to enable a payment to be made for the provision of these services by a woman's own doctor, notwithstanding that he is not on the list of practitioners who have indicated their willingness to provide maternity medical services; and secondly to enable a doctor to claim a fixed annual payment of £300 as part of his remuneration subject to the consent of the Executive Council or of the Secretary of State, on appeal.

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## 10. HIGHLANDS AND ISLANDS MEDICAL SERVICE

# The National Health Service (Highlands and Islands Medical Service Transitional Provisions) (Scotland) Regulations, 1948

## 1948 No. 1495 (S. 129)

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|---|---|
| *Made - - - -* | *26th June,* 1948 |
| *Laid before Parliament* | *1st July,* 1948 |
| *Coming into operation* | *5th July,* 1948 |

In exercise of the powers conferred on me by Section 68 of the National Health Service (Scotland) Act, 1947(a), and of all other powers enabling me in that behalf I hereby make the following regulations:—

**1.** These regulations may be cited as the National Health Service (Highlands and Islands Medical Service Transitional Provisions) (Scotland) Regulations, 1948, and shall come into operation on the 5th day of July, 1948.

**2.**—(1) In these regulations the following expressions have the meanings hereby assigned to them:

" the Act " means the National Health Service (Scotland) Act, 1947(a);

" appointed day " means the 5th day of July, 1948;

" Executive Council " means any executive council constituted in terms of Section 32 of and the Sixth Schedule to the Act.

(2) The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

**3.** There shall on the appointed day be transferred to the Executive Council all houses in the area of the Council provided for medical practitioners by local authorities under any scheme made under the Highlands and Islands (Medical Service) Grant Acts, 1913 and 1929, together with any rights or liabilities acquired or incurred solely for the purposes of such houses or the appropriate shares of any rights or liabilities acquired or incurred partly for such purposes and partly for other purposes.

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(a) 10 & 11 Geo. 6. c. 27. (b) 52 & 53 Vict. c. 63.

**4.**—(1) For the purpose of giving effect to the provisions of regulation 3 hereof there shall be granted by local authorities or by other parties having an interest so to do all such deeds or other instruments as in any particular case the Secretary of State may determine to be necessary.

(2) All such deeds or other instruments shall be executed as soon as practicable, and in any event not later than one month from the date of a Notice given by the Secretary of State under this regulation.

(3) In the event of failure or refusal by any party to comply with the preceding provisions of this regulation, or if for any other reason these provisions cannot be complied with, any such deed or other instrument may be executed by or on behalf of the Executive Council concerned and shall thereupon have effect for all purposes as if such deed or other instrument had been granted by the local authority or other party having the interest so to do.

**5.**—(1) Any proceedings with respect to any house provided and transferred as aforesaid or the rights or liabilities connected therewith and pending on the appointed day shall not be prejudicially affected by these regulations and may be carried on or enforced by or against the Executive Council to whom the house is transferred.

(2) Any such proceedings may be amended in such manner as may be necessary or proper for enabling them to be carried on in accordance with the preceding provisions of this regulation.

**6.** All liabilities attaching to the Highlands and Islands (Medical Service) Fund shall be discharged and the Fund shall be wound up by the transference to the Exchequer of any balance of moneys remaining therein as at 31st March, 1949.

**7.** Save as otherwise provided any question arising under these regulations shall in default of agreement be determined by the Secretary of State.

*Arthur Woodburn,*
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
26th June, 1948.

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## EXPLANATORY NOTE

*(This Note is not part of the regulations, but is intended to indicate their general purport.)*

These regulations make provision in accordance with Section 68 of the National Health Service (Scotland) Act, 1947, for the transfer to Executive Councils of houses provided for medical practitioners by local authorities under the Highlands and Islands (Medical Service) Grant Acts together with any liabilities thereon and for the winding-up of the Highlands and Islands (Medical Service) Fund and the transfer of any balance remaining therein to the Exchequer.