



# National Health Service (Scotland) Act 1978

## CHAPTER 29

### NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

#### PART I

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- 1A Duty of the Scottish Ministers to promote health improvement

###### *Administrative bodies*

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### *National advisory bodies*

#### 5—6 Organisation

#### *Local advisory bodies*

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- 8 University Liaison Committees.
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- 17S Eligibility to be contractor under pharmaceutical care services contract
- 17T Payments by Health Boards under pharmaceutical care services contracts
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- 26 Arrangements for provision of general ophthalmic services.

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## SCHEDULES

### SCHEDULE 1 — Health Boards Part I

#### *Constitution*

- 1 A Health Board shall be a body corporate and shall...
- 2 (1) A Health Board is to consist of the following...
- 2A In the case of a prescribed Health Board at least...
- 3 An appointed member may be appointed only after consultation with...

- 3A A person appointed as chairman of a Health Board may...  
 4 The Secretary of State may pay to  
 5 A Health Board may employ such officers and servants on...  
 5A Regulations or directions under paragraph 5 may provide for approvals,...  
 6 Regulations may make provision with respect to the method of...  
 6A (1) Sub-paragraph (3) applies where the registration of a dental...  
 7 No officer or servant of a Health Board to whom...  
 7A Regulations may provide for the transfer of officers and servants...  
 7B Directions may be given by the Secretary of State—  
 7C Before making regulations under paragraph 7A or 8A, the Secretary...  
 8 Regulations under paragraph 6 shall not contain a requirement that...  
 8A In connection with arrangements relating to community care services ...,...  
 9 .....  
 10 .....

## Part II

### *Supplementary provisions*

- 10A (1) An elected member holds office for a period beginning...  
 11 Regulations may make provision— (a) as to the appointment, tenure...  
 11A A Health Board may subscribe to the funds of any...  
 12 The proceedings of a Health Board shall not be invalidated...  
 13 The Secretary of State shall pay to members of a...  
 14 Allowances shall not be paid under paragraph 13 except in...  
 15 Payment under paragraph 13 shall be made at such times...  
 16 A Health Board may by agreement transfer to the Hospital...  
 17 A Health Board may borrow from the Hospital Trust against...  
 18 The functions transferred to and exercisable by Health Boards under...  
 19 The Secretary of State may, with any necessary modifications, by...

## SCHEDULE 1A — Health Board elections

### *Health Board elections*

- 1 An election held under this Schedule is known as a...

### *Timing of Health Board elections*

- 2 (1) A Health Board must hold the first Health Board...

### *Electoral wards*

- 3 (1) Each Health Board area is to be comprised of...

### *Conduct of election*

- 4 (1) Election regulations must appoint an individual as the returning...  
 5 (1) The nomination of a candidate must be made—  
 6 If, at the end of the nomination period, the number...  
 7 (1) In any other case, the elected members are to...

### *Candidates*

- 8 (1) An individual is disqualified from being a candidate in...

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*Franchise*

9 (1) An individual is entitled to vote at a Health...

*Election expenses*

10 Election regulations may make provision about the expenses which may...

*Vacancies*

11 (1) This paragraph applies if— (a) a returning officer declares...

*Election regulations*

12 (1) The Scottish Ministers may make regulations (“ election regulations...

SCHEDULE 2 —

- 1 The Medical Practices Committee shall consist of a chairman, who...
- 2 The chairman and members shall be appointed by the Secretary...
- 3 The Secretary of State may make regulations with respect to...
- 4 The Secretary of State may provide the services of such...
- 5 The proceedings of the Committee shall not be invalidated by...

SCHEDULE 3 — The Planning Council

SCHEDULE 4 — University Liaison Committees

The University Liaison Committee for any area or combination of...

SCHEDULE 5 — The Agency

- 1 The Agency shall be a body corporate and shall have...
- 2 The affairs of the Agency shall be managed by a...
- 3 The management committee shall consist of a chairman appointed by...
- 3A The Secretary of State may pay to the chairman of...
- 4 The proceedings of the management committee shall not be invalidated...
- 5 The Secretary of State shall pay to members of the...
- 6 Allowances shall not be paid under paragraph 5 except in...
- 7 The Agency may employ such officers and servants on such...
- 7A Regulations or directions under paragraph 7 may provide for approvals,...
- 7B Regulations may provide for the transfer of officers and servants...
- 7C Directions may be given by the Secretary of State—
- 8 Regulations may make provision with respect to—
- 8A In connection with arrangements relating to community care services ...,...
- 8B Before making regulations under paragraph 7B or 8A, the Secretary...
- 9 No officer or servant of the Agency to whom regulations...
- 10 .....
- 11 .....
- 12 The Secretary of State may exercise the powers conferred by...

SCHEDULE 5A — Healthcare Improvement Scotland

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*Status*

- 1 (1) Healthcare Improvement Scotland is a body corporate.

*Membership of HIS*

- 2 (1) HIS is to consist of the following members—

*Terms of appointment etc.*

- 3 (1) Each member of HIS is to be appointed for...

*Removal of members*

- 4 The Scottish Ministers may, by written notice, remove a member...

*Disqualification from membership*

- 5 A person is disqualified from appointment, and from holding office,...

*Remuneration and allowances for members*

- 6 HIS must pay to each of its members such—

*Chief executive and other employees*

- 7 (1) HIS is to employ a chief executive.

*Medical reviewers*

- 7A (1) HIS must appoint persons employed under paragraph 7(5) to...

*Committees*

- 8 (1) HIS may establish committees for any purpose relating to...

*Procedure and meetings*

- 9 (1) HIS may determine its own procedure and that of...

*General powers*

- 10 (1) HIS may do anything which appears to be necessary...

*Delegation of functions*

- 11 (1) HIS may, subject to sub-paragraphs (2) to (3) authorise—...

*Location of office*

- 12 HIS's determination of the location of its office premises is...

*Accounts*

- 13 (1) HIS must— (a) keep proper accounts and accounting records;...

*Reports*

- 14 (1) As soon as practicable after the end of each...

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## SCHEDULE 6 —

### Part I

#### *Constitution*

- 1 The Hospital Trust (hereafter in this Schedule referred to as...
- 2 The Trust shall be a body corporate.
- 3 The proceedings of the Trust shall not be invalidated by...

### Part II

#### *Powers*

- 4 The Trust shall have the following powers—
- 5 (1) It shall be the duty of the Trust to...
- 6 (1) Regulations may prescribe the method of calculating the capital...
- 7 (1) The Trust shall, at such date or dates in...
- 8 The total annual expenses of administration of the Trust shall...
- 9 Regulations may make provision in respect of any of the...
- 10 (1) The accounts of the Trust shall be audited annually...

## SCHEDULE 7 — The Research Trust

- 1 The Research Trust shall consist of a chairman appointed by...
- 2 The Research Trust shall be a body corporate.
- 3 Subject to paragraph 3A, the Research Trust shall consist of...
- 3A (1) The persons who are the members of the Research...
- 3B (1) Subject to the provisions of this Schedule, the appointment...
- 3C A person who ceases to be a member of the...
- 3D The Research Trust may make payments from their funds to...
- 3E (1) The Research Trust may appoint such staff, on such...
- 3F (1) The Research Trust— (a) shall make and maintain standing...
- 3G The Research Trust may do anything which appears to them...
- 4 The Research Trust shall have power to purchase land and...
- 5 The Research Trust shall have, in relation to their funds,...
- 6 Where the Research Trust borrow money or draw upon capital...
- 7 .....

## SCHEDULE 7A — National Health Service Trusts

### Part I — ORDERS ESTABLISHING NHS TRUSTS ETC.

- 1 Any reference in this Part of this Schedule to an...
- 2 The provisions made by an order shall be in conformity...
- 3 (1) Without prejudice to any amendment made by subsequent order,...
- 4 (1) An order may require a Health Board and the...
- 5 (1) An order may provide for the establishment of an...

### Part II — DUTIES, POWERS AND STATUS OF NHS TRUSTS

#### *Specific duties*

- 6 (1) In carrying out the functions for the time being...
- 7 (1) For each accounting year an NHS trust shall prepare...
- 8 An NHS trust shall furnish to the Secretary of State...
- 9 (1) An NHS trust shall be liable to pay—

#### *Specific powers*

- 10 An NHS trust may enter into NHS contracts.

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- 11 An NHS trust may undertake and commission research and make...
- 12 An NHS trust may— (a) provide training for persons employed...
- 13 An NHS trust may enter into arrangements for the carrying...
- 14 According to the nature of its functions, an NHS trust...
- 15 For the purpose of making additional income available in order...

*General powers*

- 16 Subject to Schedule 7B, an NHS trust shall have power...
- 17 In connection with arrangements relating to community care services ...
- 18 Regulations made under paragraph 17 may make such incidental and...
- 19 Before making regulations under paragraph 17, the Secretary of State...
- 20 (1) Without prejudice to the generality of paragraph 16, to...

*Status*

- 21 An NHS trust shall not be regarded as the servant...
- Part III — SUPPLEMENTARY PROVISIONS

*Reimbursement for health services work carried out otherwise than under contract*

- 22 (1) In any case where an NHS trust provides goods...
- 23 .....

*Use and development of land used for religious purposes and burial grounds*

- 24 Where land consisting of a church or other building used...
- Part IV — DISSOLUTION
- 25 (1) The Secretary of State may by order dissolve an...
  - 26 (1) If an NHS trust is dissolved under this Part...
  - 27 If an NHS trust is dissolved under this Part of...
  - 28 An NHS trust may not be dissolved or wound up...

SCHEDULE 7B — Financial Provisions relating to NHS Trusts

*Borrowing*

- 1 (1) Subject to any direction given by the Secretary of...

*Guarantees of borrowing*

- 2 (1) The Secretary of State may guarantee, in such manner...

*Surplus funds*

- 2A In any financial year the net aggregate amount of sums...
- 2B In paragraph 2A above, “ net aggregate amount ” means...

*Limits on indebtedness*

- 3 .....
- 4 .....

*Additional public dividend capital*

- 5 (1) If the Secretary of State, with the consent of...

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*Surplus funds*

- 6 If it appears to the Secretary of State that any...

*Investment*

- 7 An NHS trust shall have power to invest money held...  
8 Any direction with respect to— (a) the power conferred on...

SCHEDULE 8 — The Tribunal

- 1 The Tribunal shall consist of— (a) a chairman appointed by...  
2 A person appointed as the chairman or a deputy chairman...  
3 Any appointment for the purposes of paragraph 1(c) above shall...  
4 Any appointment for the purposes of any of sub-paragraphs (d)...  
5 For the purposes of paragraph 4, the Secretary of State...  
6 If any member of the Tribunal is unable to act...  
7 Regulations may make provision— (a) with respect to the appointment,...  
8 (1) The functions of the Tribunal shall be exercised by...

SCHEDULE 9 — Additional Provisions as to Prohibition of Sale of Medical Practices

*Prohibition, and certificate of Practices Committee*

- 1 (1) Any person who sells or buys the goodwill ....

*Certain transactions deemed sale of goodwill*

- 2 (1) For the purposes of section 35(1) and paragraph 1,...

*Carried-over goodwill*

- 3 The fact that a person's medical practice was previously carried...

SCHEDULE 10 — Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*Orders and directions*

- 1 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*Notices, authorisations and proof of documents*

- 2 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*Territorial extent*

- 3 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*False documents and false statements*

- 4 Additional Provisions as to the Control of Maximum Prices for Medical Supplies



*Restrictions on disclosing information*

- 5 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*Offences by corporations*

- 6 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*Penalties*

- 7 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

*Production of documents*

- 8 Additional Provisions as to the Control of Maximum Prices for Medical Supplies  
9 Additional Provisions as to the Control of Maximum Prices for Medical Supplies

SCHEDULE 11 — Additional Provisions as to Regulations for the Making and Recovery of Charges

*Regulations under section 69—charges for drugs, medicines or appliances, or pharmaceutical services*

- 1 (1) No charge shall be made under section 69(1) in...

*Regulations under section 70—charges for dental or optical appliances*

- 2 (1) The optical appliances referred to in section 70(1) are...  
2A (1) It shall be the duty of the Secretary of...

*Regulations under section 71—charges for dental treatment*

- 3 (1) (2) Regulations may vary the amount or the maximum...

*Miscellaneous Provisions*

- 4 For the purposes of section 39(2) (which provides for the...  
5 Regulations may provide for the remission or repayment of any...  
6 For the purposes of sections 69 and 70 and of...  
7 References in this Schedule to qualifying full-time education mean full-time...

SCHEDULE 12 — Inquiries

- 1 The Secretary of State shall appoint a person to hold...  
2 The Secretary of State or the person appointed to hold...  
3 The person appointed to hold the inquiry may by notice...  
4 The person appointed to hold the inquiry may administer oaths...  
5 Any person who refuses or wilfully neglects to attend in...  
6 The expenses incurred by the Secretary of State in relation...  
7 The Secretary of State may make orders as to the...  
8 Any order by the Secretary of State under paragraph 6...

**Changes to legislation:** National Health Service (Scotland) Act 1978 is up to date with all changes known to be in force on or before 20 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

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#### SCHEDULE 13 — Acquisition of Property Other than Land

- 1 Where under this Act, in connection with the acquisition of...
- 2 If any objection is duly made the Secretary of State...
- 3 The property with respect to which a notice is served...
- 4 Where any property is acquired in accordance with this Schedule...
- 5 Where property in respect of which compensation is payable as...
- 6 Any such compensation shall carry interest, as from the time...
- 7 Where any sum by way of compensation is paid in...

#### SCHEDULE 14 — Action not subject to investigation by the Commissioner

- 1 Action taken by medical practitioners, dental practitioners, ophthalmic or dispensing...
- 2 Action taken in connection with the diagnosis of illness or...
- 3 Action taken by a Health Board or a Joint Ophthalmic...
- 4 Action taken in respect of appointments or removals, pay, discipline,...
- 5 Action taken in matters relating to contractual or other commercial...
- 6 Action which has been or is the subject of an...
- 7 Action in relation to which the protective functions of the...

#### SCHEDULE 15 — Transitional Provisions and Savings

##### *General*

- 1 (1) In so far as— (a) any agreement, appointment, apportionment,...
- 2 Where any enactment passed before the commencement of this Act,...
- 3 Where any period of time specified in an enactment repealed...

##### *Section 37 of the National Health Service (Scotland) Act 1947*

- 4 Notwithstanding the repeal by this Act of section 37 of...

##### *Persons authorised to provide pharmaceutical services*

- 5 A person who for three years immediately before 16th December...

##### *Disqualification of practitioners*

- 6 Where by virtue of section 43(8) of the National Health...

##### *Section 4 of the Health Services and Public Health Act 1968*

- 7 An undertaking given before the coming into force of section...

##### *Compensation of officers*

- 8 Notwithstanding the repeal by the National Health Service (Scotland) Act...

##### *Vehicles under section 33 of the Health Services and Public Health Act 1968*

- 9 The provision of vehicles as mentioned in section 33 of...

##### *Saving of amendments*

- 10 Notwithstanding the repeal by this Act of sections 53 and...

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*Transfer of property of voluntary organisations*

11 Notwithstanding the repeal by this Act of section 23(2) of...

*Investigations by the Health Service Commissioner for Scotland*

12 .....

*Permission deemed to have been granted under section 9(5) of the Health Services Act 1976*

13 Where under any arrangements terminated by virtue of section 9(5)...

*Borrowing from the Hospital Trust by Boards of Management and Regional Hospital Boards*

14 Notwithstanding the repeal by this Act of the provisions of...

*Health functions of local authorities*

15 Notwithstanding the repeal by this Act of section 27 of...

SCHEDULE 16 — Consequential Amendments of Enactments

*The Polish Resettlement Act 1947*

1 In section 11(3)(b) (application to Scotland), for the words “the...

*The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947*

2 In section 1(1)(d) (compulsory purchase of land by the Secretary...

*The National Assistance Act 1948*

3 (1) In section 47 (removal of persons in need of...

*The Law Reform (Personal Injuries) Act 1948*

4 In section 2(4) (measure of damages), for the words “National...

*The Children Act 1948*

5 In section 59(1) (interpretation), in the definition of “hospital”, for...

*The Nurseries and Child Minders Regulation Act 1948*

6 .....

*The Nurses (Scotland) Act 1951*

7 .....

*The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951*

8 .....

9 .....

10 .....

11 .....

12, 13 .....

**Changes to legislation:** National Health Service (Scotland) Act 1978 is up to date with all changes known to be in force on or before 20 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

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*The Public Bodies (Admission to Meetings) Act 1960*

- 14 In paragraph (2) of the Schedule (bodies to which Act...  
 15—18 .....  
 19 .....

*The Redundancy Payments Act 1965*

- 20 In Schedule 3 (National Health Service Employers), in paragraph 7,...

*The National Health Service 1966*

- 21 .....  
 22 .....  
 23 In section 11, for words "1947" substitute the words "1978"....

*The Superannuation (Miscellaneous Provisions) Act 1967*

- 24 In section 7(5) (superannuation provisions of the National Health Service...  
 25 .....

*The Health Services and Public Health Act 1968*

- 26 (1) In section 59(2) (extension of power), for the words...  
 27 In section 64 (financial assistance to voluntary organisations)—  
 28 In section 65(6) (assistance by local authorities to voluntary organisations),...

*The Social Work (Scotland) Act 1968*

- 29 (1) In section 60(1)(f) (control of certain establishments), for the...

*The Medicines Act 1968*

- 30 In section 131(5) (meaning of certain expressions), for the words...  
 31 In section 132(1) (interpretation), in the definition of "health centre",...

*The Post Office Act 1969*

- 32 .....

*The Chronically Sick and Disabled Persons Act 1970*

- 33 In section 17(1) (separation of younger from older patients), for...  
 34 .....

*The Tribunals and Inquiries Act 1971*

- 35 .....

*The Finance Act 1971*

- 36 In Schedule 13 (health service agreement) in paragraph 1(1) for...  
 37 .....

*The Local Government (Scotland) Act 1973*

- 38 In section 197 (inspection of documents) for the words "1972"...

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*The Trade Union and Labour Relations Act 1974*

39 .....

*The Social Security Act 1975*

40 .....

*The Criminal Procedure (Scotland) Act 1975*

41 .....

*The House of Commons Disqualification Act 1975*

42 In Schedule 1 in Part II (bodies of which all...

43 .....

44 .....

*The Patents Act 1977*

45 In section 56(4), in paragraph (a), for the words “Part...

SCHEDULE 17 — Repeals

**Changes to legislation:**

National Health Service (Scotland) Act 1978 is up to date with all changes known to be in force on or before 20 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 17Y and cross heading inserted by [2005 asp 13 s. 24](#)
- s. 17W and cross-heading inserted by [2005 asp 13 s. 22](#)
- s. 17X and cross-heading inserted by [2005 asp 13 s. 23](#)
- s. 17Q-17V and cross-heading substituted for s. 17Q by [2005 asp 13 s. 21](#)
- s. 2CA2CB inserted by [2005 asp 13 s. 20\(2\)](#)
- s. 7 repealed by [2004 asp 7 sch. 2](#)
- s. 8(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 9(5) words repealed by [2004 asp 7 sch. 2](#)
- s. 9(7) words repealed by [2004 asp 7 sch. 2](#)
- s. 10(4) words repealed by [2004 asp 7 sch. 2](#)
- s. 12A repealed by [2004 asp 7 s. 1\(1\)](#)
- s. 12D-12G repealed by [2004 asp 7 sch. 2](#)
- s. 12H(1) words substituted by [2004 asp 7 sch. 1 para. 1\(4\)](#)
- s. 12AA-12C repealed by [2004 asp 7 sch. 2](#)
- s. 13 words repealed by [2004 asp 7 sch. 2](#)
- s. 17A(2)(e) repealed by [2004 asp 7 sch. 2](#)
- s. 17A(2)(k) words substituted by [2012 c. 7 Sch. 21 para. 2\(3\)\(f\)](#)
- s. 17C(2A)(b)(ii) words inserted by [2005 asp 13 sch. 2 para. 2\(6\)](#)
- s. 17C(6) words repealed by [2005 asp 13 sch. 3](#)
- s. 17D(1)(a) repealed by [2004 asp 7 sch. 2](#)
- s. 17D(1)(b)(vi) words substituted by [2005 asp 13 sch. 2 para. 2\(7\)\(a\)](#)
- s. 17D(2) words inserted by [2005 asp 13 sch. 2 para. 2\(7\)\(b\)\(iii\)](#)
- s. 17D(2) words inserted by [2012 c. 7 Sch. 21 para. 4\(b\)](#)
- s. 17D(2) words repealed by [2004 asp 7 sch. 2](#)
- s. 17D(2) words substituted by [2005 asp 13 sch. 2 para. 2\(7\)\(b\)\(i\)](#)
- s. 17D(2) words substituted by [2005 asp 13 sch. 2 para. 2\(7\)\(b\)\(ii\)](#)
- s. 17D(2) words substituted by [2005 asp 13 sch. 2 para. 2\(7\)\(b\)\(iv\)](#)
- s. 17D(2) words substituted by [2005 asp 13 sch. 2 para. 2\(7\)\(b\)\(v\)](#)
- s. 17F inserted by [2005 asp 13 s. 18](#)
- s. 17S(1A) inserted by [2006 c. 28 s. 36\(2\)](#)
- s. 17AA(1) words substituted by [2005 asp 13 s. 25\(2\)](#)
- s. 17AA(3) words inserted by [2005 asp 13 s. 25\(3\)\(a\)](#)
- s. 17AA(3) words repealed by [2005 asp 13 s. 25\(3\)\(b\)](#)
- s. 17EB(1)(a) word omitted by [S.I. 2003/1250 Sch. 9 para. 3\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 17EB(1)(b) omitted by [S.I. 2003/1250 Sch. 9 para. 3\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 17EB(2)(3) omitted by [S.I. 2003/1250 Sch. 9 para. 3\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 18 words repealed by [2005 asp 13 s. 20\(3\)](#)
- s. 19(7)(7A) substituted by [S.I. 2002/3135 Sch. 1 para. 9](#) (This amendment not applied to legislation.gov.uk. S. 19 already repealed (1.4.2004) by Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 8, 9(1), Sch. para. 1(7); S.S.I. 2004/58, art. 2(3))
- s. 20(1) words substituted by [2003 asp 4 sch. 4 para. 5\(6\)\(a\)](#) (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. 20(1A) words repealed by [2003 asp 4 sch. 4 para. 5\(6\)\(b\)\(i\)](#) (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. 20(1A) words repealed by [2003 asp 4 sch. 4 para. 5\(6\)\(b\)\(iii\)](#) (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. 20(1A) words substituted by [2003 asp 4 sch. 4 para. 5\(6\)\(b\)\(ii\)](#) (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. 2122 omitted by [S.I. 2003/1250 Sch. 9 para. 3\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 21(1) words repealed by [2003 asp 4 sch. 4 para. 5\(7\)](#) (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. 22 words repealed by [2003 asp 4 sch. 4 para. 5\(8\)](#) (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. 23(1B) words substituted by [2003 asp 4 sch. 4 para. 5\(9\)](#) (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. 23(4) words omitted by [S.I. 2003/1250 Sch. 9 para. 3\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 24C(1)(a) word omitted by [S.I. 2003/1250 Sch. 9 para. 3\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 24C(1)(b) omitted by [S.I. 2003/1250 Sch. 9 para. 3\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 24C(2)(3) omitted by [S.I. 2003/1250 Sch. 9 para. 3\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- s. 25(3)-(5) repealed by [2005 asp 13 sch. 3](#)
- s. 27-28 repealed by [2005 asp 13 sch. 3](#)
- s. 27(1)(b) words repealed by [2004 asp 7 sch. 2](#)
- s. 28A(1) words substituted by [2005 asp 13 sch. 2 para. 2\(8\)](#)
- s. 28B(6) words repealed by [2005 asp 13 sch. 3](#)
- s. 28C(3) words substituted by [2005 asp 13 sch. 2 para. 2\(9\)\(a\)](#)
- s. 28C(3) words substituted by [2005 asp 13 sch. 2 para. 2\(9\)\(b\)](#)
- s. 29A(2) repealed by [2005 asp 13 sch. 3](#)
- s. 35A repealed by [2004 asp 7 sch. 2](#)
- s. 70(1) words substituted by [2005 asp 13 s. 14\(2\)\(a\)](#)
- s. 70(1A) repealed by [2005 asp 13 s. 14\(2\)\(b\)](#)
- s. 70(2) words substituted by [2005 asp 13 s. 14\(2\)\(c\)](#)
- s. 71(1) words substituted by [2005 asp 13 s. 14\(4\)](#)
- s. 71A repealed by [2005 asp 13 s. 14\(5\)](#)
- s. 73(c) repealed by [2004 asp 7 sch. 2](#)
- s. 74(c) and word repealed by [2004 asp 7 sch. 2](#)
- s. 75A(1)(d) and word repealed by [2004 asp 7 sch. 2](#)
- s. 75A(2) words substituted by [2004 asp 7 sch. 1 para. 1\(5\)](#)
- s. 77(1)(aa) repealed by [2004 asp 7 sch. 2](#)
- s. 82(2A) words repealed by [2004 asp 7 sch. 2](#)
- s. 83(2) repealed by [2004 asp 7 sch. 2](#)
- s. 84(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 84(2) words repealed by [2004 asp 7 sch. 2](#)
- s. 84(3) words repealed by [2004 asp 7 sch. 2](#)
- s. 84A(1) words repealed by [2004 asp 7 sch. 2](#)

- s. 84A(2) words repealed by 2004 asp 7 sch. 2
- s. 84A(3) words repealed by 2004 asp 7 sch. 2
- s. 84A(4) words repealed by 2004 asp 7 sch. 2
- s. 84A(5) words repealed by 2004 asp 7 sch. 2
- s. 84A(6) words repealed by 2004 asp 7 sch. 2
- s. 84A(7) words repealed by 2004 asp 7 sch. 2
- s. 85(1)(f) repealed by 2004 asp 7 sch. 2
- s. 85A(4)(a) words repealed by 2004 asp 7 sch. 2
- s. 85B(2) word repealed by 2002 asp 5 s. 21(a)
- s. 85B(2)(d) repealed by 2004 asp 7 sch. 2
- s. 85B(2)(f) and word inserted by 2002 asp 5 s. 21(b)
- s. 85B(3)(a) words repealed by 2004 asp 7 sch. 2
- s. 85B(4)(b) words repealed by 2004 asp 7 sch. 2
- s. 85AA(2)(b) words substituted by 2005 asp 13 sch. 2 para. 2(17)(a)
- s. 85AA(4)(a)(ii) words substituted by 2005 asp 13 sch. 2 para. 2(17)(b)(i)
- s. 85AA(4)(c) repealed by 2005 asp 13 sch. 2 para. 2(17)(b)(ii)
- s. 85AA(4)(e) repealed by 2005 asp 13 sch. 2 para. 2(17)(b)(ii)
- s. 85AA(5) words substituted by 2005 asp 13 sch. 2 para. 2(17)(c)
- s. 85AA(7) repealed by 2004 asp 7 sch. 2
- s. 85AA(11) repealed by 2005 asp 13 sch. 3
- s. 85AB(6) words repealed by 2005 asp 13 sch. 3
- s. 85AB(6) words substituted by 2005 asp 13 sch. 2 para. 2(18)(a)
- s. 86(1)(c) and word repealed by 2004 asp 7 sch. 2
- s. 86(1B) repealed by 2004 asp 7 sch. 2
- s. 86(3) words substituted by 2004 asp 7 sch. 1 para. 1(7)
- s. 86(4) words substituted by 2004 asp 7 sch. 1 para. 1(7)
- s. 101 words repealed by 2004 asp 7 sch. 2
- s. 102(4)(b) words substituted by 2004 asp 7 sch. 1 para. 1(8)
- s. 105(1A) repealed by 2004 asp 7 sch. 2
- s. 105(4)(b) words substituted by 2004 asp 7 sch. 1 para. 1(9)
- s. 108 words repealed by 2004 asp 7 sch. 2
- s. 108(1) words inserted by 2005 asp 13 sch. 2 para. 2(19)(a)(i)
- s. 108(1) words inserted by 2005 asp 13 sch. 2 para. 2(19)(a)(iii)
- Sch. 1 para. 8A words substituted by 2004 asp 7 sch. 1 para. 1(10)
- Sch. 5 para. 8A words substituted by 2004 asp 7 sch. 1 para. 1(11)
- Sch. 7 para. 5 words substituted by 2024 asp 2 Sch. 1 para. 12
- Sch. 7A repealed by 2004 asp 7 s. 1(1)
- Sch. 7A para. 17 words inserted by 2002 asp 5 Sch. 2 para. 2(13)
- Sch. 7B repealed by 2004 asp 7 sch. 2
- Sch. 11 para. 2(3) words repealed by 2005 asp 13 s. 14(6)(c)
- Sch. 11 para. 2(2)(a) words substituted by 2005 asp 13 s. 14(6)(b)
- Sch. 11 para. 2(4) words substituted by 2005 asp 13 s. 14(6)(d)

**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\(6\)\(a\)](#)