
 S T A T U T O R Y I N S T R U M E N T S

1974 No. 470 (S.31)

NATIONAL HEALTH SERVICE, SCOTLAND

**The National Health Service (Designated Medical Officers)
(Scotland) Regulations 1974**

<i>Made - - - -</i>	<i>18th March 1974</i>
<i>Laid before Parliament</i>	<i>27th March 1974</i>
<i>Coming into Operation</i>	<i>1st April 1974</i>

In exercise of the powers conferred on me by sections 21 and 62 of the National Health Service (Scotland) Act 1972(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the National Health Service (Designated Medical Officers) (Scotland) Regulations 1974, and shall come into operation on 1st April 1974.

2.—(1) In these regulations “the Act” means the National Health Service (Scotland) Act 1972.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. In the exercise of its powers under section 21(1) of the Act, every Health Board shall designate—

- (a) its chief administrative medical officer; and
- (b) any officer who has been appointed by the Board to a post as a district medical officer,

for the purpose of exercising such functions on behalf of a local authority as may be assigned to a designated medical officer by or under any enactment and such other functions as the local authority may, with the agreement of the Board, assign to him.

4. A medical officer designated in accordance with regulation 3 of these regulations shall not be authorised to exercise the functions referred to in that regulation after ceasing to hold the post of chief administrative medical officer or district medical officer as the case may be.

5. A Health Board may designate any medical officer other than its chief administrative medical officer or a district medical officer for the purposes specified in regulation 3 of these regulations but, before doing so, and before approving in accordance with section 21(4) of the Act the appointment by a designated medical officer of a person to act as his depute, the Health Board shall—

(a) 1972 c. 58.

(b) 1889 c. 63.

- (a) satisfy itself that the experience and qualifications of the person concerned are such as to make it reasonable that he should be so designated or appointed; and
- (b) except in case of urgency, afford to any local authority on whose behalf he would exercise functions reasonable opportunity to comment on the proposed designation or appointment.

6.—(1) A Health Board may at any time resolve that any medical officer to whom regulation 5 of these regulations applies shall no longer be a designated medical officer or may withdraw their approval of the appointment by a designated medical officer of any person to act as his depute, and from the date on which any such resolution or withdrawal of approval takes effect the officer or person concerned shall not be authorised to exercise the functions of a designated medical officer.

(2) No designation or appointment under regulation 5 of these regulations shall continue in force after the officer or person concerned ceases to be employed by the Health Board or actively engaged in medical practice in the area of the Board.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
15th March 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations relate to the designated medical officer who will exercise a number of statutory functions on behalf of local authorities. They provide for the chief administrative medical officer and district medical officers of Health Boards to be designated *ex officio*; and (except in case of urgency) for local authorities to be given the opportunity to comment before any other person is authorised to act as a designated medical officer.

SI 1974/470
ISBN 0-11-040470-X

