

PUBLIC HEALTH ETC. (SCOTLAND) ACT 2008

EXPLANATORY NOTES

THE ACT – OVERVIEW

Part 7

International Travel

Section 94 International Travel

187. The International Health Regulations 2005 (IHR 2005) are a legally binding international agreement intended to prevent, protect against, control and respond to the international spread of disease without unnecessary interference with international traffic and trade. Section 94(1) allows the Scottish Ministers to make regulations for the purposes of, or in connection with, giving effect to IHR 2005 (and recommendations under IHR 2005) as well as other international agreements relating to the spread of infectious disease and contamination, so far as they have effect in or as regards Scotland. Regulations may also be made to protect public health from risks arising from vehicles arriving in, or leaving, Scotland. This will enable the Scottish Ministers to replace the Public Health (Ships) (Scotland) Regulations 1971 (as amended) and the Public Health (Aircraft) (Scotland) Regulations 1971 (as amended), made under the powers in the Public Health (Scotland) Act 1945, which are repealed by this Act. Regulations made under section 94 will be made by affirmative procedure except where the Scottish Ministers consider that they need to be made urgently, in which case subsections (6) to (10) of section 122 apply.
188. Subsection (5) sets out the maximum penalties that may be imposed for committing an offence under the regulations. Subsection (6) defines ‘International Health Regulations’ for the purposes of the Act and regulations made under it.