

**2007 No. 9 (C. 1)**

**NATIONAL HEALTH SERVICE**

**The Health Act 2006 (Commencement No. 1) (Scotland) Order  
2007**

*Made* - - - -

*16th January 2007*

The Scottish Ministers, in exercise of the powers conferred by section 83(2)(b) of the Health Act 2006<sup>(a)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, interpretation and extent**

**1.**—(1) This Order may be cited as the Health Act 2006 (Commencement No. 1) (Scotland) Order 2007.

(2) In this Order “the Act” means the Health Act 2006.

(3) This Order extends to Scotland only.

**Appointed day**

**2.** 29th January 2007 is the appointed day for the coming into force of—

- (a) section 73 of the Act (NHS costs recovery) in so far as it is not already in force<sup>(b)</sup>;
- (b) paragraph 55 of Schedule 8 to the Act (minor and consequential amendments); and
- (c) section 80(1) of the Act (amendments, repeals and revocations) so far as relating to that paragraph.

*ANDREW P KERR*

A member of the Scottish Executive

St Andrew’s House,  
Edinburgh  
16th January 2007

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<sup>(a)</sup> 2006 c.28.

<sup>(b)</sup> Section 83(1)(e) of the Health Act 2006 commenced section 73 of the Act on Royal Assent for the purpose of making regulations.

## **EXPLANATORY NOTE**

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

This Order commences for Scotland section 73 of the Health Act 2006 (“the Act”). Section 73 of the Act amends section 153 of Part 3 of the Health and Social Care (Community Health and Standards) Act 2003 (“the 2003 Act”) by substituting new wording for section 153(9).

This Order also commences for Scotland paragraph 55 of Schedule 8 of the Act, and section 80(1) of the Act so far as relates to that paragraph. These provisions amend section 150(7)(d) of the 2003 Act by substituting sub-paragraph (ii) to refer to the current sections of the National Health Service (Scotland) Act 1978 which relate to primary medical services and personal and general dental services.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The provisions of the Health Act 2006 (“the Act”) listed in the table below applying to Scotland have been brought into force by a commencement order made before the date of this Order.

Sections 17 to 25 of the Act (supervision of management and use of controlled drugs) will be brought into force for Scotland, in so far as they are not already in force, on 1st March 2007 by S.I. 2006/3125.

Other provisions of the Act relating to England, Wales and Northern Ireland have also been brought into force by these Commencement Orders.

Section 83(1)(a) and (b) of the Act commenced sections 75, 79, 80(3) to (8), and 81 to 84, which extend to Scotland, on 19th July 2006.

Section 83(1)(e) of the Act commenced any other provision of the Act (except for section 36(2)) so far as it confers power to make an order or regulations, or defines any expression relevant to the exercise of any such power, on 19th July 2006.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 57	1.10.06	2006/2603
Section 58 to 62	28.9.06 (partially) and 1.10.06 (remainder)	2006/2603 2006/2603
Sections 63 to 69	1.10.06	2006/2603
Section 70	28.9.06 (partially) and 1.10.06 (remainder)	2006/2603 2006/2603
Section 71	28.9.06 (partially) and 1.10.06 (remainder)	2006/2603
Section 80(1) and (2)	1.10.06 (partially)	2006/2603
Schedule 4	1.10.06	2006/2603
Schedules 5 and 6	28.9.06 (partially) and 1.10.06 (remainder)	2006/2603
Schedule 7	1.10.06	2006/2603
Schedule 8		
Paragraphs 1 to 4	1.10.06	2006/2603
Paragraphs 26 to 28	1.10.06	2006/2603
Paragraph 31	1.10.06	2006/2603
Paragraph 35	1.10.06	2006/2603
Paragraph 44	1.10.06 (partially)	2006/2603
Paragraph 45(1)	1.10.06 (partially)	2006/2603
Paragraph 45(3)	1.10.06	2006/2603
Paragraphs 47 and 48	1.10.06	2006/2603
Paragraph 49	1.10.06 (partially)	2006/2603
Paragraph 52	1.10.06	2006/2603
Paragraphs 56 and 57	1.10.06	2006/2603
Paragraphs 60 and 61	1.10.06	2006/2603
Schedule 9	1.10.06 (partially)	2006/2603

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