



# National Health Service Reform (Scotland) Act 2004

2004 asp 7

## PART 1

### ORGANISATION AND OPERATION OF NATIONAL HEALTH SERVICE

#### *Co-operation*

#### **5 Health Boards: duty of co-operation**

Before section 13 of the 1978 Act insert—

“12J **Health Boards: co-operation with other Health Boards, Special Health Boards and the Agency**

- (1) In exercising their functions in relation to the planning and provision of services which it is their function to provide, or secure the provision of, under or by virtue of this Act, Health Boards shall co-operate with one another, and with Special Health Boards and the Agency, with a view to securing and advancing the health of the people of Scotland.
- (2) In pursuance of subsection (1) a Health Board may—
  - (a) undertake to provide, or secure the provision of, services as respects the area of another Health Board, and the other Health Board may enter into arrangements with the first Health Board for that purpose,
  - (b) undertake with one or more other Health Boards to provide, or secure the provision of, services jointly as respects their areas.
- (3) A Health Board undertaking to provide, or secure the provision of, services under subsection (2) may—
  - (a) enter into arrangements with another Health Board, a Special Health Board or the Agency in relation to the provision of such services,
  - (b) do anything in relation to the provision of such services which they could do for the purpose of providing, or securing the provision of, such services as respects their area.

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**Changes to legislation:** There are currently no known outstanding effects for the National Health Service Reform (Scotland) Act 2004, Cross Heading: Co-operation. (See end of Document for details)

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(4) This section is without prejudice to any other power which a Health Board may have.”

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**Commencement Information**

**I1** S. 5 in force at 30.9.2004 by S.S.I. 2004/361, art. 2(b)(i)

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service Reform (Scotland) Act 2004, Cross Heading: Co-operation.