



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 5

PUBLIC HEALTH FUNCTIONS OF LOCAL AUTHORITIES

Disinfection etc. of premises and things

77 Entry to dwellinghouses

- (1) Where an authorised officer proposes, in exercise of any power conferred by—
 - (a) section 74(2);
 - (b) section 75(2); or
 - (c) section 76(6),to enter a dwellinghouse, the conditions set out in subsections (2) and (3) must be satisfied.
- (2) The first condition is that the officer has given 48 hours' notice of the proposed entry to a person who appears to be the occupier of the dwellinghouse.
- (3) The second condition is that—
 - (a) the person who appears to be the occupier of the dwellinghouse has consented; or
 - (b) entry is effected under the authority of a warrant issued under section 78(2).
- (4) In this Part, “dwellinghouse” has the meaning given by section 26.