



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 1

#### PUBLIC HEALTH RESPONSIBILITIES

##### *Co-operation and planning*

#### **6 Duty of health boards and local authorities to co-operate**

- (1) In exercising the functions conferred on them by virtue of this Act, each—
- (a) health board; and
  - (b) local authority,
- must co-operate with any relevant person that appears to the board or, as the case may be, authority to have an interest in or a function relating to the protection of public health.
- (2) In subsection (1), a “relevant person” is—
- (a) a health board;
  - (b) a special health board;
  - (c) a local authority;
  - (d) the common services agency;
  - (e) the Scottish Ministers.
- (3) Subsection (1) is without prejudice to section 13 of the 1978 Act (duty of health boards and local authorities to co-operate to secure and advance the health of the people of Scotland).

#### **7 Joint public health protection plans**

- (1) Each health board must prepare such plans relating to the protection of public health in its area as the board considers appropriate.
- (2) In preparing a plan under subsection (1), a health board must consult the relevant local authority.
- (3) A plan under subsection (1) must—

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*Status: This is the original version (as it was originally enacted).*

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- (a) be prepared in accordance with any guidance issued by the Scottish Ministers; and
  - (b) include provision about such matters as may be specified in such guidance.
- (4) A board may comply with subsection (1) by incorporating the plan in any other plan the board is required or has power to prepare under any other enactment.
- (5) A board which prepares a plan under subsection (1) must publish the plan (whether as part of another plan in which it is incorporated or otherwise).
- (6) The board—
  - (a) may from time to time vary a plan under subsection (1); and
  - (b) must publish the plan as so varied.
- (7) The board must, before varying a plan under subsection (6)(a), consult the relevant local authority.
- (8) In this section, the “relevant local authority”—
  - (a) is the local authority for the area in relation to which a board is constituted; or
  - (b) where the area of the board comprises or includes the areas of two or more local authorities, is both or all of those authorities.