



# National Health Service (Scotland) Act 1978

## 1978 CHAPTER 29

### PART V

#### PROPERTY AND FINANCE

##### *Finance and accounts*

#### **87 Regulation of financial arrangements of Health Boards, the Agency and the Dental Estimates Board.**

- (1) Regulations may provide, in the case of all or any of the following bodies, that is to say, Health Boards, the Agency [<sup>F1</sup>HIS], and the Dental Estimates Board, for restricting the making of payments by or on behalf of the body otherwise than on such authorisation and subject to such conditions as may be specified in the regulations; but such provision may be made subject to such exceptions as may be so specified.
- (2) Regulations made under this section may contain such other provisions as to the making and carrying out by all or any of those bodies of such arrangements with respect to financial matters as the Secretary of State thinks necessary for the purpose of securing that the affairs of such bodies are conducted, so far as reasonably practicable, in such manner as to prevent financial loss and to ensure and maintain efficiency.
- (3) Without prejudice to the operation of the provisions of any such regulations, the Secretary of State may give to any of the said bodies such directions (which may be specific in character) as to any matter with respect to which regulations may be made under this section as it appears to him is requisite for the purpose of securing that the affairs of the body are conducted, so far as reasonably practicable, in such manner as is mentioned in subsection (2); and a body to whom any such directions are given shall comply therewith.

[<sup>F2</sup>(4) In relation to HIS, the references—

- (a) in subsection (1) to payments;

**Changes to legislation:** National Health Service (Scotland) Act 1978, Section 87 is up to date with all changes known to be in force on or before 28 April 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) View outstanding changes

- (b) in subsection (2) to arrangements and affairs; and
- (c) in subsection (3) to affairs,

are to be construed as references to payments, arrangements and affairs for or in connection with the exercise by HIS of its health service functions only.]

#### Textual Amendments

- F1** Word in s. 87(1) inserted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 17 para. 20(a)**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.
- F2** S. 87(4) added (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 17 para. 20(b)**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.

#### Modifications etc. (not altering text)

- C1** S. 87 applied (1.4.1991) by [S.I. 1990/2639](#), art. 5(1)(2), **Sch. Pt. I**
- C2** S. 87 applied (1.4.1993) by [S.I. 1993/577](#), art. 5(1)(2), **Sch. Pt. I** (with art. 6)  
S. 87 applied (1.4.1995) by [S.I. 1995/574](#), art. 5(1)(2), **Sch. Pt. I** (with art. 6)  
S. 87 applied (1.4.1999) by [S.I. 1999/686](#), art. 5(1)(2), **Sch. Pt. I**  
S. 87 applied (1.4.1999) by [S.I. 1999/726](#), art. 5(1)(2), **Sch. Pt. I**  
S. 87 applied (1.4.2000) by [S.S.I. 2000/47](#), art. 5(1)(2), **Sch. Pt. I**  
S. 87 applied (6.4.2001) by [S.S.I. 2001/137](#), art. 5(1), **Sch. Pt. I**  
S. 87 applied (31.3.2002) by [S.S.I. 2002/103](#), art. 6, **Sch. Pt. I** (with art. 4(4))  
S. 87 applied (27.6.2002) by [S.S.I. 2002/305](#), art. 5(1), **Sch. Pt. I** (with art. 4(4))
- C3** [S. 87](#) applied (7.12.2019) by [The Public Health Scotland Order 2019 \(S.S.I. 2019/336\)](#), art. 1(2), **sch. 1 Pt. 1** (with art. 4(4)(5))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16A(5) added by [2002 asp 5 Sch. 2 para. 2\(2\)](#)
- s. 19A(2)(b) words repealed by [2003 asp 4 sch. 4 para. 5\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(a) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(b) substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(c) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(e) word substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 70A inserted by [1997 c. 46 s. 26\(2\)](#)
- s. 70A(2) word substituted by [2005 asp 13 s. 14\(3\)](#)
- s. 85AB(7) inserted by [2005 asp 13 sch. 2 para. 2\(18\)\(b\)](#)
- Sch. 11 para. 2(1A) inserted by [2005 asp 13 s. 14\(6\)\(a\)](#)