

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments, repeals and saving provision in consequence of the Public Bodies (Joint Working) (Scotland) Act 2014 (“the 2014 Act”).

The Schedule, which is given effect to by Article 2, contains amendments and repeals of primary and secondary legislation. Section 9 of the 2014 Act provides for the establishment, by order, of integration joint boards to which Health Boards and local authorities may delegate certain of their statutory functions relating to health and social care. Amendments are made in consequence of this power to establish integration joint boards. Amendments are also made in consequence of the provisions of sections 1, 9 and 15 of the 2014 Act which provide for the delegation of functions by Health Boards and local authorities.

The Schedule also contains amendments in consequence of the repeal of section 5A of the Social Work (Scotland) Act 1968 by section 71(1) of the 2014 Act. The definition of “community care services” provided in section 5A is replaced by a similar definition inserted into section 12A of the same Act. Legislative references to the section 5A definition are replaced with references to section 12A. Other references in enactments to section 5A are repealed.

Article 3 contains a saving provision so that arrangements made under sections 15 to 17 of the Community Care and Health (Scotland) Act 2002 (which are repealed by section 71(3) of the 2014 Act) may continue in operation until such date as they are replaced with arrangements made under the 2014 Act. By virtue of the Public Bodies (Joint Working) (Prescribed Days) (Scotland) Regulations 2014 ([S.S.I. 2014/284](#)) such arrangements must begin by, at the latest, 1st April 2016.