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**Changes to legislation:** There are currently no known outstanding effects for the Health Services Act 1980, Cross Heading: The National Health Service (Scotland) Act 1978. (See end of Document for details)

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## SCHEDULES

### <sup>X1</sup>SCHEDULE 6

#### OTHER MINOR AMENDMENTS

##### **Editorial Information**

- X1** The text of Schedule 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

##### *The National Health Service (Scotland) Act 1978*

- 1 (1) In subsection (6) of the Scottish Act of 1978 (local health councils) after the word “thereof,” there shall be inserted “ and of any body established under subsection (9) (g), ”.
- (2) After paragraph (f) of section 7(9) of that Act there shall be inserted the following paragraphs—
- “(g) for the establishment of a body—
- (i) to advise local health councils with respect to the performance of their functions, and to assist those councils in the performance of their functions; and
- (ii) to perform such other functions as may be prescribed;
- (h) relating to the membership, proceedings, staff, premises and expenses of any body established under paragraph (g).”.
- 2 In subsection (1) of section 10 of that Act (common Services Agency) for the words “health service” there shall be substituted the words “ Scottish Health Service ”.
- 3 In section 20 of that Act (applications to provide general medical services) immediately before the words “be entitled” there shall be inserted the words “ subject to the provisions of this Part of this Act relating to the disqualification of practitioners ”; and the words “(except as mentioned in subsection (2))” and subsection (2) shall be omitted.
- 4 In section 25(3) of that Act (remuneration of dentists providing general dental services) the words “except in special circumstances” shall be omitted and at the end there shall be inserted—
- “unless either—
- (a) the remuneration is paid in pursuance of arrangements made under section 33, or
- (b) the services are provided in prescribed circumstances and the practitioner consents,

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and it shall be the Secretary of State's duty, before he prescribes any circumstances for the purposes of paragraph (b), to consult such organisations as appear to him to be representative of the dental profession. ”

- 5 (1) In section 105(7) of that Act (power to make regulations and orders)—
- (a) there shall be inserted after the word “power” where it first occurs the words “conferred by this Act”;
  - (b) the words from “under sections 2” to “Schedule 5” shall be omitted;
  - (c) in paragraph (a) for the words “particular case or cases” there shall be substituted the words “specified cases or classes of case”; and
  - (d) at the end there shall be inserted— “ This subsection does not apply to the regulations made under section 22 (but without prejudice to subsection (3) of that section) or to an order made under section 49 (but without prejudice to paragraph 1(1) of Schedule 10). ”.
- 6 Section 108(1) of that Act (definitions) shall be amended as follows—
- (a) in the definition of “health service hospital”, after the word “State” there shall be inserted the words “for the purposes of his functions”; and
  - (b) for the definition of “voluntary” there shall be substituted the following definition— “ “voluntary organisation” means a body the activities of which are carried on otherwise than for profit, but does not include any public or local authority. ”.
- 7 (1) Schedule 1 to that Act shall be amended as provided in this paragraph.
- (2) In paragraph 5—
    - (a) the words “, subject to regulations,” shall be omitted; and
    - (b) at the end there shall be inserted the words “in accordance with regulations and any directions given under this paragraph by the Secretary of State”.
  - (3) In paragraph 7—
    - (a) after the word “regulations” where it first occurs there shall be inserted the words “or any directions given under paragraph 5”; and
    - (b) at the end there shall be inserted the words “or, as the case may be, the directions”.
  - (4) In paragraph 11—
    - (a) after sub-paragraph (b) there shall be inserted the word “and”; and
    - (b) sub-paragraph (d) and the word “and” immediately preceding it shall be omitted.
  - (5) After paragraph 11 there shall be inserted the following paragraph—

“11A A Health Board may subscribe to the funds of any associations or other bodies having objects of which the Board approves.”.
- 8 (1) Schedule 5 to that Act shall be amended as provided in this paragraph.
- (2) After paragraph 3 there shall be inserted the following paragraph—

“3A The Secretary of State may pay to the chairman of the management committee such remuneration as he may, with the approval of the Minister for the Civil Service, from time to time determine.”.
  - (3) In paragraph 7—

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- (a) the words “, subject to regulations,” shall be omitted; and
  - (b) at the end there shall be inserted the words “ in accordance with regulations and any directions given under this paragraph by the Secretary of State. ”.
- (4) In paragraph 9—
- (a) after the word “regulations” where it first occurs there shall be inserted the words “ or any directions given under paragraph 7 ”; and
  - (b) at the end there shall be inserted the words “ or, as the case may be, the directions ”.
- 9 In paragraph 3 of Schedule 14 to that Act—
- (a) for the words “an Executive Council” there shall be substituted the words “ a Joint Ophthalmic Committee ”;
  - (b) sub-paragraph (b) shall be omitted;
  - (c) in sub-paragraph (c) the words “or order” and “or that order” shall be omitted.
- 10 In paragraph 13(b) of Schedule 15 to that Act, after the word “of”, where it first occurs, there shall be inserted the words “ this Act ”.

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