

2023 No. 24

NATIONAL HEALTH SERVICE

The Public Health Scotland Amendment Order 2023

Made - - - - *31st January 2023*

Laid before the Scottish Parliament *2nd February 2023*

Coming into force - - *23rd March 2023*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1)(b) and 105(6) and (7) of the National Health Service (Scotland) Act 1978(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Public Health Scotland Amendment Order 2023 and comes into force on 23 March 2023.

Amendment of the Public Health Scotland Order 2019

2. In article 4(2) of the Public Health Scotland Order 2019(b) (functions of the Board) after subparagraph (c) insert—

“(ca) the power of the Scottish Ministers under section 40(1) of the Act(c) (vaccination and immunisation),”.

MAREE TODD

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
31st January 2023

(a) 1978 c. 29; section 2(1)(b) was inserted by section 28(a)(ii) of the National Health Service and Community Care Act 1990 (c. 19), and was amended by paragraph 2(2) of schedule 2 of the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13). Section 105(7) was amended by paragraph 5 of schedule 6 and schedule 7 of the Health Services Act 1980 (c. 53), section 29(1) and paragraph 24 of Part 1 of schedule 9 of the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) and paragraph 60 of schedule 4 of the Health Act 1999 (c. 8). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(b) S.S.I. 2019/336.

(c) 1978 c. 29; section 40(1) was relevantly amended by section 4(2)(a) of the Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Public Health Scotland Order 2019 (“the principal Order”) which constituted the Special Health Board known as Public Health Scotland.

Article 2 amends article 4(2) of the principal Order to confer on Public Health Scotland the function of the Scottish Ministers under section 40(1) of the National Health Service (Scotland) Act 1978 to make arrangements for the vaccination or immunisation of persons against any disease.

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