



# Public Bodies (Joint Working) (Scotland) Act 2014

## 2014 asp 9

### PART 4

#### GENERAL

#### 68 Interpretation

(1) In this Act—

“Health Board” has the meaning given by section 1(16),

“health care” has the same meaning as in section 10A(1)(b) of the National Health Service (Scotland) Act 1978,

“health professionals” means persons of such description engaged in the provision of health care as may be prescribed,

“integration delivery principles” has the meaning given by section 31,

“integration joint board” has the meaning given by section 1(4)(a),

“integration joint monitoring committee” has the meaning given by section 15(3),

“integration scheme” has the meaning given by section 1(3),

“national health and wellbeing outcomes” has the same meaning as in section 5(1),

“prescribed” means prescribed by the Scottish Ministers by regulations,

“social care” means—

(a) social services (having the same meaning as in Part 5 of the Public Services Reform (Scotland) Act 2010), and

(b) such functions of local authorities relating to the provision of accommodation for persons who are homeless as may be prescribed,

“social care professionals” means persons of such description engaged in the provision of social care as may be prescribed,

“strategic plan” has the meaning given by section 29(2).

(2) For the purposes of this Act, a provider of a service is a “commercial” provider if the aim of the person in providing the service is or includes making a profit.

- (3) References in this Act (other than sections 2(3), 11(4)(a)(i), 12(3)(a)(i), 45(2) (first occurrence only), 49(1) and 61)—
- (a) to a local authority include, in the case where the integration scheme is being or has been jointly prepared under section 2(4), references to both or all the authorities which are preparing or have prepared the scheme, acting jointly,
  - (b) to the area of a local authority mean, in a case where the integration scheme is being or has been jointly prepared under section 2(4), the combined area of the local authorities which are preparing or have prepared the scheme.
- (4) References in this Act to a function include references to a function so far as exercisable in relation to persons or matters of a particular class or description.

## **69 Subordinate legislation**

- (1) Regulations and orders under this Act may—
- (a) make different provision for different purposes,
  - (b) make different provision for different cases or classes of case,
  - (c) include such supplementary, incidental, consequential, transitional or transitory provision, or savings, as the Scottish Ministers consider appropriate.
- (2) Regulations under sections 1(3)(f), (7), (8) and (12), 5(1) and 20 are subject to the affirmative procedure.
- (3) An order under section 62(5) is subject to the affirmative procedure.
- (4) An order under section 70 containing provision which adds to, replaces or omits any part of the text of an Act is subject to the affirmative procedure.
- (5) Otherwise, regulations and orders under this Act are subject to the negative procedure.
- (6) This section does not apply to an order under section 72(2).

## **70 Ancillary provision**

- (1) The Scottish Ministers may by order—
- (a) make such supplementary, incidental or consequential provision as they consider appropriate for the purposes of, in consequence of, or for giving full effect to, any provision of this Act,
  - (b) make such transitional or transitory provision or savings as they consider appropriate for the purposes of, or in connection with, the coming into force of any provision of this Act.
- (2) An order under this section may modify any enactment (including this Act).

## **71 Repeals and revocation**

- (1) Section 5A of the Social Work (Scotland) Act 1968 (which makes provision about local authority plans for community care services) is repealed.
- (2) Sections 4A and 4B of the National Health Service (Scotland) Act 1978 (which make provision about community health partnerships) are repealed.

- (3) Sections 15 to 17 of the Community Care and Health (Scotland) Act 2002 (which make provision about joint working among local authorities and certain health bodies) are repealed.
- (4) Section 2 of the National Health Service Reform (Scotland) Act 2004 (which inserts sections 4A and 4B into the National Health Service (Scotland) Act 1978) is repealed.
- (5) Section 17(1) of the Patient Rights (Scotland) Act 2011 is repealed.
- (6) Section 20 of the Social Care (Self-directed Support) (Scotland) Act 2013 (which amends section 15(4) of the Community Care and Health (Scotland) Act 2002) is repealed.
- (7) The Public Services Reform (Functions of the Common Services Agency for the Scottish Health Service) (Scotland) Order 2013 ([S.S.I. 2013/220](#)) is revoked.

## **72 Commencement**

- (1) Sections 1(3) to (16), 5, 49 and 53 and this Part (other than section 71) come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by order appoint.
- (3) An order under subsection (2) may contain transitory or transitional provision or savings.

## **73 Short title**

The short title of this Act is the Public Bodies (Joint Working) (Scotland) Act 2014.