



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 1

#### PUBLIC HEALTH RESPONSIBILITIES

##### *Power of Scottish Ministers to intervene*

#### **10 Directions under section 9(1): supplementary**

- (1) The giving of a direction under section 9(1) does not affect the responsibility of the health board or, as the case may be, the local authority for the exercise of the function which, by virtue of the direction, is exercised by another person.
- (2) Anything done or omitted by a person exercising a function by virtue of the direction is to be regarded as done or omitted by the board or authority.
- (3) A person dealing in good faith and for value with a person exercising a function by virtue of the direction need not inquire as to whether that person is acting in accordance with the direction.
- (4) Unless the direction specifies otherwise, the board or the authority must pay the person by whom its function is exercised—
  - (a) the remuneration and expenses of; and
  - (b) any other costs reasonably incurred by, that person in exercising that function.

#### **Commencement Information**

**II** S. 10 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 10.