

*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 4

Public Health Functions of Health Boards

Review of orders

Section 53 Duty to keep exclusion and restriction orders under review

104. This section provides that if a person subject to an exclusion or restriction order requests a review of that order, a health board competent person of the appropriate health board must consider whether the conditions for the order continue to apply and whether it continues to be necessary for the person to be subject to the order. In addition, the health board competent person must from time to time carry out such a review. If the health board competent person is not satisfied that the conditions for an exclusion or restriction order continue to apply or that it continues to be necessary for the person to be subject to the order, then the health board competent person must revoke it.