



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 3

#### PUBLIC HEALTH INVESTIGATIONS

##### *Public health investigations*

#### **20 Public health incidents**

- (1) A public health incident exists if—
  - (a) a circumstance mentioned in subsection (2), (3), (4), (5) or (6) occurs; and
  - (b) there are reasonable grounds to suspect that the circumstance is likely to give rise to a significant risk to public health.
- (2) The first circumstance is that—
  - (a) a person has an infectious disease; or
  - (b) there are reasonable grounds to suspect that a person has such a disease.
- (3) The second circumstance is that—
  - (a) a person has been exposed to an organism which causes infectious disease; or
  - (b) there are reasonable grounds to suspect that a person has been so exposed.
- (4) The third circumstance is that—
  - (a) a person is contaminated; or
  - (b) there are reasonable grounds to suspect that a person is contaminated.
- (5) The fourth circumstance is that—
  - (a) a person has been exposed to a contaminant; or
  - (b) there are reasonable grounds to suspect that a person has been so exposed.
- (6) The fifth circumstance is that—
  - (a) any premises are or any thing in or on premises is infected, infested or contaminated; or
  - (b) there are reasonable grounds to suspect that any premises are or thing is so infected, infested or contaminated.

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*Changes to legislation: There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 20. (See end of Document for details)*

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(7) In subsection (6), “infected”, “infested” and “contaminated” have the meanings given by section 72(5).

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**Commencement Information**

**I1** [S. 20](#) 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 20.