Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 1

PUBLIC HEALTH RESPONSIBILITIES

The Scottish Ministers

1 Duty of Scottish Ministers to protect public health

(1) The Scottish Ministers are to continue to make provision, or secure that provision is made, for the purpose of protecting public health in Scotland.

(2) In subsection (1), "protecting public health"—

(a) means the protection of the community (or any part of the community) from—

(i) infectious diseases;

(ii) contamination; or

(iii) other such hazards,

which constitute a danger to human health; and

(b) includes—

(i) the prevention of;

(ii) the control of; and

(iii) the provision of a public health response to,

such diseases, contamination or other hazards.

(3) The Scottish Ministers may, for the purpose of protecting public health in Scotland, provide assistance (including financial assistance) to any person who exercises functions in relation to the protection of public health.

(4) Subsection (1) is without prejudice to sections 1 and 1A of the National Health Service (Scotland) Act 1978 (c. 29) (the "1978 Act") (general duties of Scottish Ministers to provide a health service and to promote the improvement of the health of the people of Scotland).

(5) In this Act—

"contamination" means contamination with or by a biological, chemical or radioactive substance; and cognate expressions are to be construed accordingly;

"infectious disease" means an illness or medical condition caused by an infectious agent (including by an organism listed in Part 2 of schedule 1 but not by a contaminant); and

"protecting public health" has the meaning given by subsection (2); and cognate expressions are to be construed accordingly.

Commencement Information

I1 S. 1 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 1.