



# National Health Service (Scotland) Act 1972

## 1972 CHAPTER 58

### PART VIII

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

51 ..... F1

##### **Textual Amendments**

**F1** Ss. 1–23, 24(3), 25, 29–31, 37–51 repealed by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), s. 109, [Sch. 17](#)

52 (1) ..... F2  
(2) ..... F3

##### **Textual Amendments**

**F2** S. 52(1) repealed by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), ss. 17(2), 127(1)(2), [Sch. 4](#) para. 4, [Sch. 5](#)

**F3** S. 52(2)–(6) repealed by [Mental Health \(Amendment\) \(Scotland\) Act 1983 \(c. 39\)](#), s. 39(3), [Sch. 3](#) (which 1983 Act is itself repealed by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), s. 127(2), [Sch. 5](#))

*Changes to legislation: There are currently no known outstanding effects for the National Health Service (Scotland) Act 1972, Part VIII. (See end of Document for details)*

**53 Extension of definition of infectious disease.**

[<sup>F4</sup>For section 7 of the <sup>M1</sup>Infectious Disease (Notification) Act 1889 (extension of definition of infectious disease) there shall be substituted the following section—

**“ Extension of definition of infectious disease.**

- (1) The Secretary of State may direct, in respect of the area of any Health Board or of Scotland as a whole, in either case as may be specified in the direction, that this Act shall apply to any infectious disease so specified, other than a disease specifically mentioned in this Act, and nay such direction may be permanent or for a specified period.
- (2) Before making any such direction, the Secretary of State shall consult, in the case of a direction which is to apply to a particular area, the Health Board concerned, and, in the case of a direction which is to apply to Scotland as a whole, the Scottish Health Service Planning Council.
- (3) The Secretary of State shall give public notice of any such direction in such manner as he thinks sufficient for giving information to all persons interested, and shall notify the terms of the direction to all registered medical practitioners practising or residing in the area affected by the direction.
- (4) A direction shall come into operation on such date as the Secretary of State may fix, being a date not earlier than one week from the first public notice given under subsection (3) above, or, in a case where the Secretary of State certifies that an emergency exists, a date not earlier than three days from the first public notice as aforesaid.
- (5) Any direction under this section may be revoked or varied by a subsequent direction made in the like manner.”]

**Textual Amendments**

**F4** S. 53 repealed (S.) (1.1.2010) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [Sch. 3 Pt. 1](#) (with s. 127); [S.S.I. 2009/404](#), art. 2(3)

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**Modifications etc. (not altering text)**

**C1** The text of s. 53 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals that may have been made prior to 1.2.1991

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**Marginal Citations**

**M1** 1889 c. 72

54— ..... <sup>F5</sup>  
57.

**Textual Amendments**

**F5** Ss. 54–60, 61(4)(5), 62–65, [Schs. 1–3](#), 5–7 repealed by [National Health Service \(Scotland\) Act 1978](#) (c. 29), s. 109, [Sch. 17](#)

*Changes to legislation: There are currently no known outstanding effects for the National Health Service (Scotland) Act 1972, Part VIII. (See end of Document for details)*

*General*

58— ..... F6  
60.

**Textual Amendments**

**F6** Ss. 54–60, 61(4)(5), 62–65, Schs. 1–3, 5–7 repealed by [National Health Service \(Scotland\) Act 1978](#) (c. 29), s. 109, [Sch. 17](#)

**61 Supplementary and transitional.**

- (1) The Secretary of State may at any time, whether before or after the appointed day, by order make such incidental, consequential, transitional or supplementary provision as may appear to him to be necessary or proper for the general or any particular purposes of this Act or in consequence of any of the provisions thereof or for giving full effect thereto, and nothing in any other provision of this Act shall be construed as prejudicing the generality of this subsection.
- (2) Any such order may in particular include provision for anything duly done before the appointed day by any authority or body in the exercise of functions which, on and after that day, become functions of some other authority or body to be deemed, as from that day, to have been duly done by that other authority or body, and for any instrument made before that day, in so far as it was made in the exercise of those functions, to continue in force on and after that day until varied or revoked by that other authority or body.
- (3) In so far as any apportionment, agreement, regulation or order made, or any notice, direction, consent or approval given under any enactment repealed by this Act, or proceedings instituted or other thing done under any such enactment could have been made, given, instituted or done under a corresponding provision of this Act, it shall not be invalidated by the repeals effected by this Act, but shall have effect as if it had been made, given, instituted or done under that corresponding provision and may be amended, varied, revoked or enforced accordingly, and in the case of any legal proceedings may be continued and appealed against as if this Act had not been passed.
- (4) ..... F7

**Textual Amendments**

**F7** Ss. 54–60, 61(4)(5), 62–65, Schs. 1–3, 5–7 repealed by [National Health Service \(Scotland\) Act 1978](#) (c. 29), s. 109, [Sch. 17](#)

62— ..... F8  
65.

**Textual Amendments**

**F8** Ss. 54–60, 61(4)(5), 62–65, Schs. 1–3, 5–7 repealed by [National Health Service \(Scotland\) Act 1978](#) (c. 29), s. 109, [Sch. 17](#)

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Scotland) Act 1972, Part VIII.