

EXECUTIVE NOTE

The NHS Education for Scotland Amendment Order 2006 (S.S.I. 2006/79)

The above instrument is made in exercise of the powers conferred by sections 2(1)(b) and 1(C) and 105(6) of the National Health Service (Scotland) Act 1978, and of all other powers enabling them in that behalf. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to amend the NHS Education for Scotland Order 2002 to confer on NHS Education for Scotland (“NES”) all the functions of the Scottish Ministers in relation to education and training relating to the health service.

This amendment will allow functions of the Scottish Ministers under section 63 of the Health Services and Public Health Act 1968 (“the 1968 Act”) to be exercised by NES. Section 63 of the 1968 Act gives powers to the Scottish Ministers to provide or enter into arrangements with others to provide instruction for persons employed or who have it in contemplation to be employed in the provision or performance of a primary medical service under Part I of the Act. The powers also allow the Scottish Ministers to determine the terms for the provision of instruction, make grants and pay fees to providers, and pay travelling and other allowances.

It is the policy intention that these functions, and all functions of the Scottish Ministers in relation to education and training relating to health services, be exercisable by NES.

Consultation

Consultation on the principles of the policy behind this amendment have taken place with stakeholders who are fully supportive to their implementation.

Financial Effects

The instrument has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Health Department
February 2006