National Health Service (Scotland) Act 1978

CHAPTER 29

NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

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SCHEDULE 15 — Transitional Provisions and Savings

General

1 (1) In so far as— (a) any agreement, appointment, apportionment,...
2 Where any enactment passed before the commencement of this Act,...
3 Where any period of time specified in an enactment repealed...

Section 37 of the National Health Service (Scotland) Act 1947

4 Notwithstanding the repeal by this Act of section 37 of...
Persons authorised to provide pharmaceutical services

5 A person who for three years immediately before 16th December...

Disqualification of practitioners

6 Where by virtue of section 43(8) of the National Health...

Section 4 of the Health Services and Public Health Act 1968

7 An undertaking given before the coming into force of section...

Compensation of officers

8 Notwithstanding the repeal by the National Health Service (Scotland) Act...

Vehicles under section 33 of the Health Services and Public Health Act 1968

9 The provision of vehicles as mentioned in section 33 of...

Saving of amendments

10 Notwithstanding the repeal by this Act of sections 53 and...

Transfer of property of voluntary organisations

11 Notwithstanding the repeal by this Act of section 23(2) of...

Investigations by the Health Service Commissioner for Scotland

12 ........................................

Permission deemed to have been granted under section 9(5) of the Health Services Act 1976

13 Where under any arrangements terminated by virtue of section 9(5)...

Borrowing from the Hospital Trust by Boards of Management and Regional Hospital Boards

14 Notwithstanding the repeal by this Act of the provisions of...

Health functions of local authorities

15 Notwithstanding the repeal by this Act of section 27 of...

SCHEDULE 16 — Consequential Amendments of Enactments

The Polish Resettlement Act 1947

1 In section 11(3)(b) (application to Scotland), for the words “the...

The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

2 In section 1(1)(d) (compulsory purchase of land by the Secretary...

The National Assistance Act 1948

3 (1) In section 47 (removal of persons in need of...
Changes to legislation: National Health Service (Scotland) Act 1978 is up to date with all changes known to be in force on or before 13 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

The Law Reform (Personal Injuries) Act 1948
4 In section 2(4) (measure of damages), for the words “National..."

The Children Act 1948
5 In section 59(1) (interpretation), in the definition of “hospital", for...

The Nurseries and Child Minders Regulation Act 1948
6

The Nurses (Scotland) Act 1951
7

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951
8

The Public Bodies (Admission to Meetings) Act 1960
14 In paragraph (2) of the Schedule (bodies to which Act...
15—18
19

The Redundancy Payments Act 1965
20 In Schedule 3 (National Health Service Employers), in paragraph 7,...

The National Health Service 1966
21

The Superannuation (Miscellaneous Provisions) Act 1967
23 In section 11, for words “1947" substitute the words “1978"....

The Health Services and Public Health Act 1968
26 (1) In section 59(2) (extension of power), for the words...
27 In section 64 (financial assistance to voluntary organisations)—
28 In section 65(6) (assistance by local authorities to voluntary organisations),...

The Social Work (Scotland) Act 1968
29 (1) In section 60(1)(f) (control of certain establishments), for the...
The Medicines Act 1968
30 In section 131(5) (meaning of certain expressions), for the words...
31 In section 132(1) (interpretation), in the definition of “health centre”....

The Post Office Act 1969
32 ........................................

The Chronically Sick and Disabled Persons Act 1970
33 In section 17(1) (separation of younger from older patients), for...
34 .............

The Tribunals and Inquiries Act 1971
35 ........................................

The Finance Act 1971
36 In Schedule 13 (health service agreement) in paragraph 1(1) for...
37 .............

The Local Government (Scotland) Act 1973
38 In section 197 (inspection of documents) for the words “1972”...

The Trade Union and Labour Relations Act 1974
39 ........................................

The Social Security Act 1975
40 ........................................

The Criminal Procedure (Scotland) Act 1975
41 ........................................

The House of Commons Disqualification Act 1975
42 In Schedule 1 in Part II (bodies of which all...
43 .............
44 .............

The Patents Act 1977
45 In section 56(4), in paragraph (a), for the words “Part...

SCHEDULE 17 — Repeals
Changes to legislation:
National Health Service (Scotland) Act 1978 is up to date with all changes known to be in force on or before 13 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. View outstanding changes

Changes and effects yet to be applied to:
- s. 17W and cross-heading inserted by 2005 asp 13 s. 22
- s. 17X and cross-heading inserted by 2005 asp 13 s. 23
- s. 17Q-17V and cross-heading substituted for s. 17Q by 2005 asp 13 s. 21
- s. 2CA2CB inserted by 2005 asp 13 s. 20(2)
- s. 7 repealed by 2004 asp 7 sch. 2
- s. 8(1) words repealed by 2004 asp 7 sch. 2
- s. 9(5) words repealed by 2004 asp 7 sch. 2
- s. 9(7) words repealed by 2004 asp 7 sch. 2
- s. 10(4) words repealed by 2004 asp 7 sch. 2
- s. 12A repealed by 2004 asp 7 s. 1(1)
- s. 12D-12G repealed by 2004 asp 7 sch. 2
- s. 12AA-12C repealed by 2004 asp 7 sch. 2
- s. 13 words repealed by 2004 asp 7 sch. 2
- s. 17A(2)(e) repealed by 2004 asp 7 sch. 2
- s. 17A(2)(k) words substituted by 2012 c. 7 Sch. 21 para. 2(3)(f)
- s. 17C(2A)(b)(ii) words inserted by 2005 asp 13 sch. 2 para. 2(6)
- s. 17C(6) words repealed by 2005 asp 13 sch. 3
- s. 17D(1)(a) repealed by 2004 asp 7 sch. 2
- s. 17D(1)(b)(vi) words substituted by 2005 asp 13 sch. 2 para. 2(7)(a)
- s. 17D(2) words inserted by 2005 asp 13 sch. 2 para. 2(7)(b)(iii)
- s. 17D(2) words inserted by 2012 c. 7 Sch. 21 para. 4(b)
- s. 17D(2) words repealed by 2004 asp 7 sch. 2
- s. 17D(2) words substituted by 2005 asp 13 sch. 2 para. 2(7)(b)(i)
- s. 17D(2) words substituted by 2005 asp 13 sch. 2 para. 2(7)(b)(ii)
- s. 17D(2) words substituted by 2005 asp 13 sch. 2 para. 2(7)(b)(iv)
- s. 17D(2) words substituted by 2005 asp 13 sch. 2 para. 2(7)(b)(v)
- s. 17F inserted by 2005 asp 13 s. 18
- s. 17S(1A) inserted by 2006 c. 28 s. 36(2)
- s. 17AA(1) words substituted by 2005 asp 13 s. 25(2)
- s. 17AA(3) words inserted by 2005 asp 13 s. 25(3)(a)
- s. 17AA(3) words repealed by 2005 asp 13 s. 25(3)(b)
- s. 17EB(1)(a) word omitted by S.I. 2003/1250 Sch. 9 para. 3(b)(i) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 17EB(1)(b) omitted by S.I. 2003/1250 Sch. 9 para. 3(b)(ii) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 17EB(2)(3) omitted by S.I. 2003/1250 Sch. 9 para. 3(b)(ii) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 18 words repealed by 2005 asp 13 s. 20(3)
- s. 19(7)(7A) substituted by S.I. 2002/3135 Sch. 1 para. 9 (This amendment not applied to legislation.gov.uk. S. 19 already repealed (1.4.2004) by Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 8, 9(1), Sch. para. 1(7); S.S.I. 2004/58, art. 2(3))
- s. 20(1) words substituted by 2003 asp 4 sch. 4 para. 5(6)(a) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
– s. 16A(5) added by 2002 asp 5 Sch. 2 para. 2(2)
– s. 17Y and cross heading inserted by 2005 asp 13 s. 24
– s. 19A(2)(b) words repealed by 2003 asp 4 sch. 4 para. 5(4) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
– s. 19A(2)(a) words substituted by 2003 asp 4 sch. 4 para. 5(5)(a) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
– s. 19B(2)(b) substituted by 2003 asp 4 sch. 4 para. 5(5)(b) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
– s. 19B(2)(c) words substituted by 2003 asp 4 sch. 4 para. 5(5)(c) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
– s. 19B(2)(e) word substituted by 2003 asp 4 sch. 4 para. 5(5)(d) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
– s. 70A inserted by 1997 c. 46 s. 26(2)
– s. 70A(2) word substituted by 2005 asp 13 s. 14(3)
– s. 75BC inserted by S.S.I. 2019/131 reg. 4(6)
– s. 85AB(7) inserted by 2005 asp 13 sch. 2 para. 2(18)(b)
– Sch. 11 para. 2(1A) inserted by 2005 asp 13 s. 14(6)(a)