
STATUTORY INSTRUMENTS

1994 No. 2658 (C.57) (S.136)

NATIONAL HEALTH SERVICE, SCOTLAND

**The National Health Service and Community Care Act
1990 (Commencement No.11) (Scotland) Order 1994**

Made - - - - 10th October 1994

The Secretary of State, in exercise of the powers conferred on him by section 67(2) of the National Health Service and Community Care Act 1990(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the National Health Service and Community Care Act 1990 (Commencement No.11) (Scotland) Order 1994.

(2) In this Order, “the Act” means the National Health Service and Community Care Act 1990.

Days appointed

2. 24th October 1994 is appointed as the day for the coming into force of—

- (a) section 36(1) of the Act (accounts and audit of NHS trusts and fund-holding practices), so far as it relates to the provisions of Schedule 7 to the Act specified in paragraphs (b) and (c) below;
- (b) paragraph 1 of Schedule 7 to the Act (amendments relating to audit of accounts of Scottish health service bodies), so far as it relates to the provisions specified in paragraph (c) below; and
- (c) sub-paragraphs (2)(d) and (6) of paragraph 3 of that Schedule, and sub-paragraph (1) of that paragraph so far as it relates to those sub-paragraphs.

3. 1st December 1994 is appointed as the day for the coming into force of—

- (a) section 36(1) of the Act, so far as it relates to the provisions of Schedule 7 to the Act specified in paragraphs (b) to (e) below;
- (b) paragraph 1 of Schedule 7 to the Act, so far as it relates to the provisions specified in paragraphs (c) to (e) below;
- (c) paragraph 2 of that Schedule;

- (d) sub-paragraphs (2)(a) to (c) and (5) of paragraph 3 of that Schedule, and sub-paragraph (1) of that paragraph so far as it relates to those sub-paragraphs; and
 - (e) paragraphs 13 and 15 of that Schedule.
4. 1st April 1995 is appointed as the day for the coming into force of—
- (a) section 36(1) of, and Schedule 7 to, the Act (so far as not then in force);
 - (b) section 66(2) of the Act, so far as it relates to the provisions of Schedule 10 to the Act specified in paragraph (c) below; and
 - (c) in Schedule 10 to the Act (repeals), the repeals of—
 - (i) section 86(2) of the National Health Service (Scotland) Act 1978((2)); and
 - (ii) section 36(5) of the Act.

St Andrew's House,
Edinburgh
10th October 1994

J Allan Stewart
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of section 36(1) of, and Schedule 7 to, the National Health Service and Community Care Act 1990, together with related repeals in Schedule 10 to that Act.

The provisions commenced are concerned with the transfer of responsibility for auditing the accounts of certain health service bodies in Scotland to the Commission for Local Authority Accounts in Scotland (which is renamed the Accounts Commission for Scotland). Transfer of that responsibility takes effect as at 1st April 1995.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

This Order has been preceded by eleven earlier Orders entitled respectively:

- The National Health Service and Community Care Act 1990 (Commencement No.1) Order 1990 (S.I. [1990/1329](#)) commencing certain provisions in Parts I and V of the Act relating to England and Wales;
- The National Health Service and Community Care Act 1990 (Commencement No.2) (Scotland) Order 1990 (S.I. [1990/1520](#)) commencing certain provisions of Parts II and V of, and Schedules 6, 9 and 10 to, the Act relating to Scotland;
- The National Health Service and Community Care Act 1990 (Commencement No.3 and Transitional Provisions) (Scotland) Order 1990 (S.I. [1990/1793](#)) commencing certain provisions of Parts II and V of, and Schedules 5, 9 and 10 to, the Act relating to Scotland;
- The National Health Service and Community Care Act 1990 (Commencement No.4 and Transitional Provision) Order 1990 (S.I. [1990/2218](#)) commencing certain provisions of Parts III and V of, and Schedules 9 and 10 to, the Act relating to England and Wales;
- The National Health Service and Community Care Act 1990 (Commencement No.5 and Revocation) (Scotland) Order 1990 (S.I. [1990/2510](#)) commencing certain provisions of Parts IV and V of, and Schedules 9 and 10 to, the Act relating to Scotland and revoking two provisions of S.I. [1990/1793](#);
- The National Health Service and Community Care Act 1990 (Commencement No.6—Amendment, and Transitional and Saving Provisions) Order 1990 (S.I. [1990/2511](#)) amending three provisions of S.I. [1990/1329](#) and commencing a provision of Part I of the Act relating to England and Wales;
- The National Health Service and Community Care Act 1990 (Commencement No.7) Order 1991 (S.I. [1991/388](#)) which brought into force in relation to England and Wales certain provisions of section 4 of the Act;
- The National Health Service and Community Care Act 1990 (Commencement No.8 and Transitional Provisions) (Scotland) Order 1991 (S.I. [1991/607](#)) commencing certain provisions of Parts II and V of the Act relating to Scotland;
- The National Health Service and Community Care Act 1990 (Commencement No.9) Order 1992 (S.I. [1992/567](#)) commencing certain provisions of Part V of, and Schedule 10 to, the Act relating to England and Wales;

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

- The National Health Service and Community Care Act 1992 (Commencement No.3 and Transitional Provisions) (Scotland) (Amendment) Order 1992 (S.I. [1992/799](#)) amending a provision of S.I. [1990/1793](#); and
- The National Health Service and Community Care Act 1990 (Commencement No.10) Order 1992 (S.I. [1992/2975](#)) commencing certain provisions of Parts III and IV of, and Schedules 9 and 10 to, the Act.

These Orders brought into force at various dates provisions of Parts I to V of, and Schedules 1 to 6 and 8 to 10 to, the National Health Service and Community Care Act 1990. A note as to those Orders listing the provisions brought into force by them may be obtained free of charge on application to the Department of Health at Room 529, New Court, 48 Carey Street, London WC2A 2LS.