
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 304

**The Functions of Health Boards
(Scotland) Amendment Order 2017**

Amendment to the Functions of Health Boards (Scotland) Order 1991

- 2.—(1) The Functions of Health Boards (Scotland) Order 1991⁽¹⁾ is amended as follows.
- (2) In article 2 (persons for whose health care each Health Board is responsible)—
- (a) in paragraph (1)(a)—
 - (i) after “sub-paragraph (b)” insert “or (c)”; and
 - (ii) at the end omit “and”;
 - (b) in paragraph (1)(b), after “Health Board”, insert—
 - “; and
 - (c) in so far as that health care consists of providing or securing the provision of abortion services to women who—
 - (i) reside ordinarily in Northern Ireland; and
 - (ii) present for treatment (except at an independent health care service) in the area of the Health Board”;
 - (c) after paragraph (2) insert—
 - “(2A) In paragraph (1)(c)—
 - (a) “abortion services” means—
 - (i) the giving of advice on the available procedures, risks and effects of a termination of pregnancy and the medical examination of the person seeking such advice (“the patient”);
 - (ii) the provision of counselling in respect of a termination of pregnancy where requested by the patient;
 - (iii) the termination of the patient’s pregnancy;
 - (iv) contraceptive services; and
 - (v) sexual health services.
 - (b) “contraceptive services” includes—
 - (i) the giving of advice on contraception, the medical examination and treatment of the patient; and
 - (ii) the supply of contraceptive substances and appliances to the patient; and
 - (c) “sexual health services” means—
 - (i) the testing, treatment and pre-test and post-test counselling for sexually transmitted infections of the patient; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) testing and pre-test and post-test counselling for HIV of the patient.”.
- (3) In article 3 (duty of Health Boards to exercise functions) after paragraph (4) insert—
 - “(5) A Health Board may make arrangements to secure the provision of abortion services in relation to women for whom they are responsible by virtue of article 2(1)(c).”.