <p>In section 115(3), the words " the National Health Service (Scotland) Act 1947 ".</p> <p>In section 119(6), the words " the National Health Service (Scotland) Act 1947 ".</p> <p>In section 120(6), the words " the National Health Service (Scotland) Act 1947 ".</p> <p>In Schedule 6, item 27.</p> <p>Section 11(3).</p> <p>In section 18(1), the words " by themselves or by their</p>

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Chapter	Short Title	Extent of Repeal
14 & 15 Geo. 6. c. 55.	The Nurses (Scotland) Act 1951.	<p>medical officer acting under their instruction ".</p> <p>Section 21.</p> <p>In section 26, the words " local health authority or other ".</p> <p>Sections 31 and 32.</p> <p>In section 32, the definition of " county ".</p> <p>In section 34, the definition of " hospital area ".</p> <p>In Schedule 1, in paragraph 3, sub-paragraphs (a) and (d).</p> <p>In Schedule 4, in paragraph 1, sub-paragraph (d), and paragraph 3.</p>
14 & 15 Geo. 6. c. 65.	The Reserve and Auxiliary Forces (Protection of Civil Interests )Act 1951.	<p>In section 50, in subsection (2), paragraph (d), and, in subsection (3), the words " and (2) " and the words " medical officer of health or ".</p>
4 & 5 Eliz. 2. c. 30.	The Food and Drugs (Scotland) Act 1956.	<p>In section 58(1), the definition of "local health authority".</p>
5 & 6 Eliz. 2. c. 28.	The Dentists Act 1957.	<p>In section 42(4)(a), the words "Part II of the National Health Service (Scotland) Act 1947 ".</p>
6 & 7 Eliz. 2. c. 32.	The Opticians Act 1958.	<p>In section 21(2)(b), the words " Part II", where second occurring.</p>
6 & 7 Eliz. 2. c. 64.	The Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958.	<p>In section 15(1)(b), the words " the National Health Service (Scotland) Act 1947".</p> <p>In Schedule 1, paragraph 2.</p>
8 & 9 Eliz. 2. c. 61.	The Mental Health (Scotland) Act 1960.	<p>Section 7(1), so far as relating to local health authorities.</p> <p>Section 12(5).</p> <p>Section 27(d).</p> <p>In section 90, in subsection (1), the words</p>

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Chapter	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 34.	The Education (Scotland) Act 1962.	from " and the provisions " onwards. Section 91(2)(b). In section 111(1), the definition of " local health authority ". Section 117(3). In section 58, subsections (1) and (3). Section 58A(1). Sections 59 and 60. In section 145, paragraph (29).
1965 c. 62.	The Redundancy Payments Act 1965.	In Schedule 3, paragraphs 3, 5 and 6.
1966 c. 49.	The Housing (Scotland) Act 1966.	Section 98(2).
1966 c. 51.	The Local Government (Scotland) Act 1966.	In Part II of Schedule 4, the entry (numbered 18) relating to the Nursing Homes Registration (Scotland) Act 1938.
1968 c. 46.	The Health Services and Public Health Act 1968.	In section 63, subsections (4) and (7), and, in subsection (9), the words from " and as if " onwards. Section 67. In section 73(9), the words from " medical officer " to " 1897; and".
1968 c. 49.	The Social Work (Scotland) Act 1968.	In section 1(4)(b), the words from " other than " to " deficiency ". Section 14(3). In section 86(3), the words " forming part of the hospital and specialist services ".
1969 c. 47.	The Nurses Act 1969.	In section 6, the words " or (in Scotland) a regional nurse-training committee " and the words " or Schedule 4 to the Nurses (Scotland) Act 1951 ".



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Chapter	Short Title	Extent of Repeal
1970 c. 44.	The Chronically Sick and Disabled Persons Act 1970.	In section 19, the words from " or under " to " 1947 ".
1971 c. 28.	The Rent (Scotland) Act 1971.	Section 5(2)(e).
1971 c. 77.	The Immigration Act 1971.	In paragraph 7 of Schedule 2, the words " of health ", where second occurring.
1972 c. 11.	The Superannuation Act 1972.	In section 10(1)(a), the words " local health authority or other ".