

*These notes relate to the Health Boards (Membership and Elections)  
(Scotland) Act 2009 (asp 5) which received Royal Assent on 22 April 2009*

# **HEALTH BOARDS (MEMBERSHIP AND ELECTIONS) (SCOTLAND) ACT 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 3 – Scottish Ministers’ powers in relation to elected members***

37. Section 3 amends section 77(2) of the 1978 Act to ensure that when an order is made to declare a Health Board to be in default the order must not only provide for the appointment of new members, but also must make provision for an election and may make provision about what is to happen in the period until the election is held.