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Health and Sport Committee Comataidh Slàinte is Spòrs

Health and Sport Committee: Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft]



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Health and Sport Committee

Health and Sport Committee: Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft], 15th Report (Session 5)

Health and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Sport.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/health-committee.aspx>



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Scottish Labour



Deputy Convener
Ash Denham
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Scottish Conservative
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Scottish Liberal
Democrats



Jenny Gilruth
Scottish National Party



Emma Harper
Scottish National Party



Alison Johnstone
Scottish Green Party



Ivan McKee
Scottish National Party



Colin Smyth
Scottish Labour



Sandra White
Scottish National Party



Brian Whittle
Scottish Conservative
and Unionist Party

The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft]

1. The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft] was laid before the Parliament on 6 November 2017 and referred to the Health and Sport Committee.
2. The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft] is subject to affirmative procedure (Rule 10.6). It is for the Health and Sport Committee to recommend to Parliament whether the Regulations should be approved.
3. These Regulations are made under the Public Bodies (Joint Working) (Scotland) Act 2014.
4. The purpose of these amending regulations is to remove from the schedule to the Public Bodies (Joint Working) (Scotland) Act 2014 the entry relating to section 3 of the Social Care (Self-directed Support) (Scotland) Act 2013 (support for adult carers), as this provision will be repealed by the Carers (Scotland) Act 2016 when it comes fully into force on 1st April 2018. The instrument further specifies a number of functions of a local authority under the Carers (Scotland) Act 2016 which must, so far as they are exercisable in relation to adults, be delegated to integration joint boards.
5. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on 14 November 2017. The Committee determined that it did not need to draw the attention of the Parliament to this instrument on any grounds within its remit.
[Delegated Powers and Law Reform Committee, 53rd Report, 2017 \(Session 5\)](#)
6. At the Health and Sport Committee's 28th meeting, on 28 November 2017, the Committee took evidence on the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft] from—
 - Aileen Campbell, Minister for Public Health and Sport
 - Peter Stapleton, Carers Policy
 - Brian Nisbet, Health and Social Care Integration; and
 - Ruth Lunny, Lawyer, Scottish Government.
7. Motion S5M-09005 was lodged by Aileen Campbell, Minister for Public Health and Sport. Following the evidence session, Aileen Campbell moved motion S5M-09005—

That the Health and Sport Committee recommends the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (no.2) Regulations 2017 be approved.

The motion was agreed to without division.

8. The evidence taken and debate held can be found in the [Official Report](#) for 28 November 2017.

9. The Health and Sport Committee recommends to Parliament that the Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment (No.2) Regulations 2017 [draft] be approved.

