

Changes to legislation: National Health Service (Scotland) Act 1978, SCHEDULE 16 is up to date with all changes known to be in force on or before 17 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 16

CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

Modifications etc. (not altering text)

- C1** The text of Sch. 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The ^{M1} Polish Resettlement Act 1947

Marginal Citations

- M1** [1947 c. 19.](#)

- 1 In section 11(3)(b) (application to Scotland), for the words “the National Health Service (Scotland) Acts 1947 to 1972” substitute the words “the National Health Service (Scotland) Act 1978”.

The ^{M2} Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

Marginal Citations

- M2** [1947 c. 42.](#)

- 2 In section 1(1)(d) (compulsory purchase of land by the Secretary of State), for the words “:58 of the National Health Service (Scotland) Act 1972” substitute the words “79 of the National Health Service (Scotland) Act 1978”.

The ^{M3} National Assistance Act 1948

Marginal Citations

- M3** [1948 c. 29.](#)

- 3 (1) In section 47 (removal of persons in need of care)—
- (a) in subsection (8), for the words “Acts 1947 to 1972” substitute the words “Act 1978”;
 - (b) in subsection (10), for the words “section sixteen of the National Health Service (Scotland) Act 1947” substitute the words “section 45 of the

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National Health Service (Scotland) Act 1978" and for the word "sixteen" substitute the word "45".

- (2) In section 64 (interpretation), in the definition of "hospital", for the words "eighty" and "1947" substitute the words "108" and "1978" respectively;

^{F1}(3)

Textual Amendments

F1 Sch. 16 para. 3(3) repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), Sch. 3 (with Sch. 2 para. 6)

The ^{M4} Law Reform (Personal Injuries) Act 1948

Marginal Citations

M4 1948 c. 41.

- 4 In section 2(4) (measure of damages), for the words "National Health Service (Scotland) Act 1947" substitute the words "National Health Service (Scotland) Act 1978".

The ^{M5} Children Act 1948

Marginal Citations

M5 1948 c. 43.

- 5 In section 59(1) (interpretation), in the definition of "hospital", for the words "section eighty of the National Health Service (Scotland) Act 1948" substitute the words "section 108(1) of the National Health Service (Scotland) Act 1978".

The ^{M6} Nurseries and Child Minders Regulation Act 1948

Marginal Citations

M6 1948 c. 53.

^{F2}6

Textual Amendments

F2 Sch. 16 para. 6 repealed (5.11.1993) by 1993 c. 50, s.1(1), Sch. 1 Pt. VIII.

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The^{M7} Nurses (Scotland) Act 1951

Marginal Citations

M7 [1951 c. 55.](#)

F37

Textual Amendments

F3 [Sch. 16 para. 7](#) repealed (1.4.2002) by [2001 asp 8](#), s. 80(1), [Sch. 4](#); S.S.I. 2002/162, [art. 2\(g\)\(i\)](#)

The^{M8} Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

Marginal Citations

M8 [1951 c. 65.](#)

F48

Textual Amendments

F4 [Sch. 16 para. 8](#) repealed (1.4.1996) by [1995 c. 17](#), s. 5(1)(2), [Sch. 3](#) (with [Sch. 2 para. 6](#))

9 **F5**

Textual Amendments

F5 [Sch. 16 para. 9](#) repealed by [Medical Act 1983](#) (c. 54, SIF 83:1), ss. 54, 56(2), [Sch. 7 Pt. I](#)

10 **F6**

Textual Amendments

F6 [Sch. 16 para. 10](#) repealed by [Dentists Act 1984](#) (c. 24, SIF 83:1), s. 54(2)(3), [Sch. 6 Pt. I](#)

11 **F7**

Textual Amendments

F7 [Sch. 16 para. 11](#) repealed by [Opticians Act 1989](#) (c. 44, SIF 83:1), s. 37(4), [Sch. 2](#)

12, 13. **F8**

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Textual Amendments

- F8** Sch. 16 paras. 12, 13 repealed by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), ss. 17(2), 127(1)(2), Sch. 4 para. 4, **Sch. 5**

The ^{M9} Public Bodies (Admission to Meetings) Act 1960

Marginal Citations

- M9** 1960 c. 67.

- 14 In paragraph (2) of the Schedule (bodies to which Act applies), in sub-paragraph (d), for the words “1972” substitute the words “ 1978”.

- 15—18. **F9**

Textual Amendments

- F9** Sch. 16 paras. 15—18 repealed by [Education \(Scotland\) Act 1980 \(c. 44\)](#), **Sch. 5**

- 19 **F10**

Textual Amendments

- F10** Sch. 16 para. 19 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#) s. 1(1), Sch. 1 Pt. VIII

The ^{M10} Redundancy Payments Act 1965

Marginal Citations

- M10** 1965 c. 62.

- 20 In Schedule 3 (National Health Service Employers), in paragraph 7, for the words “section 13(8) of the National Health Service (Scotland) Act 1972” substitute the words “section 2(11) of the National Health Service (Scotland) Act 1978”.

The ^{M11} National Health Service 1966

Marginal Citations

- M11** 1966 c. 8.

- 21 **F11**

Textual Amendments

- F11** Sch. 16 para. 21 repealed by [Health and Medicines Act 1988 \(c. 49, SIF 113:2\)](#), s. 25(2), **Sch. 3**

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F12 22

Textual Amendments

F12 Sch. 11 para. 22 repealed (1.10.1999) by 1999 c. 8, s.65, Sch. 5; S.S.I. 1999/90, art. 2(c), Sch. 1, Sch. 2

23 In section 11, for words “1947” substitute the words “1978”.

The ^{M12} Superannuation (Miscellaneous Provisions) Act 1967

Marginal Citations

M12 1967 c. 28.

24 In section 7(5) (superannuation provisions of the National Health Service Acts), for the words “Acts 1947 to 1972” substitute the words “Act 1978”.

25 **F13**

Textual Amendments

F13 Ss. 16(3), 20(2), 51, 52, 59–63, 65–68, 96(2), Sch. 16 paras. 25, 43 repealed by Health Services Act 1980 (c. 53), Sch. 7

The ^{M13} Health Services and Public Health Act 1968

Marginal Citations

M13 1968 c. 46.

26 (1) In section 59(2) (extension of power), for the words “IV” and “1947” substitute the words “II” and “1978” respectively.

(2) In section 63 (provision of instruction for employees)—

- (a) in subsection 2(d), for the words “IV” and “1947” substitute the words “II” and “1978” respectively;
- (b) in subsection (8), in paragraph (b) of the definition of “the relevant enactments”, for the words “section 6 of the National Health Service (Scotland) Act 1972” substitute the words “section 39 of the National Health Service (Scotland) Act 1978”.

27 In section 64 (financial assistance to voluntary organisations)—

- (a) in subsection (4)(a), for the words “1972” substitute the words “1978”;
- (b) in subsection (4)(b), for the words “IV” and “1947” substitute the words “II” and “1978”.

28 In section 65(6) (assistance by local authorities to voluntary organisations), in paragraph (c) of the substituted subsection (2B), for the words “1947 to 1972” substitute the words “1978”.

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The ^{M14} Social Work (Scotland) Act 1968

Marginal Citations

M14 1968 c. 49.

- 29 (1) In section 60(1)(f) (control of certain establishments), for the words “1947 or the National Health Service (Scotland) Act 1972” substitute the words “1978”.
- (2) In section 86(3) for the words “Part II of the [National Health Service (Scotland) Act 1947” substitute the words “Part II of the National Health Service (Scotland) Act 1978”.
- (3) In section 94(1), in the definition of “hospital”, for the words “1947” substitute the words “1978”.

The ^{M15} Medicines Act 1968

Marginal Citations

M15 1968 c. 67.

- 30 In section 131(5) (meaning of certain expressions), for the words “Acts 1947 to 1972” substitute the words “Act 1978”.
- 31 In section 132(1) (interpretation), in the definition of “health centre”, for the words “section 2 of the National Health Service (Scotland) Act 1972” substitute the words “section 36 of the National Health Service (Scotland) Act 1978”.

The ^{M16} Post Office Act 1969

Marginal Citations

M16 1969 c. 48.

^{F14}32

Textual Amendments

F14 Sch. 16 para. 32 repealed (26.3.2001 subject to art. 1(3) of the amending S.I.) by S.I. 2001/1149, art. 3(2), Sch. 2 (with art. 4(11))

The ^{M17} Chronically Sick and Disabled Persons Act 1970

Marginal Citations

M17 1970 c. 44.

- 33 In section 17(1) (separation of younger from older patients), for the words “1972” substitute the words “1978”.

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34 F15

Textual Amendments

F15 Sch. 16 para. 34 repealed by Finance Act 1980 (c. 48), Sch. 20 Pt. III

The^{M18} Tribunals and Inquiries Act 1971

Marginal Citations

M18 1971 c. 62.

F1635

Textual Amendments

F16 Sch. 16 para. 35 repealed (1.10.1992) by Tribunals and Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), Sch. 4 Pt. I

The^{M19} Finance Act 1971

Marginal Citations

M19 1971 c. 68.

36 In Schedule 13 (health service agreement) in paragraph 1(1) for the words “1947” substitute the words “1978”.

37 F17

Textual Amendments

F17 Sch. 16 para. 37 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1), s. 844(4), Sch. 31

The^{M20} Local Government (Scotland) Act 1973

Marginal Citations

M20 1973 c. 65.

38 In section 197 (inspection of documents) for the words “1972” substitute the words “1978”.

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The ^{M21} Trade Union and Labour Relations Act 1974

Marginal Citations

M21 1974 c. 52.

F18³⁹

Textual Amendments

F18 Sch. 16 para. 39 repealed (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), ss. 300(1), 302, **Sch.1**

The ^{M22} Social Security Act 1975

Marginal Citations

M22 1975 c. 14.

F19⁴⁰

Textual Amendments

F19 Sch. 16 para. 40 repealed (6.4.1992) by Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21, SIF 113:1), s. 10, **Sch.4** ; S.I. 1991/2617, **art. 2(f)**
 Sch. 16 para. 40 expressed to be repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned (6.3.1992) in Local Government Finance Act 1992 (c. 14), **s. 118(5)(7)** (with s. 118(1)(2)(4))).

The ^{M23} Criminal Procedure (Scotland) Act 1975

Marginal Citations

M23 1975 c. 21.

F20⁴¹

Textual Amendments

F20 Sch. 16 para. 41 repealed (1.4.1996) by 1995 c. 40, **ss. 6, 7(2)** Sch. 5 (with Sch. 3)

The ^{M24} House of Commons Disqualification Act 1975

Marginal Citations

M24 1975 c. 24.

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42 In Schedule 1 in Part II (bodies of which all members are disqualified), in the entry relating to the Medical Practices Committee for the words “section 35 of the National Health Service (Scotland) Act 1947” substitute the words “section 3 of the National Health Service (Scotland) Act 1978”.

43 F21

Textual Amendments
F21 Ss. 16(3), 20(2), 51, 52, 59–63, 65–68, 96(2), Sch. 16 paras. 25, 43 repealed by [Health Services Act 1980 \(c. 53\)](#), [Sch. 7](#)

44 F22

Textual Amendments
F22 Sch. 16 para. 44 repealed by [Social Security Act 1990 \(c. 27, SIF 113:1\)](#), s. 21(1)(2), Sch. 6 para. 14, [Sch. 7](#)

The ^{M25} Patents Act 1977

Marginal Citations
M25 [1977 c. 37](#).

45 In section 56(4), in paragraph (a), for the words “Part IV of the National Health Service (Scotland) Act 1947” substitute the words “Part II of the National Health Service (Scotland) Act 1978”

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10C(3A) inserted by [2019 asp 6 s. 6\(3\)\(a\)](#)
- s. 10I(1)(b)(c) and word inserted by [2019 asp 6 s. 6\(4\)\(b\)](#)
- s. 12IA applied by S.I. 1995/574, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(2\)](#)
- s. 12IA applied by S.I. 1999/686, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(5\)](#)
- s. 12IA applied by S.S.I. 2001/137, art. 5, sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(8\)](#)
- s. 12IA applied by S.S.I. 2002/305, art. 5, sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(11\)](#)
- s. 12IC-12IF applied by S.I. 1995/574, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(2\)](#)
- s. 12IC-12IF applied by S.I. 1999/686, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(5\)](#)
- s. 12IC-12IF applied by S.S.I. 2001/137, art. 5, sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(8\)](#)
- s. 12IC-12IF applied by S.S.I. 2002/305, art. 5, sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(11\)](#)
- s. 12IH-12IJ applied by S.I. 1995/574, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(2\)](#)
- s. 12IH applied by S.I. 1999/686, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(5\)](#)
- s. 12IH-12IJ applied by S.S.I. 2001/137, art. 5, sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(8\)](#)
- s. 12IH-12IJ applied by S.S.I. 2002/305, art. 5, sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(11\)](#)
- s. 12II applied by S.I. 1999/686, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(5\)](#)
- s. 12IM applied by S.I. 1999/686, art. 5, Sch. Pt. 1 (as amended) by [2019 asp 6 s. 5\(5\)](#)
- s. 16A(5) added by [2002 asp 5 Sch. 2 para. 2\(2\)](#)
- s. 19A(2)(b) words repealed by [2003 asp 4 sch. 4 para. 5\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(a) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(b) substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(c) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(e) word substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 70A inserted by [1997 c. 46 s. 26\(2\)](#)
- s. 70A(2) word substituted by [2005 asp 13 s. 14\(3\)](#)

- s. 85AB(7) inserted by [2005 asp 13 sch. 2 para. 2\(18\)\(b\)](#)
- Sch. 11 para. 2(1A) inserted by [2005 asp 13 s. 14\(6\)\(a\)](#)