



Public Health etc. (Scotland) Act 2008

2008 asp 5

[^{F1}PART 5A

PUBLIC HEALTH PROTECTION MEASURES

Public health protection regulations

[^{F1}86A Public health protection regulations

- (1) The Scottish Ministers may by regulations make provision for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection or contamination in Scotland (whether from risks originating there or elsewhere).
- (2) In subsection (1)—
 - (a) reference to infection or contamination is a reference to infection or contamination which presents or could present significant harm to human health,
 - (b) reference to the spread of contamination includes a reference to the spread of any source of contamination.
- (3) The power in subsection (1) may be exercised—
 - (a) in relation to infection or contamination generally or in relation to particular forms of infection or contamination, and
 - (b) so as to make provision of a general nature, to make contingent provision or to make specific provision in response to particular circumstances.
- (4) Regulations under subsection (1) may in particular include provision directly or indirectly imposing restrictions or requirements on or in relation to persons, things or premises in the event of, or in response to, a threat to public health (but see sections 86D and 86E).
- (5) The restrictions or requirements mentioned in subsection (4) include, for example—
 - (a) a requirement that a pupil (within the meaning given by section 135(1) of the Education (Scotland) Act 1980) is to be kept away from school,
 - (b) a prohibition or restriction relating to the holding of an event or gathering,

*Changes to legislation: There are currently no known outstanding effects for the
Public Health etc. (Scotland) Act 2008, Section 86A. (See end of Document for details)*

- (c) a restriction or requirement relating to the handling, transport, burial or cremation of dead bodies or the handling, transport or disposal of human remains, and
- (d) a special restriction or requirement (see section 86G).]

Textual Amendments

F1 Pt. 5A inserted (1.9.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 1(2), 59(1)

Changes to legislation:

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 86A.