SCOTTISH STATUTORY INSTRUMENTS

2002 No. 105

NATIONAL HEALTH SERVICE

The Scottish Council for Postgraduate Medical and Dental Education and NHS Education for Scotland (Transfer of Staff) Regulations 2002

Made - - - -	*5th March 2002*
Laid before the Scottish Parliament - - - -	*8th March 2002*
Coming into force - -	*31st March 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 105(7) and 108(1) of, and paragraph 7A of Schedule 1 to, the National Health Service (Scotland) Act 1978(**1**) as read with article 5 of, and Part I of the Schedule to, the Scottish Council for Postgraduate Medical and Dental Education Order 1993(**2**) and as read with article 6 of, and Part I of the Schedule to, the NHS Education Scotland Order 2002(**3**), and of all other powers enabling them in that behalf, and after consultation, in accordance with paragraph 7C of Schedule 1 to the said Act of 1978(**4**), with such bodies and organisations as appear to them to be concerned, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Scottish Council for Postgraduate Medical and Dental Education and NHS Education for Scotland (Transfer of Staff) Regulations 2002 and shall come into force on 31st March 2002.

(**1**) 1978 c. 29; section 105(7) which was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5(1) and Schedule 7, by the Health and Social Services and Social Security Adjudication Act 1983 (c. 41), Schedule 9, paragraph 24, and by the Health Act 1999 (c. 8) ("the 1999 Act"), Schedule 4, paragraph 60, contains provisions relevant to the exercise of the powers under which these Regulations are made. See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act 1998 (c. 46). Section 108 of the 1978 Act contains a definition of "regulations" relevant to the exercise of the statutory powers under which these Regulations are made. Paragraph 7A of Schedule 1 to the 1978 Act was inserted by the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act), Schedule 5, paragraph 5. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I.1993/577.

(**3**) S.S.I. 2002/103.

(**4**) Paragraph 7C of Schedule 1 was inserted by the 1990 Act, Schedule 5, paragraph 5.