



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 2

#### NOTIFIABLE DISEASES, NOTIFIABLE ORGANISMS AND HEALTH RISK STATES

##### *Notifiable diseases and organisms*

#### **12 Lists of notifiable diseases and notifiable organisms**

- (1) In this Part—
  - “notifiable disease” means a disease listed in Part 1 of schedule 1; and
  - “notifiable organism” means an organism listed in Part 2 of schedule 1.
- (2) The Scottish Ministers may by regulations amend a list in schedule 1 by—
  - (a) adding an item to the list;
  - (b) removing an item from the list;
  - (c) varying the description of an item in the list.
- (3) Regulations under subsection (2) may add a disease or organism to a list only if the Scottish Ministers are satisfied that the disease or organism is likely to give rise to a significant risk to public health.
- (4) The Scottish Ministers must, when considering whether a disease or organism is likely to give rise to such a risk, have regard—
  - (a) in the case of a disease, to—
    - (i) the seriousness of the disease; and
    - (ii) the ease of transmissibility through casual contact of the disease;
  - (b) in the case of an organism, to the seriousness and ease of transmissibility through casual contact of the disease which the organism would cause.

#### **Commencement Information**

**II** S. 12 in force at 1.1.2010 by S.S.I. 2009/404, art. 2(3), Sch. 3

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 12.