
STATUTORY INSTRUMENTS

2022 No. 1174

**The Health and Social Care Act (Northern Ireland)
2022 (Consequential Amendments) Order 2022**

PART 5

Scotland

National Health Service (Scotland) Act 1978

- 25.**—(1) The National Health Service (Scotland) Act 1978(1) is amended as follows.
- (2) In section 17A(2)(2) (persons or bodies who may enter into NHS contracts)—
- (a) for paragraph (l) substitute—
“**(l)** the Regional Agency for Public Health and Social Well-being;”;
 - (b) for paragraph (n) substitute—
“**(n)** the Regional Business Services Organisation;”;
 - (c) in paragraph (p), for “Health and Social Services trusts” substitute “Health and Social Care trusts”.
- (3) In section 17B(3) (reimbursement of Health Boards’ costs)—
- (a) in subsection (1), for “Health and Social Services Board” substitute “Health and Social Care trust”;
 - (b) for subsection (4) substitute—
“**(4)** In subsection (1)—
 - (a) “Health and Social Care trust” means a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)); and
 - (b) the reference to a function of a Health and Social Care trust is a reference to a function of such a trust mentioned in Article 10(1) of that Order.”.
- (4) In Schedule 7A(4) (National Health Service trusts), in paragraph 22(1)—
- (a) in paragraph (c), at the end insert “or is within the functions of a Health and Social Care trust mentioned in Article 10(1) of the Health and Personal Social Services (Northern Ireland) Order 1991(S.I. 1991/194 (N.I. 1))”;

(1) 1978 c. 29.

(2) Section 17A was inserted by section 30 of the National Health Service and Community Care Act 1990 (c. 19); section 17A(2) was amended by S.I. 1991/195. There are other amendments not relevant to this Order.

(3) Section 17B was inserted by section 30 of the National Health Service and Community Care Act 1990; section 17B(4) was amended by S.I. 1991/195. There are other amendments not relevant to this Order.

(4) Schedule 7A was inserted by Schedule 6 to the National Health Service and Community Care Act 1990, and repealed by section 1(1) of the National Health Service Reform (Scotland) Act 2004 (asp 7) only for the purpose stated in article 2(a)(i) of S.S.I. 2004/361 (C. 22). Paragraph 22(1)(c) was amended by Schedule 5 to the Health Act 1999 (c. 8); paragraph 22(1) was amended by S.I. 1991/195 (N.I. 2).

- (b) in the words following paragraph (c), for “Health and Social Services Board” substitute “Health and Social Care trust”.

Commissioner for Children and Young People (Scotland) Act 2003

26. In section 16 of the Commissioner for Children and Young People (Scotland) Act 2003⁽⁵⁾ (interpretation), in the definition of “Northern Ireland authority”, for the words from “any authority” to the end substitute “an authority within the meaning of Article 2(2) of the Children (Northern Ireland) Order 1995⁽⁶⁾”.

Adoption and Children (Scotland) Act 2007

27. In section 55 of the Adoption and Children (Scotland) Act 2007⁽⁷⁾ (connections between the register and birth records)—

- (a) in subsection (4)(c), for “Board” substitute “HSC trust”;
- (b) in subsection (5)(c), for “Board” substitute “HSC trust”;
- (c) in subsection (8), for the definition of “Board” substitute—

““HSC trust” means a Health and Social Care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)),”.

⁽⁵⁾ 2003 asp 17.

⁽⁶⁾ S.I. 1995/755 (N.I. 2), to which there are amendments not relevant to this Order.

⁽⁷⁾ 2007 asp 4.