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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the first Commencement Order made by the Scottish Ministers under the Health and Social Care Act 2001 (“the Act”).

Article 2 brings into force in Scotland sections 44 and 50(2) to (10) of the Act on 1st April 2002.

Section 44 of the Act amends section 27(1)(cc) of the National Health Service (Scotland) Act 1978 (c. 29) (arrangements for provisions of pharmaceutical services) and inserts new subsections (1A) and (1B) into that section. The effect of these amendments is to alter the arrangements for dispensing of NHS prescriptions by extending the classes of persons who may be prescribed for that purpose under section 27(1)(cc) of the 1978 Act, enabling conditions to be imposed on their ability to act under that paragraph and to allow provisions to be made as to the circumstances in which prescriptions may be ordered.

Section 50(2) to (10) of the Act provides for the arrangements consequent upon the transfer to local authorities of responsibility for residential accommodation for persons who enjoyed preserved rights under section 86A of the Social Work (Scotland) Act 1968 (“the 1968 Act”).