



# Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016

2016 asp 14

## PART 3

### ILL-TREATMENT AND WILFUL NEGLECT

#### *Offences by care workers and care providers*

#### **26 Care worker offence**

- (1) An individual commits an offence if the individual—
  - (a) has the care of another individual by virtue of being a care worker, and
  - (b) ill-treats or wilfully neglects that individual.
- (2) An individual who commits an offence under subsection (1) is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both),
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).