

EXPLANATORY NOTE

(This note is not part of the Order)

Section 1 of the Emergency Workers (Scotland) Act 2005 (“the Act”) makes it an offence punishable in terms of section 6 of the Act to assault, obstruct or hinder a person acting in any of the capacities specified in section 1(3) of the Act.

Section 2 of the Act makes it an offence punishable in terms of section 6 of the Act to assault, obstruct or hinder a person acting in any of the capacities specified in section 2(3) of the Act but only if that person is responding to emergency circumstances.

This Order modifies the Act by removing registered medical practitioners, registered nurses and registered midwives from the list of persons specified for the purposes of section 2 of the Act and adding them to the list of persons covered by section 1 of the Act. This means that it will be an offence in terms of the Act to assault, obstruct or hinder such a person acting in the course of their employment. Before commencement of this Order it would only be an offence under the Act were that person responding to emergency circumstances (section 2) or in a hospital (section 5).