

Status: Point in time view as at 11/01/2000.

Changes to legislation: Mental Health (Scotland) Act 1984, SCHEDULE 1 is up to date with all changes known to be in force on or before 10 June 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)

SCHEDULES

SCHEDULE 1

Section 91(2).

STATE HOSPITAL MANAGEMENT COMMITTEES

PART I

Constitution

- 1 A State Hospital Management Committee shall be a body corporate and shall have a common seal.
- 2 A State Hospital Management Committee 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 Not less than one half of the members of a State Hospital Management Committee shall be persons other than medical practitioners.
- 4 The application of the seal of a State Hospital Management Committee to any document shall be attested by at least one member of the Committee and by the person for the time being acting as secretary of the Committee.
- 5 Every document purporting to be an instrument issued by a State Hospital Management Committee and to be sealed and attested as aforesaid or to be duly signed on behalf of the Committee, shall be received in evidence and shall be deemed to be such an instrument without further proof, unless the contrary is shown.

PART II

Supplementary Provisions

- 6 Regulations may make provision—
 - (a) as to the appointment, tenure and vacation of office of the chairman and other members of a State Hospital Management Committee;
 - (b) as to the delegation of functions to committees or sub-committees [^{F1}constituted in accordance with the regulations]; and
 - (c) as to the procedure of a State Hospital Management Committee, its committees and sub-committees.

Textual Amendments

- F1** Words substituted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 27, [Sch. 5 para. 13](#)

Status: Point in time view as at 11/01/2000.

Changes to legislation: Mental Health (Scotland) Act 1984, SCHEDULE 1 is up to date with all changes known to be in force on or before 10 June 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)

- 7 The proceedings of a State Hospital Management Committee shall not be invalidated by any vacancy in membership or by any defect in the appointment of any member thereof.
- 8 The following provisions of the ^{M1}National Health Service (Scotland) Act 1978 shall apply to a State Hospital Management Committee as they apply to a Health Board, that is to say—
- (a) section 77 (which gives default powers to the Secretary of State);
 - (b) section 78 (which gives emergency powers to the Secretary of State);
 - (c) sections 85(1), (2A), (4) and (6) (which contain provisions as to expenditure being met by the Secretary of State);
 - (d) sections 85A(1) and (3) (which impose financial duties); . . . ^{F2}
 - (e) section 86 (which provides for the auditing and examination of accounts) [^{F3}; and]
 - [^{F3}(f) paragraphs 7A to 7C and 8A of Schedule 1 (which relate to the transfer of staff).]

Textual Amendments

F2 Words repealed by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 27, [Sch. 5 para. 13](#)

F3 [Sch. 1 para. 8\(f\)](#) and word inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 27, [Sch. 5 para. 13](#)

Marginal Citations

M1 [1978 c. 29](#).

Status:

Point in time view as at 11/01/2000.

Changes to legislation:

Mental Health (Scotland) Act 1984, SCHEDULE 1 is up to date with all changes known to be in force on or before 10 June 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.