



Smoking, Health and Social Care (Scotland) Act 2005

2005 asp 13

PART 1

SMOKING: PROHIBITION AND CONTROL

10 Crown application

- (1) This Part binds the Crown.
- (2) No contravention by the Crown of this Part or any regulations under it makes the Crown criminally liable; but the Court of Session may, on the application of a council in the area of which the contravention is alleged to have taken place, declare unlawful any act or omission of the Crown which would, but for this subsection, have been an offence.
- (3) Subsection (2) does not extend to persons in the public service of the Crown.

Modifications etc. (not altering text)

- C1** S. 10 applied (15.5.2006) by [Smoking, Health and Social Care \(Scotland\) Act 2005 and The Prohibition Of Smoking In Certain Premises \(Scotland\) Regulations 2006 \(Consequential Provisions\) \(Scotland\) Order 2006 \(S.I. 2006/1115\)](#), arts. 1, 3 (with art. 4)

Commencement Information

- I1** S. 10 in force at 26.3.2006 at 0600 hours by [S.S.I. 2005/492](#), art. 3(d)

Changes to legislation:

There are currently no known outstanding effects for the Smoking, Health and Social Care (Scotland) Act 2005, Section 10.