



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 10

#### GENERAL AND MISCELLANEOUS

##### *General and miscellaneous*

#### **127 Crown application**

- (1) This Act and any regulations and orders made under it bind the Crown.
- (2) No contravention by the Crown of any provision made by virtue of this Act makes the Crown criminally liable.
- (3) But the Court of Session may, on the application of any public body or office-holder having responsibility for enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (4) Despite subsection (2), any provision made by virtue of this Act applies to persons in the public service of the Crown as it applies to other persons.
- (5) Nothing in this section affects Her Majesty in her private capacity.

#### **Commencement Information**

**II** S. 127 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), Sch. 1

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 127.