

*These notes relate to the Public Health etc. (Scotland) Act
2008 (asp 5) which received Royal Assent on 16 July 2008*

PUBLIC HEALTH ETC. (SCOTLAND) ACT 2008

EXPLANATORY NOTES

THE ACT – OVERVIEW

Part 10

General and Miscellaneous

General and miscellaneous

Section 120 Penalties for offences under this Act

228. This section sets out the maximum penalties for offences committed under the Act, with the exception of offences in Part 8, where the maximum penalties are set out in section 107. On summary conviction, the maximum penalty is imprisonment for up to 12 months or a fine of up to £10,000 (at current levels) or both; or, on conviction on indictment, imprisonment for up to 2 years or an unlimited fine or both. Subsection (2) sets out different maximum penalties for those committing offences under section 69(1) or 70(3) or (4) in relation to an exclusion or restriction order. In those cases, the maximum penalty, on summary conviction, is imprisonment for up to 12 months or a fine not exceeding level 5 on the standard scale or both.