

**Changes to legislation:** Public Health etc. (Scotland) Act 2008, SCHEDULE 3 is up to date with all changes known to be in force on or before 25 April 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 3

(introduced by section 126)

### REPEALS AND REVOCATIONS

#### PART 1

#### REPEALS

##### Commencement Information

- I1** Sch. 3 Pt. 1 in force at 1.4.2009 for specified purposes by S.S.I. 2009/9, art. 2(b), Sch. 2
- I2** Sch. 3 Pt. 1 in force at 1.10.2009 for specified purposes by S.S.I. 2009/319, art. 2(a), Sch. 1 (with art. 3, Sch. 2 para. 2)
- I3** Sch. 3 Pt. 1 in force at 1.1.2010 for specified purposes by S.S.I. 2009/404, art. 2(3), Sch. 3

<i>Enactment</i>	<i>Extent of repeal</i>
Infectious Disease (Notification) Act 1889 (c. 72)	The whole Act.
Cleansing of Persons Act 1897 (c. 31)	The whole Act.
Public Health (Scotland) Act 1897 (c. 38)	The whole Act.
Public Health (Scotland) Amendment Act 1907 (c. 30)	The whole Act.
Small Landholders (Scotland) Act 1911 (c. 49)	Section 11.
Land Settlement (Scotland) Act 1919 (c. 97)	In section 18(2), the words from “and all expenses” to the end.
Public Health (Scotland) Act 1945 (c. 15)	The whole Act.
Local Government (Scotland) Act 1947 (c. 43)	Section 377(5).
Atomic Energy Authority Act 1954 (c. 32)	In section 5(6), the words “by or under the provisions of section one hundred and eighty-one of the Public Health (Scotland) Act 1897, or”.
Offices, Shops and Railway Premises Act 1963 (c. 41)	In section 9(6), the word “Neither” and the words “nor section 29 of the Public Health (Scotland) Act 1897”.
Criminal Justice Act 1967 (c. 80)	Section 92(7). In schedule 3, Part 3.
Health Services and Public Health Act 1968 (c. 46)	Section 62(2). Section 71. Section 71A. Section 72. Section 73.
Sewerage (Scotland) Act 1968 (c. 47)	Schedule 1, paragraph 2.

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	In schedule 2, the entries relating to the Public Health (Scotland) Act 1897.
Transport Act 1968 (c. 73)	Section 108(2)(a) and the word “and” immediately following it. In section 112(3)(d), the words “section 16 of the Public Health (Scotland) Act 1897 and”.
Post Office Act 1969 (c. 48)	In schedule 9, paragraph 17(5), the words “or under the Public Health (Scotland) Act 1897”.
Finance Act 1970 (c. 24)	In schedule 8, in Part 5, the entry relating to the Public Health (Scotland) Act 1897.
National Health Service (Scotland) Act 1972 (c. 58)	Section 53.
Local Government (Scotland) Act 1973 (c. 65)	Section 202(1)(c)(iii). Schedule 27, paragraphs 26 to 29, 33 to 36 and 39 to 48.
Control of Pollution Act 1974 (c. 40)	Section 47(3). Section 106(7). In schedule 4, the entry relating to the Public Health (Scotland) Act 1897.
National Health Service (Scotland) Act 1978 (c. 29)	Section 14. In section 108(1), the definition of “designated medical officer”.
Slaughter of Animals (Scotland) Act 1980 (c. 13)	In schedule 3, the entry relating to the Public Health (Scotland) Act 1897.
Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23)	Schedule 2, paragraph 2. In schedule 4, the entry relating to the Public Health (Scotland) Act 1897.
Civic Government (Scotland) Act 1982 (c. 45)	In section 87(5), the words “or under section 20 of the Public Health (Scotland) Act 1897”.
Roads (Scotland) Act 1984 (c. 54)	Schedule 9, paragraph 17. In schedule 11, the entries relating to the Public Health (Scotland) Act 1897.
AIDS (Control) Act 1987 (c. 33)	The whole Act.
Local Government and Housing Act 1989 (c. 42)	Section 152(3)(d).
Food Safety Act 1990 (c. 16)	In section 5(3)(a), the words “or, by an order under section 172 of the Public Health (Scotland) Act 1897, to a port local authority”.
National Health Service and Community Care Act 1990 (c. 19)	Schedule 9, paragraphs 1 and 4.
Environmental Protection Act 1990 (c. 43)	In section 79(7), in the definition of “local authority”, the words “, subject to

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	subsection (8) below,”; and in subsection (8), the words from “or” in the first place where it occurs to “part of a port,” and the words “, port local authority or joint port local authority, as the case may be,”.
Local Government Finance Act 1992 (c. 14)	Schedule 13, paragraph 2.
Clean Air Act 1993 (c. 11)	In section 61, subsection (2); and in subsection (4) the words “port health authority or”, in each place where they occur, and “authority or”. In section 64(1), the definition of “port health authority”.
Value Added Tax Act 1994 (c. 23)	In section 33(3)(e), the words from “and a port local authority” to the end.
Local Government etc. (Scotland) Act 1994 (c. 39)	Schedule 13, paragraphs 9 and 26. In schedule 14, the entry relating to the Health Services and Public Health Act 1968.
Environment Act 1995 (c. 25)	Schedule 17, paragraph 2(c). In schedule 24, the entries relating to the Public Health (Scotland) Act 1897.
Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40)	In schedule 2, Part 3, the entry relating to the Public Health (Scotland) Act 1945.
Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17)	Schedule 3, paragraph 9.
Smoking, Health and Social Care (Scotland) Act 2005 (asp 13)	Section 36. Schedule 2, paragraph 1.
Housing (Scotland) Act 2006 (asp 1)	Section 173(2)(b)(i).

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## PART 2

### REVOCATIONS

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#### Commencement Information

**I4** Sch. 3 Pt. 2 in force at 1.1.2010 for specified purposes by S.S.I. 2009/404, art. 2(3), Sch. 3

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<i>Enactment</i>	<i>Extent of revocation</i>
Public Health (Aircraft) (Scotland) Regulations 1971 (S.I. 1971/131)	The whole Regulations.
Public Health (Ships) (Scotland) Regulations 1971 (S.I. 1971/132)	The whole Regulations.
National Health Service (Designated Medical Officers) (Scotland) Regulations 1974 (S.I. 1974/470)	The whole Regulations.

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Public Health (Ships) (Scotland) Amendment Regulations 1974 (S.I. 1974/1008)	The whole Regulations.
Public Health (Aircraft) (Scotland) Amendment Regulations 1974 (S.I. 1974/1017)	The whole Regulations.
Public Health (Ships) (Scotland) Amendment Regulations 1978 (S.I. 1978/369)	The whole Regulations.
Public Health (Aircraft) (Scotland) Amendment Regulations 1978 (S.I. 1978/370)	The whole Regulations.
Public Health (Notification of Infectious Diseases) (Scotland) Regulations 1988 (S.I. 1988/132)	The whole Regulations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 95(4)(aa) inserted by [S.S.I. 2019/142 reg. 2\(2\)](#)
- s. 96(5)(aa) inserted by [S.S.I. 2019/142 reg. 2\(3\)](#)