

## **EXECUTIVE NOTE**

### **THE NATIONAL HEALTH SERVICE (APPOINTMENT OF CONSULTANTS) (SCOTLAND) AMENDMENT REGULATIONS 2010 (S.S.I. 2010/28)**

The above instrument was made in exercise of the powers conferred on Scottish Ministers by section 105(7) and 108(1) of, and paragraph 6 of Schedule 1 and paragraph 8 of Schedule 5 to, the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

#### **Policy Objectives**

The purpose of the instrument is to ensure the current condition that a consultant must be on the Specialist Register, held by the General Medical Council, before taking up a consultant post is maintained when the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (“the 2003 Order”) is superseded by The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 on 1<sup>st</sup> April 2010.

These Regulations amend the National Health Service (Appointment of Consultants) (Scotland) Regulations 2009 to maintain that requirement. As with the 2003 Order, regulation 3A(2) exempts persons who held a post as a consultant in oral and maxillo-facial surgery prior to 1<sup>st</sup> January 1997 from that requirement.

#### **Consultation**

We have not consulted on the proposed amendment.

#### **Financial Effects**

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

Scottish Government Health Department  
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