

**Changes to legislation:** National Health Service (Scotland) Act 1978, Cross Heading: Medical reviewers is up to date with all changes known to be in force on or before 25 May 2024. 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

### <sup>F1</sup><sup>F1</sup> SCHEDULE 5A

#### HEALTHCARE IMPROVEMENT SCOTLAND

##### Textual Amendments

- F1** Sch. 5A inserted (1.8.2010 for certain purposes, 1.10.2010 for certain purposes and otherwise prosp.) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), ss. 110(1), 134(7), [Sch. 16](#); [S.S.I. 2010/221](#), [art. 3\(2\)\(3\)](#), [Sch.](#); [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)
- F1** Sch. 5A inserted (1.8.2010 for specified purposes, 1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 16](#); [S.S.I. 2010/221](#), [art. 3\(2\)\(3\)](#), [Sch.](#); [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#); [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

#### <sup>F2</sup>Medical reviewers

##### Textual Amendments

- F2** [Sch. 5A para. 7A](#) inserted (8.6.2013) by [Certification of Death \(Scotland\) Act 2011 \(asp 11\)](#), s. 32(3), [sch. 1 para. 2](#); [S.S.I. 2013/159](#), [art. 2](#), [sch.](#)

- 7A (1) HIS must appoint persons employed under paragraph 7(5) to exercise the functions of medical reviewers; and when doing so those employees are to be known as medical reviewers.
- (2) HIS must appoint a person employed under paragraph 7(5) to exercise the functions of the senior medical reviewer; and when doing so that employee is to be known as the senior medical reviewer.
- (3) A person appointed as a medical reviewer or the senior medical reviewer must—
- be a medical practitioner;
  - have been so throughout the 5 years prior to appointment; and
  - have such other qualifications, training and experience as may be specified by regulations.
- (4) A member of HIS may not exercise the functions of—
- a medical reviewer; or
  - the senior medical reviewer.
- (5) An employee of HIS (other than a medical reviewer) may not exercise any function of a medical reviewer other than those under section 17.
- (6) An employee of HIS (other than the senior medical reviewer) may not exercise the functions of the senior medical reviewer (except by virtue of arrangements made under paragraph 11(2C)).

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- (7) An appointment as a medical reviewer or the senior medical reviewer does not affect the appointed person's status as employed under paragraph 7(5).]]

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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. 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\(6\)\(a\)](#)