



# Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

## PART 1

### TOBACCO PRODUCTS ETC.

#### CHAPTER 3

##### ENFORCEMENT AND FIXED PENALTIES

###### *Enforcement*

#### 25 Enforcement

- (1) It is the duty of a council to enforce within its area the provisions of Chapters 1 and 2 and regulations made under them.
- (2) The Scottish Ministers may direct, in relation to a particular case or cases of a particular description, that any duty imposed on a council by subsection (1) is to be discharged by the Scottish Ministers and not by the council.
- (3) Where a direction has effect under subsection (2), sections 27 to 31 apply, in relation to the particular case, or cases of the description, specified in the direction—
  - (a) as if references to a council officer were references to a person acting on behalf of the Scottish Ministers, and
  - (b) with references to a person's area being read in accordance with any modifications specified in the direction.

#### Commencement Information

**11** S. 25 in force at 1.4.2011 by S.S.I. 2010/345, art. 2, Sch.

**Status:**

Point in time view as at 01/04/2011.

**Changes to legislation:**

There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, Section 25.