

EXPLANATORY NOTE

(This note is not part of the Order)

This Order constitutes, under article 3, a Special Health Board for the whole of Scotland to be known as the Health Education Board for Scotland. In accordance with article 1 the Order comes into force on 18th January 1991 for appointment and remuneration of Board Members and staff and for certain other purposes and on 1st April 1991 for all other purposes.

Article 4 of the Order confers on the new Board the function of providing health education in Scotland and it shall exercise powers of the Secretary of State under section 42 of the National Health Service (Scotland) Act 1978 (c. 29) in so doing. This article also enables the Board to exercise, in connection with its function of providing health education, certain functions of the Secretary of State such as the giving of assistance to voluntary organisations and in connection with the acquisition, management and disposal of property.

By article 5 and the Schedule there are applied to the Board various provisions in enactments which apply to Health Boards in general. These include provisions as to the funding of Health Boards and the keeping and auditing of accounts, provisions in Schedule 1 to the 1978 Act including those for appointment and remuneration of Board members and staff and other provisions in statutory instruments relating to Health Boards.

Article 6 makes it clear that nothing in the Order affects the power of the Secretary of State, a Health Board or the Common Services Agency to exercise any function conferred on any one of them by or under the 1978 Act.