



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 4 **S**

#### PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

##### *Breach of orders and offences*

#### **66 Absconding from quarantine **S****

- (1) Where a person who is subject to a quarantine order breaches that order by absconding—
  - (a) while being removed to the place at which that person is to be quarantined; or
  - (b) from that place,that person is liable to be taken into custody by a person mentioned in subsection (2) and detained in accordance with subsections (3) and (4).
- (2) The persons who may take a quarantined person into custody are—
  - (a) a constable;
  - (b) an officer of a health board;
  - (c) an officer of a local authority.
- (3) The quarantined person may be detained in—
  - (a) a hospital; or
  - (b) any other place.
- (4) The period for which the quarantined person may be detained by virtue of subsection (1) is the period or, as the case may be, the remainder of the period for which the quarantine of that person is authorised.
- (5) In calculating the period mentioned in subsection (4), the period beginning when the quarantined person absconded and ending when that person is detained in accordance with subsection (1) is to be left out of account.
- (6) A person who may take a quarantined person into custody may enter any premises in which the quarantined person is present.
- (7) The power of entry in subsection (6)—

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*Changes to legislation: There are currently no known outstanding effects for the  
Public Health etc. (Scotland) Act 2008, Section 66. (See end of Document for details)*

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- (a) may be exercised at any time; and
  - (b) includes power to use reasonable force.
- (8) A person who is taken into custody under this section and who absconds remains liable to be taken into custody under and detained in accordance with this section.
- (9) Notwithstanding the detention of a quarantined person in accordance with subsections (3) and (4), the health board may apply under section 49(2) for an extension of the quarantine order; and, where such an extension is granted, the quarantined person may be removed by a person mentioned in section 40(4) to the place in which the person is to be quarantined.

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**Commencement Information**

**II** S. 66 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), Sch. 1

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 66.