



National Health Service (Scotland) Act 1972

CHAPTER 58

NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1972

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SCHEDULE 1 — Health Boards and University Liaison Committees

PART I — HEALTH BOARDS

- 1 A Health Board shall be a body corporate and shall...
- 2 A Health Board shall consist of a chairman appointed by...
- 3 Appointments under paragraph 2 above shall be made after consultation...
- 4 In the case of appointments made before the appointed day...
- 5 The Secretary of State may pay to the chairman of...
- 6 In Part III of Schedule 1 to the House of...
- 7 A Health Board may employ such officers and servants on...
- 8 Regulations may make provision with respect to the method of...
- 9 No officer or servant of a Health Board to whom...
- 10 Regulations under paragraph 8 above shall not contain a requirement...
- 11 The application of the seal of a Board to any...
- 12 Every document purporting to be an instrument issued by a...

PART II — UNIVERSITY LIAISON COMMITTEES

PART III — SUPPLEMENTARY PROVISIONS

- 1 Regulations may make provision— (a) as to the appointment, tenure...
- 2 The proceedings of a Health Board or a University Liaison...
- 3 The Secretary of State shall pay to members of a...
- 4 Allowances shall not be paid under paragraph 3 above except...
- 5 Payments under paragraph 3 above shall be made at such...

SCHEDULE 2 — Scottish Health Service Planning Council

- 1 The Scottish Health Service Planning Council shall consist of a...
- 2 The Secretary of State shall have power to appoint a...
- 3 Regulations may make provision for— (a) the appointment, tenure and...
- 4 The proceedings of the Council or of any committee thereof...
- 5 The Secretary of State shall pay to members of the...
- 6 Allowances shall not be paid under paragraph 5 above except...
- 7 The Secretary of State shall have power, after consultation with...

SCHEDULE 3 — The Common Services Agency for the Scottish Health Service

- 1 The Agency shall be a body corporate and shall have...
- 2 The affairs of the Agency shall be managed by a...
- 3 The management committee shall consist of a chairman appointed by...
- 4 The proceedings of the management committee shall not be invalidated...
- 5 The Secretary of State shall pay to members of the...
- 6 Allowances shall not be paid under paragraph 5 above except...
- 7 The Agency may employ such officers and servants on such...
- 8 Regulations may make provision with respect to—
- 9 No officer or servant of the Agency to whom regulations...
- 10 The application of the seal of the Agency to any...
- 11 Every document purporting to be an instrument issued by the...

SCHEDULE 4 — Public Health Functions

- 1 Functions with respect to the notification of infectious disease under...
- 2 Functions with respect to persons infested with vermin under the...
- 3 Functions with respect to the notification or prevention of infectious...
- 4 Functions with respect to the notification of births under the...
- 5 Functions with respect to the prevention and treatment of epidemic,...
- 6 Functions of local authorities under the Food and Drugs (Scotland)...
- 7 Functions with respect to preventing the spread of infectious disease...

SCHEDULE 5 — Action not Subject to Investigation

- 1 Action taken by medical practitioners, dental practitioners, pharmacists, ophthalmic or...
- 2 Action taken in connection with the diagnosis of illness or...
- 3 Action taken by an Executive Council or a Health Board...
- 4 Action taken in respect of appointments or removals, pay, discipline,...
- 5 Action taken in matters relating to contractual or other commercial...
- 6 Action which has been or is the subject of an...
- 7 Action in relation to which the protective functions of the...

SCHEDULE 6 — Minor and Consequential Amendments of Enactments

PART I — AMENDMENTS OF THE NATIONAL HEALTH SERVICE (SCOTLAND)
ACTS 1947 TO 1968

Status: This is the original version (as it was originally enacted).

The National Health Service (Scotland) Act 1947

- 1 In section 1 (duty of Secretary of State), the following...
- 2 In section 3 (charges and expenses), the following amendments shall...
- 3 In section 34(1) (general medical services), for the words "...
- 4 In section 35 (distribution of medical practitioners), the following amendments...
- 5 In section 36(1) (prohibition of sale of medical practice), in...
- 6 In section 39 (general dental services), the following amendments shall...
- 7 In section 40(1) (pharmaceutical services), for the words " Executive...
- 8 In section 41(1) (provision of pharmaceutical services), for the words...
- 9 In section 42(1) (general ophthalmic services), for the words "...
- 10 In section 43 (disqualification of persons providing services), the following...
- 11 In section 44 (powers of Secretary of State where services...
- 12 In section 56 (default powers of Secretary of State), the...
- 13 In section 69(1) (inquiries), for the words "this Act" there...
- 14 In section 70 (protection of certain bodies and officers), for...
- 15 In section 72(c) (proof of resolutions), for the words from...
- 16 In section 77 (arbitration), for the words " this Act"...
- 17 In Schedule 3 (acquisition of moveable property), for the head-note...
- 18 In Schedule 8 (tribunal), in paragraph 3, for the words...
- 19 In Schedule 10 (inquiries), in paragraph 6, for the words...

The National Health Service (Amendment) Act 1949

- 20 In section 8 (removal of doubts regarding section 35), after...
- 21 In section 23(1) (transfer of property by voluntary organisations), for...
- 22 In section 28 (recovery of expenses), for the words "...

The National Health Service Act 1951

- 23 In section 1 (charges for appliances), the following amendments shall...
- 24 In the Schedule, in the definition of " current specified...

The National Health Service Act 1952

- 25 In section 1(1) (charges), for the words from " as...
- 26 In section 7 (regulations as to charges), the following amendments...
- 27 In section 8(1) (interpretation), for the word " 1951 "...

The National Health Service Act 1961

- 28 In section 1(4) (charges), for the words " of the...
- 29 In section 3(1) (interpretation), in paragraph (a) of the definition...

The Health Services and Public Health Act 1968

- 30 In section 1(1) (accommodation for private patients), for the words...
- 31 In section 2(1) (accommodation and treatment of non-resident private patients),...
- 32 In section 29(3) (regulation of financial arrangements of certain bodies),...
- 33 In section 30(1) (certificates for exemption from prescription charges), for...

- 34 In section 31 (power to make services available), the following...
 35 In section 32 (power to dispose of and produce goods),...
 36 In section 40(1) (accommodation for persons displaced in course of...
 PART II — AMENDMENTS OF OTHER ENACTMENTS

The Infectious Disease (Notification) Act 1889

- 37 In section 3(1) (notification of infectious disease), for the words...
 38 In section 6 (definition of infectious disease), for the words...
 39 In section 8(2) (notices and certificates), for the words "...
 40 In section 13(2) (application of Act to ships, etc.), for...

The Burgh Police (Scotland) Act 1892

- 41 In section 126 (manure offensive to health), for the words...
 42 In section 255 (defective privies), for the words "medical officer...

The Public Health (Scotland) Act 1897

- 43 In section 18 (power of entry), for the words "...
 44 In section 36(1) (nuisance), for the words " their medical...
 45 For the purposes of sections 46 to 51, 53 to...
 46 In section 47(1) (cleansing and disinfecting of premises), for the...
 47 In section 49 (launderers to supply names), for the words...
 48 In section 51 (infected lodgings not to be let), for...
 49 In section 53(1)(a) (disinfection of houses), for the words "...
 50 In section 54(1) (hospitalisation of infected persons), for the words...
 51 In section 56(1)(c) (exposure of infected persons), for the words...
 52 In section 57 (penalty for sending infected child to school),...
 53 In section 62(1) (dead bodies not to be retained), for...
 54 In section 63(1) (infected bodies to be removed only for...
 55 In section 69 (power to order removal of body to...
 56 In section 73(3) (entry to tents, etc.), for the words...
 57 In section 96 (removal of sick to hospitals), for the...
 58 In section 97 (sick persons in common lodging-houses), for the...
 59 In section 98 (inspection of common lodging-houses), after the Word...

The Notification of Births Act 1907

- 60 In section 1 (early notification of births), the following amendments...

The Milk and Dairies (Scotland) Act 1914

- 61 In section 4(3) (inspection of dairies), for the words "medical...
 62 In section 6 (intimation of inspection of dairies), for the...
 63 In section 15 (notification of sick employees), for the words...
 64 For section 16 (dairies and infectious disease), there shall be...
 65 In section 17(1) (persons with disease not to assist in...
 66 In section 18 (procedure for stoppage of milk supplies), the...
 67 In section 19 (dairymen to produce lists of customers), for...
 68 In section 20 (power to inspect dairies), for the words...
 69 In section 21 (sampling of milk), for the words "medical...

The Local Government (Emergency Provisions) Act 1916

- 70 In section 5(b) (notification of disease), for the words "...

The Nursing Homes Registration (Scotland) Act 1938

- 71 In section 1 (registration), the following amendments shall be made—...
- 72 In sections 2 and 3 (cancellation of registration and notification...
- 73 At the end of section 4(1) (regulations), there shall be...
- 74 In section 5(1) (inspection of nursing homes), for the words...
- 75 In section 6 (power to exempt certain institutions), for the...

The Public Health (Scotland) Act 1945

- 76 In section 1 (enforcement of regulations) the following amendments shall...

The Polish Resettlement Act 1941

- 77 In section 4(1) (health services for Poles), for the words...
- 78 In section 11(3)(b) (application to Scotland), for the words "...

The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

- 79 In section 1(1)(d) (compulsory purchase of land by Secretary of...

The Local Government (Scotland) Act 1947

- 80 For section 79(7) (medical officer and sanitary inspector), there shall...
- 81 For section 87(8) (burgh medical officers and sanitary inspectors), there...

The National Assistance Act 1948

- 82 In section 24(6) (ordinary residence of patient), for the words...
- 83 In section 47 (removal of persons in need of care),...

The Midwives (Scotland) Act 1951

- 84 In section 17 (local supervising authorities), for the words from...
- 85 In section 28(2) (apportionment of balances), for the words from...

The Nurses (Scotland) Act 1951 General amendments

- 86 For the words " regional nurse-training committee", " a regional...

Particular amendments

- 87 In section 19(4) (definition of " area"), for the words...
- 88 In section 20 (schemes for training of nurses), the following...
- 89 In section 22 (expenditure on training of nurses), for the...
- 90 In section 32 (supplemental), for the definition of " licensing...
- 91 In Schedule 4 (nurse-training committees), for the words " Regional...
- 92 In paragraphs 1(a) and 4(1) of Schedule 4, for the...

The Rag Flock and Other Filling Materials Act 1951

- 93 In section 35 (interpretation), in the definition of " authorised...

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

- 94 In Schedule 2 (relevant service), the following amendments shall be...

The Food and Drugs (Scotland) Act 1956

- 95 In section 22 (notification of food poisoning), for the words...
- 96 In section 24 (suspected food), for the words " medical...
- 97 In section 58(1) (interpretation), in the proviso to the definition...

The Medical Act 1956

- 98 In section 16 (employment in health centres), the following amendments...

The Dentists Act 1957

- 99 In section 42(4) (national and local authority health services), the...

The Opticians Act 1958

- 100 In section 21(2)(b) (restriction on sale or supply of optical...

The National Assistance (Amendment) Act 1959

- 101 In section 1(1) (determination of ordinary residence), for the words...

The Mental Health Act 1959

- 102 In section 81(2)(a) (removal of patients to Scotland), for the...

The Road Traffic Act 1960

- 103 In section 214(1)(c) (payment for treatment), for the words from...

The Radioactive Substances Act 1960

- 104 In section 14(1) (application to Crown), for the words "...

The Mental Health (Scotland) Act 1960

- 105 In section 7(1A) (functions of local authorities), for the words...
- 106 In section 15(3)(a) (registration of private hospitals), for the words...
- 107 In section 27 (medical recommendations), the following amendments shall be...
- 108 In section 30(2) (rectification of application etc.), for the words...
- 109 In the proviso to section 34(2) (correspondence of patients), after...
- 110 In section 53(1)(5) (interpretation), for the words from "the medical"...
- 111 In section 57(1) (medical evidence), for the words "Regional Hospital..."
- 112 In section 60(2) (restriction of discharge), for the words "...
- 113 In section 65(4) (removal to hospital of prisoners awaiting trial),...
- 114 In section 92(2) (limitation on valuables held on behalf of...
- 115 In section 91(1)(b) (protection of female patients), for the words...
- 116 In section 101(2) (pocket money for patients), for the words...
- 117 In section 111(1) (interpretation), in paragraph (a) of the definition...

The Public Bodies (Admission to Meetings) Act 1960

- 118 In paragraph 2 of the Schedule (bodies to which Act...

The Factories Act 1961

- 119 In section 8(6) (enforcement by district council), for the words...
- 120 In section 9(2) (powers of inspectors), for the words "...
- 121 In section 153 (officers of councils), the following amendments shall...
- 122 In Schedule 5, in section 110(2) and (3) (provisions of...

The Education (Scotland) Act 1962

- 123 In section 57 (regulations as to medical and dental examination...
- 124 In section 58(2) (medical inspection of pupils and young persons),...
- 125 In section 58A(2) (dental inspection of pupils and young persons),...
- 126 In section 61 (power to ensure cleanliness), the following amendments...
- 127 In section 101(d) (admissibility of documents), for the words "...

The Emergency Laws (Re-enactments and Repeals) Act 1964

- 128 In section 15 (interpretation), for the words " 1947 to...

The Registration of Births, Deaths and Marriages (Scotland) Act 1965

- 129 In section 51(b) (returns), for the words " medical officer...

The Redundancy Payments Act 1965

- 130 In Schedule 3 (National Health Service Employers), for paragraph 1...

The Ministry of Social Security Act 1966

- 131 In section 6(1)(b) (medical requirements etc), for the words "...

The Housing (Scotland) Act 1966

- 132 In sections 98(1), 180, 184 and 185(1)(5), for the words...

The Parliamentary Commissioner Act 1967

- 133 In paragraph 8 of Schedule 3 (matters not subject to...

The Superannuation (Miscellaneous Provisions) Act 1967

- 134 In section 7(5) (superannuation provisions of National Health Service Acts),...

The Health Services and Public Health Act 1968

- 135 In section 63 (provision of instruction for employees), the following...
- 136 In section 64 (financial assistance to voluntary organisations), the following...
- 137 In section 65(6) (assistance by local authorities to voluntary organisations),...
- 138 In section 71(1) (compensation for stopping employment), for the words...
- 139 In subsections (1) and (2) of section 72 (sheriff may...
- 140 In section 73 (power of medical officers to enter premises),...

The Social Work (Scotland) Act 1968

- 141 In section 60(1)(f) (control of certain establishments), at the end...

The Medicines Act 1968

- 142 In section 55(2)(b) (exemptions for doctors etc.), for the words...
 143 In section 131(5) (meaning of certain expressions), for the words...
 144 In section 132(1) (interpretation), in the definition of " health...

The Post Office Act 1969

- 145 In section 86(1) (interpretation), in paragraph (b) of the definition...

The Chronically Sick and Disabled Persons Act 1970

- 146 In section 17(1) (separation of younger and older patients), for...

The Hospital Endowments (Scotland) Act 1971

- 147 In section 1(4) (Scottish Hospital Trust), in the proviso, for...
 148 In section 3 (powers of the Trust), the following amendments...
 149 In section 5 (further provisions relating to transference of funds),...
 150 In section 6 (borrowing by Boards), the following amendments shall...
 151 In section 7 (distribution of income), the following amendments shall...

The Tribunals and Inquiries Act 1971

- 152 In paragraph 41 of Part II of Schedule 1 (tribunals...

The Industrial Relations Act 1971

- 153 In section 167(2) (interpretation), in paragraph (a), after the words...

The Education (Milk) Act 1971

- 154 In section 2(1)(b) (provision of milk in Scotland), for the...

The Immigration Act 1971

- 155 In section 24(1)(d) (offences), for the words " a medical...
 156 In paragraph 7 of Schedule 2 (medical examination after entry),...

The Employment Medical Advisory Service Act 1972

- 157 In section 1(6) (school medical records), for the words "education...

SCHEDULE 7 — Repeal of Enactments

PART I — REPEALS RELATING TO THE NATIONAL HEALTH SERVICE
(SCOTLAND) ACTS 1947 TO 1968

PART II — REPEALS RELATING TO OTHER ENACTMENTS