

POLICY NOTE
THE PUBLIC BODIES (JOINT WORKING) SCOTLAND ACT 2014
(COMMENCEMENT No. 2) ORDER 2014
SSI 2014/231 (C. 21)

1. The above instrument is made in exercise of the powers conferred by section 72(2) of the Public Bodies (Joint Working) (Scotland) Act 2014. It is laid before the Scottish Parliament by virtue of section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010.

Policy Objectives

2. This Order brings all the provisions (other than those already commenced) of the Public Bodies (Joint Working) Scotland Act 2014 (“the Act”) into force.
3. By virtue of section 72(1), sections 1(3) to (16), 5, 49 and 53, and Part 4 of the Act (other than section 71), came into force on the day after Royal Assent.
4. Section 64 of the Act was brought into force on 25 July 2014 by the Public Bodies (Joint Working) (Scotland) Act 2014 (Commencement No.1) Order 2014.
5. The policy objectives of the Act are fully described in the Policy Memorandum which accompanied the Bill. To view the Policy Memorandum click [here](#).

Appointed Days

6. Article 2 of this Order brings Part 1 (in so far as it is not already in force) sections 62, 63, 66, 67, 71(5) and (7) into force on 22 September 2014.
7. Part 1 of the Public Bodies (Joint Working) (Scotland) Act 2014 makes provision for joint working arrangements in relation to the carrying out of functions of local authorities and Health Boards. It provides the framework which will support improvement of the quality and consistency of health and social care services through the integration of health and social care in Scotland.
8. Part 1 requires joint working arrangements to be made in relation to local authority services and health services in order to, as a minimum, achieve integrated planning and delivery of adult health and social care services.
9. Part 2 (sections 62 and 63) allows integrated bodies, formed as part of health and social care integration, the opportunity to utilise functions currently only available to Health Boards.
10. Part 3 (section 66) extends the Scottish Ministers’ power to form companies to a power to form bodies corporate, and extends the range of purposes for which Ministers may form a body corporate to include the management of and disposal of assets. Through delegation, this will allow Health Boards to have the same commercial vehicles as are currently available to local authorities to manage and dispose of assets.

11. Part 3 (section 67) provides powers to further facilitate collaborative working between Health Boards.
12. Article 3 of this Order brings section 65 (extension of schemes for meeting losses and liabilities of health bodies) and section 71 (repeals and revocation) of the Act (other than subsections (5) and (7)) into force from 1 April 2015 (when integration arrangements will commence).
13. Section 65 extends the schemes for meeting losses and liabilities of health service bodies to include local authorities and integration joint boards.
14. Section 71 contains revocations and repeals.

Transitional Provisions

15. There are no transitional provisions within this Order.

Saving provisions

16. There are no savings provisions within this Order.

Impact Assessments

17. An equality impact assessment has already been completed on the Public Bodies (Joint Working) (Scotland) Act 2014. To view the Equality Impact Assessment click [here](#).

Financial Effects

18. A Business and Regulatory Impact Assessment has already been completed on the Public Bodies (Joint Working) (Scotland) Act 2014. To view the Business and Regulatory Impact Assessment click [here](#).

Scottish Government
Directorate for Health and Social Care Integration
Integration and Reshaping Care Division