

*These notes relate to the Health (Tobacco, Nicotine etc. and Care)
(Scotland) Act 2016 (asp 14) which received Royal Assent on 06 April 2016*

HEALTH (TOBACCO, NICOTINE ETC. AND CARE) (SCOTLAND) ACT 2016

EXPLANATORY NOTES

THE ACT – OVERVIEW

Part 4 - Provision of Communication Equipment

Section 33 – Duty to provide or secure communication equipment

112. **Section 33** of the Act inserts new section 46A into the National Health Service (Scotland) Act 1978 (“the 1978 Act”). Section 46A places a duty on the Scottish Ministers to provide or secure the provision of communication equipment, and the support in using that equipment, to any person who has lost their voice or has difficulty speaking (both children and adults). The equipment and support is to be provided to such an extent as the Scottish Ministers consider necessary to meet all reasonable requirements.
113. Whilst the duty is being placed on the Scottish Ministers, there is provision within the 1978 Act which allows for the Scottish Ministers’ functions under that Act (such as this new duty) to be delivered by Health Boards.