



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 4

PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

Variation and extension of orders

50 Application for variation of quarantine and hospital detention orders

- (1) This section applies where a person is subject to—
 - (a) a quarantine order;
 - (b) a short term detention order; or
 - (c) an exceptional detention order.
- (2) A health board may, if it considers it appropriate, apply to the sheriff for an order under section 51(1) modifying the order.
- (3) An application under subsection (2) must—
 - (a) specify—
 - (i) the order which it is proposed to modify;
 - (ii) the person to whom that order applies; and
 - (iii) the modification which it is proposed to make; and
 - (b) include a certificate such as is mentioned in subsection (4).
- (4) That certificate is one—
 - (a) stating that a health board competent person is satisfied—
 - (i) as to the matters mentioned in section 40(2)(a) and (b)(i), 42(2)(a) and (b)(i), 43(2)(a) and (b)(i) or, as the case may be, 45(2)(a); and
 - (ii) that it is necessary, to avoid or minimise a risk to public health, for the person to continue to be quarantined or, as the case may be, detained in hospital; and
 - (b) signed by that person.

Changes to legislation: *There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 50. (See end of Document for details)*

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Commencement Information

II [S. 50](#) in force at 1.10.2009 by [S.S.I. 2009/319](#), art. 2(a), [Sch. 1](#)

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