



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 6

#### MORTUARIES ETC.

##### *Protection of public from risks arising from bodies*

#### **91 Duty of health board where infected etc. person dies**

- (1) This section applies where a health board knows that a person in its area—
  - (a) has died of an infectious disease;
  - (b) had, immediately before dying, such a disease but died of another cause; or
  - (c) was, immediately before dying, contaminated (whether the contamination caused the death or not).
- (2) The board must explain to any person who appears to the board to be responsible for the disposal of the person's body—
  - (a) the nature of any risk to public health which results from the disease or contamination;
  - (b) any precautions which the board considers should be taken; and
  - (c) any other matter which the board considers appropriate.
- (3) Subsection (2) does not apply in any case where the board has given an explanation under section 90(4) to the person to whom an explanation under subsection (2) would be given.

#### **Commencement Information**

**II** S. 91 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 91.