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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 79**

**NATIONAL HEALTH SERVICE**

**The NHS Education for Scotland Amendment Order 2006**

*Made* - - - - 27th February 2006  
*Laid before the Scottish*  
*Parliament* - - - - 28th February 2006  
*Coming into force* - - 23rd March 2006

The Scottish Ministers, in exercise of the powers conferred by sections 2(1)(b) and (1C) and 105(6) of the National Health Service (Scotland) Act 1978(1) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the NHS Education for Scotland Amendment Order 2006 and shall come into force on 23rd March 2006.

**Amendment of the NHS Education for Scotland Order 2002**

2. In article 4(1) of the NHS Education for Scotland Order 2002(2) (functions of the Board), for paragraph (a) substitute—

“(a) functions in relation to education and training relating to the health service including, without prejudice to the foregoing generality, functions specified in section 47 of the Act (making available facilities for education, research and training);”.

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- (1) 1978 c. 29; section 2(1) was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) (“the 1983 Act”), Schedule 7, paragraph 1, by the National Health Service and Community Care Act 1990 (c. 19), section 28 which inserted sub sections (1)(b) and (1C) and by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), schedule 2, paragraph 2(2); section 105(7) which was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5(1) and Schedule 7, by the 1983 Act, Schedule 9, paragraph 24, and by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 60, contains provisions relevant to the exercise of the powers under which this Order is made. See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre commencement enactment within the meaning of section 53 of the Scotland Act 1998 (c. 46). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
- (2) S.S.I. 2002/103 as amended by S.S.I. 2003/242.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House, Edinburgh  
27th February 2006

*ANDREW P KERR*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

This Order amends the NHS Education for Scotland Order 2002 (“the Order”) which constituted a Special Health Board to be known as NHS Education for Scotland (“the Board”).

Article 2 amends article 4(1)(a) of the Order to confer on the Board all the functions of the Scottish Ministers in relation to education and training relating to the health service.