



# 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.
- <sup>F1</sup>(2) In subsection (1), a “relevant person” is—
- (a) a health board;
  - (b) a special health board;
  - (c) a local authority;
  - <sup>F2</sup>(ca) an integration joint board established under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014;]
  - (d) the common services agency;
  - <sup>F1</sup>(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).

#### Textual Amendments

- 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.

*Status: Point in time view as at 01/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Cross Heading: Co-operation and planning. (See end of Document for details)*

**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.

#### Commencement Information

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

**Status:**

Point in time view as at 01/04/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008,  
Cross Heading: Co-operation and planning.