SCOTTISH STATUTORY INSTRUMENTS

# 2005 No.115

# NATIONAL HEALTH SERVICE

## The NHS Quality Improvement Scotland (Amendment) Order 2005

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| *Made - - - -* | *1st March 2005* |
| *Laid before the Scottish Parliament - - - -* | *3rd March 2005* |
| *Coming into force - -* | *1st April 2005* |

The Scottish Ministers in exercise of the powers conferred by sections 2(1)(b) and 105(6) of the National Health Service (Scotland) Act 1978(**1**), and of all other powers enabling them in that behalf, hereby make the following Order:

### Citation and commencement

**1.** This Order may be cited as the NHS Quality Improvement Scotland (Amendment) Order 2005 and shall come into force on 1st April 2005.

### Amendment to the principal Order

**2.** In article 4(1)(a) of the NHS Quality Improvement Scotland Order 2002(**2**) (Functions of the Board), omit head (i) and substitute–

"(i) supporting, ensuring and monitoring–

(aa) the quality of healthcare provided or secured by the National Health Service in Scotland, including without prejudice to the foregoing generality, providing quality assurance and accreditation;

(bb) the discharge of the duty under section 2B of the Act (duty to encourage public involvement)(**3**) by each body to whom that section applies, other than the Board; and

(cc) the discharge of the duty under section 2D of the Act (duty to discharge functions in a manner that encourages equal opportunities and in particular the observance

(**1**) 1978 c. 29 ("the Act"). Section 2(1)(b) of the Act was inserted by the National Health Service and Community Care Act 1990 (c. 19), section 28. The functions of the Secretary of State so far as they are exercisable in Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46) ("the 1998 Act").

(**2**) S.S.I. 2002/534.

(**3**) Section 2B of the Act was inserted by the National Health Service Reform (Scotland) Act 2004 (asp 7) ("the 2004 Act"), section 7.