



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 1

PUBLIC HEALTH RESPONSIBILITIES

Co-operation and planning

6 Duty of health boards and local authorities to co-operate

- (1) In exercising the functions conferred on them by virtue of this Act, each—
- (a) health board; and
 - (b) local authority,
- must co-operate with any relevant person that appears to the board or, as the case may be, authority to have an interest in or a function relating to the protection of public health.
- ^{F1}(2) In subsection (1), a “relevant person” is—
- (a) a health board;
 - (b) a special health board;
 - (c) a local authority;
 - ^{F2}(ca) an integration joint board established under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014;]
 - (d) the common services agency;
 - ^{F1}(da) Healthcare Improvement Scotland;]
 - (e) the Scottish Ministers.
- (3) Subsection (1) is without prejudice to section 13 of the 1978 Act (duty of health boards and local authorities to co-operate to secure and advance the health of the people of Scotland).

Changes to legislation: Public Health etc. (Scotland) Act 2008, Cross Heading: Co-operation and planning is up to date with all changes known to be in force on or before 30 January 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Annotations:

Amendments (Textual)

- F1** S. 6(2)(da) inserted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010](#) (asp 8), s. 134(7), **Sch. 17 para. 37(a)**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.
- F2** S. 6(2)(ca) inserted (1.4.2015) by [The Public Bodies \(Joint Working\) \(Scotland\) Act 2014](#) (Consequential Modifications and Saving) Order 2015 (S.S.I. 2015/157), art. 1(1), **Sch. para. 8(2)**

Commencement Information

- I1** S. 6 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), **Sch. 1**

7 Joint public health protection plans

- (1) Each health board must prepare such plans relating to the protection of public health in its area as the board considers appropriate.
- (2) In preparing a plan under subsection (1), a health board must consult the relevant local authority.
- (3) A plan under subsection (1) must—
 - (a) be prepared in accordance with any guidance issued by the Scottish Ministers; and
 - (b) include provision about such matters as may be specified in such guidance.
- (4) A board may comply with subsection (1) by incorporating the plan in any other plan the board is required or has power to prepare under any other enactment.
- (5) A board which prepares a plan under subsection (1) must publish the plan (whether as part of another plan in which it is incorporated or otherwise).
- (6) The board—
 - (a) may from time to time vary a plan under subsection (1); and
 - (b) must publish the plan as so varied.
- (7) The board must, before varying a plan under subsection (6)(a), consult the relevant local authority.
- (8) In this section, the “relevant local authority”—
 - (a) is the local authority for the area in relation to which a board is constituted; or
 - (b) where the area of the board comprises or includes the areas of two or more local authorities, is both or all of those authorities.

Annotations:

Commencement Information

- I2** S. 7 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), **Sch. 1**

Changes to legislation:

Public Health etc. (Scotland) Act 2008, Cross Heading: Co-operation and planning is up to date with all changes known to be in force on or before 30 January 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 92(1)(b)(i)(ii) inserted by [2016 asp 20 Sch. 1 para. 2\(a\)](#)