

EXECUTIVE NOTE TO

DRAFT : THE EMERGENCY WORKERS (SCOTLAND) ACT 2005 (MODIFICATION) ORDER 2008 2008 No.

1. The above instrument was made in exercise of the powers conferred on Scottish Ministers by section 8 of the Emergency Workers Act (Scotland) 2005. The instrument is subject to an affirmative resolution procedure.

Background

2. The Emergency Workers (Scotland) Act 2005 creates an offence of assaulting, obstructing or hindering doctors, nurses and midwives working in a hospital, and anywhere else whenever they are responding to an emergency. The Act also creates an offence of assaulting, obstructing or hindering ambulance workers, police officers and fire fighters whenever they are on duty.

Policy Objectives

3. The purpose of these Regulations is to amend the Emergency Workers (Scotland) Act 2005, so that doctors, nurses and midwives are covered whenever they are on duty. The creation of these new offences is designed to enhance the protection provided to these health workers, who are highly trained to deal with emergencies and likely to do so, so that they are covered by the Act whilst they are working in the community

Consultation

4. We have not consulted on the proposed amendment.

Financial Effects

5. We do not anticipate any significant additional on-going costs incurred through the introduction of the new offences.

**The Scottish Government
Health Workforce Directorate
December 2007**