



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 3

PUBLIC HEALTH INVESTIGATIONS

Public health investigations

21 Public health investigations

- (1) In this Part, a “public health investigation” means an investigation into the cause (or causes) of a public health incident.
- (2) A public health investigation may be carried out by a person appointed for the purpose by—
 - (a) the Scottish Ministers;
 - (b) a health board competent person;
 - (c) the common services agency;
 - [^{F1}(ca) Public Health Scotland;]
 - (d) a local authority competent person;
 - (e) two or more of the persons mentioned in paragraphs (a) to (d) acting together, and, in this Part, that person is known as an “investigator”.
- (3) Despite subsection (2)(b) and (d), a health board competent person or a local authority competent person may be appointed as an investigator.
- (4) If an investigator considers it necessary for the purpose of, or in connection with, a public health investigation, the investigator may, subject to section 25(1), exercise—
 - (a) the powers relating to entry to premises mentioned in section 22;
 - (b) the other investigatory powers mentioned in section 23; and
 - (c) the power to ask questions mentioned in section 24.

Textual Amendments

- F1** S. 21(2)(ca) inserted (1.4.2020) by [The Public Health Scotland Order 2019 \(S.S.I. 2019/336\)](#), art. 1(3)(b), [sch. 2 para. 6\(4\)](#) (with art. 4(4)(5))

Changes to legislation: There are currently no known outstanding effects for the
Public Health etc. (Scotland) Act 2008, Section 21. (See end of Document for details)

Commencement Information

II S. 21 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 21.