
STATUTORY INSTRUMENTS

1990 No. 2639

The Health Education Board for Scotland Order 1990

Functions of the Board

- 4.—(1) The Board shall exercise the following functions of the Secretary of State namely:—
- (a) functions in relation to health education conferred on him by the Act including, without prejudice to the foregoing generality, those specified in section 42 (health education), and
 - (b) functions specified in paragraph (2) subject, however, to any limitations there specified.
- (2) The functions specified in this paragraph are as follows:—
- (a) the power of the Secretary of State to assist voluntary organisations under section 16 of the Act⁽¹⁾;
 - (b) the power of the Secretary of State to give financial assistance to voluntary organisations under section 16B of the Act⁽²⁾ limited to assisting such organisations to which that section would apply if the expression “relevant service” within the meaning thereof were limited to the provision of health education services and the assistance were upon such terms and subject to such conditions as the Secretary of State, with the approval of the Treasury, might determine;
 - (c) the powers of the Secretary of State under section 79(1) of the Act⁽³⁾ to take on lease or to purchase moveable property and land which is required for the purposes of the Board and to use for those purposes and manage any heritable or moveable property so acquired;
 - (d) the powers of the Secretary of State under section 79(1A) of the Act⁽⁴⁾ to dispose of land no longer required for the purposes of the Board disregarding so much of that sub-section as relates to the function of the Secretary of State to authorise certain officers to execute instruments on his behalf;
 - (e) the power of the Secretary of State under paragraph 4 of Schedule 1 to the Act⁽⁵⁾, as applied in relation to the Board by article 5, to pay remuneration to the Chairman of the Board and to such other members thereof as may be prescribed so, however, that this sub-paragraph shall not be construed as extending to the power to determine the remuneration or to prescribe the members to whom it may be paid; and
 - (f) the power of the Secretary of State under paragraph 13 of Schedule 1 to the Act, as applied in relation to the Board by article 5, to pay to members of the Board, and any Committees and sub-committees thereof, travelling and other allowances so, however, that this sub-paragraph shall not be construed as extending to the power to determine the amount of such allowances.
- (3) In exercising any functions of the Secretary of State to acquire, use, manage or dispose of land the Board shall ensure—

(1) Section 16 was amended by the 1980 Act, Schedule 7.

(2) Section 16B was inserted by the 1983 Act, section 3.

(3) Section 79(1) was amended by the 1990 Act, Schedule 9 paragraph 19(15).

(4) Section 79(1A) was inserted by the 1983 Act, Schedule 7 paragraph 3.

(5) Paragraph 4 of Schedule 1 was amended by the 1990 Act, Schedule 5 paragraph 3.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) that any instrument in connection with the exercise of those functions is in the name of the Secretary of State for Scotland and not that of the Board; and
- (b) that, where any such instrument requires to be executed on his behalf by the Secretary of State for Scotland and it is not executed in accordance with section 1(8) of the Reorganisation of Offices (Scotland) Act 1939⁽⁶⁾, it is executed on his behalf in accordance with section 79(1A) of the Act⁽⁷⁾.

⁽⁶⁾ 1939 c. 20.

⁽⁷⁾ Section 79(1A) was inserted by the 1983 Act, Schedule 7, paragraph 3.