



# National Health Service (Scotland) Act 1978

## 1978 CHAPTER 29

### PART I

#### ORGANISATION

*[<sup>F1</sup>Proposals and applications in relation to registered independent health care services*

VALID FROM 01/10/2010

#### **[<sup>F1</sup>10X Emergency condition notices: appeals**

- (1) A person—
  - (a) who is given an emergency condition notice; and
  - (b) who—
    - (i) makes no written representations in accordance with section 10V(4)(a); or
    - (ii) makes such representations but is notified as mentioned in section 10V(5)(b),may, within 14 days after the relevant date, appeal to the sheriff against the imposition of the condition.
- (2) In subsection (1), “relevant date” means—
  - (a) where sub-paragraph (i) of subsection (1)(b) applies, the date of service of the emergency condition notice;
  - (b) where sub-paragraph (ii) of that subsection applies, the date notification mentioned in that sub-paragraph is given.
- (3) The sheriff may, on an appeal under subsection (1)—

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*Status: Point in time view as at 01/02/2006. This version of this provision is not valid for this point in time.*

**Changes to legislation:** National Health Service (Scotland) Act 1978, Section 10X is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (a) direct that the condition specified in the emergency condition notice is to continue to have effect;
- (b) direct that the condition is to cease to have effect;
- (c) direct that the condition be varied as specified in the direction;
- (d) impose an additional condition in relation to the registration.]

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#### **Textual Amendments**

**F1** Ss. 10A-10Z19 and cross-headings inserted (1.8.2010 for the insertion of s. 10A for specified purposes, 1.10.2010 for specified purposes, 1.4.2011 for specified purposes, 1.4.2016 for specified purposes with the exception of the insertion of s. 10Z9(1)(a), 1.4.2017 for specified purposes, 19.6.2024 for specified purposes) by Public Services Reform (Scotland) Act 2010 (asp 8), **ss. 108, 134(7)**; S.S.I. 2010/221, art. 3(2)(3), **sch.**; S.S.I. 2010/321, art. 3, **sch.**; S.S.I. 2011/122, art. 2, **sch.**; S.S.I. 2016/22, art. 2(1)(2), sch. 1, **sch. 2**; S.S.I.2024/131, art. 2, **sch. 1**

**Status:**

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