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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision consequential on the Smoking, Health and Social Care (Scotland) Act 2005 (“the 2005 Act”).

Section 19 of the 2005 Act made provision for the preparation, maintenance and publication by Health Boards of lists of persons involved in the provision of general ophthalmic services, the first part of which shall be of persons who undertake to provide general ophthalmic services, and the second part of which shall be of persons who do not undertake to provide such services but who are approved by the Board to assist in the provision of such services. Part 3 of the 2005 Act amended the National Health Service (Scotland) Act 1978 to make provision for pharmaceutical care services in place of the current provision made for pharmaceutical services.

Article 2 of this Order provides for the modifications of the primary and secondary legislation specified in the Schedule in consequence of these provisions of the 2005 Act. The effect of the modifications is to provide for references in legislation extending to England and Wales and Northern Ireland to the new listing arrangements and pharmaceutical care services provisions made by the 2005 Act, and to remove references to the previous pharmaceutical services provisions.