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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 153**

**The NHS Health Scotland (Transfer  
of Officers) Regulations 2003**

**Citation, commencement and interpretation**

1.—(1) These regulations may be cited as the NHS Health Scotland (Transfer of Officers) Regulations 2003 and shall come into force on 1st April 2003.

(2) In these Regulations—

“the Board” means NHS Health Scotland<sup>(1)</sup>;

“contracts of employment” means those contracts of employment mentioned in regulation 2(2) below;

**Transfer of Officers**

2.—(1) All officers employed by the Agency and who are immediately before 1st April 2003 engaged in functions in relation to the provision of research and development services in the field of public health shall transfer to the Board on 1st April 2003.

(2) The contracts of employment between the officers transferred by paragraph (1) above and the Agency shall not be terminated but shall continue to have effect on and after that transfer as if originally made between such officers and the Board.

(3) Without prejudice to paragraph (1) above, on 1st April 2003—

(a) all the rights, powers, duties and liabilities of the Agency under or in connection with the contracts of employment shall be transferred by virtue of this regulation to the Board;

(b) anything done before the transfer of officers in accordance with paragraph (1) above by or in relation to the Agency in respect of the contracts of employment, shall be deemed to have been done by or in relation to the Board; and

(c) any right or liability which was enforceable by or against the Agency in respect of the employment by them of any officer who is transferred to the Board by virtue of paragraph (1) above shall be enforceable by or against the Board.

St Andrew's House, Edinburgh  
6th March 2003

*MALCOLM CHISHOLM*  
A member of the Scottish Executive

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(1) Established by article 3 of the Health Education Board for Scotland Order 1990; article 3 was amended by article 4 of the 2003 Order.