

2017 No. 381

PUBLIC HEALTH

SOCIAL CARE

The Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Amendment Regulations 2017

Made - - - - *2nd November 2017*

Laid before the Scottish Parliament *6th November 2017*

Coming into force - - *18th December 2017*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 1(6) of the Public Bodies (Joint Working) (Scotland) Act 2014^(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Amendment Regulations 2017 and come into force on 18th December 2017.

(2) In these Regulations “the 2014 Regulations” means the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014^(b).

Amendment of the 2014 Regulations: Prescribed Functions (section 1(6))

2. In column A of schedule 1 of the 2014 Regulations, after the entry relating to the Children and Young People (Scotland) Act 2014^(c), insert—

“Carers (Scotland) Act 2016^(d)

Section 12

(duty to prepare young carer statement)

(a) 2014 asp 9. Section 68(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.
(b) S.S.I. 2014/344 as amended by S.S.I. 2016/15.
(c) 2014 asp 8.
(d) 2016 asp 9.

Section 31
(duty to prepare local carer strategy)".

St Andrew's House,
Edinburgh
2nd November 2017

SHONA ROBISON
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014 (“the 2014 Regulations”) to prescribe certain functions within the Carers (Scotland) Act 2016 (“the 2016 Act”) for the purposes of section 1(6) of the Public Bodies (Joint Working) (Scotland) Act 2014 (“the 2014 Act”).

The 2014 Act requires Health Boards and local authorities to agree arrangements for joint working in their area in relation to certain of their statutory functions. These joint working arrangements involve the delegation of functions by local authorities or Health Boards, or both, to an integration authority.

By virtue of section 1(6) of the 2014 Act, a Health Board may only delegate functions that are prescribed in regulations. Regulation 2 and schedule 1 of the 2014 Regulations prescribe certain functions for the purposes of section 1(6) of the 2014 Act. Regulation 2 amends schedule 1 of the 2014 Regulations to prescribe certain functions under the 2016 Act for the purpose of section 1(6), so that these functions may be delegated by Health Boards to integration authorities.

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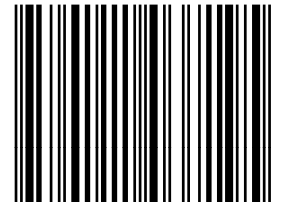
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