



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 3 **S**

PUBLIC HEALTH INVESTIGATIONS

Public health investigations

21 Public health investigations **S**

- (1) In this Part, a “public health investigation” means an investigation into the cause (or causes) of a public health incident.
- (2) A public health investigation may be carried out by a person appointed for the purpose by—
 - (a) the Scottish Ministers;
 - (b) a health board competent person;
 - (c) the common services agency;
 - [^{F1}(ca) Public Health Scotland;]
 - (d) a local authority competent person;
 - (e) two or more of the persons mentioned in paragraphs (a) to (d) acting together, and, in this Part, that person is known as an “investigator”.
- (3) Despite subsection (2)(b) and (d), a health board competent person or a local authority competent person may be appointed as an investigator.
- (4) If an investigator considers it necessary for the purpose of, or in connection with, a public health investigation, the investigator may, subject to section 25(1), exercise—
 - (a) the powers relating to entry to premises mentioned in section 22;
 - (b) the other investigatory powers mentioned in section 23; and
 - (c) the power to ask questions mentioned in section 24.

Textual Amendments

- F1** S. 21(2)(ca) inserted (1.4.2020) by [The Public Health Scotland Order 2019 \(S.S.I. 2019/336\)](#), art. 1(3)(b), [sch. 2 para. 6\(4\)](#) (with art. 4(4)(5))

Changes to legislation: *There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 21. (See end of Document for details)*

Commencement Information

II S. 21 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 21.