

1974 No. 1182 (S.97)

## PUBLIC HEALTH, SCOTLAND

**The Nursing Homes Registration (Scotland) Amendment  
Regulations 1974**

<i>Made</i>	- - - -	<i>9th July 1974</i>
<i>Laid before Parliament</i>		<i>19th July 1974</i>
<i>Coming into Operation</i>		<i>16th August 1974</i>

In exercise of the powers conferred on me by sections 1(2) and 4(1) of the Nursing Homes Registration (Scotland) Act 1938(a), as read with section 1 of the Reorganisation of Offices (Scotland) Act 1939(b) and as amended by Part II of Schedule 6 to the National Health Service (Scotland) Act 1972(c), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Nursing Homes Registration (Scotland) Amendment Regulations 1974 and shall come into operation on 16th August 1974.

*Interpretation*

2.—(1) In these regulations—

“the 1938 regulations” means the Nursing Homes Registration Regulations (Scotland) 1938(d); and

“Health Board” means a board constituted under section 13 of the National Health Service (Scotland) Act 1972.

(2) The Interpretation Act 1889(e) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

*Amendment of 1938 regulations*

3. The 1938 regulations shall be amended as follows—

(a) in regulation 3, for the words “local authorities” there shall be substituted the words “Health Boards”;

(b) in regulation 5, for the words “the local authority” there shall be substituted the words “the Health Board”; and

(c) in the First Schedule, for the words “To the Clerk to the County/Town Council of” in the last line there shall be substituted the words “To the Secretary of the Health Board”.

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(a) 1938 c. 73.  
(c) 1972 c. 58.  
(e) 1889 c. 63.

(b) 1939 c. 20.  
(d) S.R. & O. 1938/1505 (Rev XVI, p. 1099).

(Sgnd.) *William Ross*,  
One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh.  
9th July 1974.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations are consequential on the transfer of responsibility for registration of nursing homes from local authorities to Health Boards. They amend the existing regulations to ensure that applications for registration and notification of deaths are made to the Health Boards.

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