



National Health Service Reform (Scotland) Act 2004

2004 asp 7

PART 2

PROMOTION OF HEALTH IMPROVEMENT

9 Duty to promote health improvement

(1) After section 1 of the 1978 Act insert—

“1A Duty of the Scottish Ministers to promote health improvement

- (1) It is the duty of the Scottish Ministers to promote the improvement of the physical and mental health of the people of Scotland.
- (2) The Scottish Ministers may do anything which they consider is likely to assist in discharging that duty including, in particular—
 - (a) giving financial assistance to any person,
 - (b) entering into arrangements or agreements with any person,
 - (c) co-operating with, or facilitating or co-ordinating the activities of, any person.
- (3) Subsections (1) and (2) are without prejudice to section 1 and any other provision of this Act conferring or imposing functions on the Scottish Ministers.”

(2) After section 2 of that Act insert—

“2A Duty of Health Board, Special Health Board and the Agency to promote health improvement

- (1) It is the duty of every Health Board and Special Health Board and of the Agency to promote the improvement of the physical and mental health of the people of Scotland.

Changes to legislation: There are currently no known outstanding effects for the National Health Service Reform (Scotland) Act 2004, Part 2. (See end of Document for details)

- (2) A Health Board, a Special Health Board or the Agency may do anything which they consider is likely to assist in discharging that duty including, in particular—
- (a) giving financial assistance to any person,
 - (b) entering into arrangements or agreements with any person,
 - (c) co-operating with, or facilitating or co-ordinating the activities of, any person.
- (3) Subsections (1) and (2) are without prejudice to any other provision of this Act conferring or imposing functions on a Health Board, a Special Health Board or the Agency.
- (4) Anything done by a Health Board or Special Health Board in pursuance of subsection (1) or (2) is to be regarded as done in exercise of functions of the Scottish Ministers conferred on—
- (a) the Health Board by the order under section 2(1)(a) which constituted the Board, or
 - (b) the Special Health Board by the order under section 2(1)(b) which constituted the Board,
- as the case may be.”

Commencement Information

II S. 9 in force at 1.1.2005 by S.S.I. 2004/361, art. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the National Health Service Reform (Scotland) Act 2004, Part 2.