



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 4

#### PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

##### *Medical examinations*

#### **36 Medical examination of groups**

(1) Where—

- (a) a person in relation to whom a health board is satisfied as to the matters mentioned in section 33(1) is one of a group of two or more persons; and
- (b) the board is satisfied that it is necessary, to avoid or minimise a significant risk to public health, for each member of the group to be medically examined,

the board may apply under section 33(2) for an order in relation to all of the persons in that group.

(2) Where subsection (1) applies—

- (a) sections 31(3) to (5) and 33(3) apply in relation to the persons in the group as they apply in relation to a person;
- (b) the certificate mentioned in section 33(3)(b) must state, in addition to the matters mentioned in section 33(3)(b)(i), that the competent person is satisfied that it is necessary, to avoid or minimise an actual or anticipated significant risk to public health, for all the persons in the group to be medically examined;
- (c) the sheriff may, if satisfied—

- (i) as to the matters mentioned in section 34(2)(a) and (b) in relation to at least one member of the group; and
- (ii) as to the matter mentioned in section 34(2)(c) in relation to each member of the group,

make an order under section 34(1) in relation to each member of the group; and

- (d) section 34(6) applies in relation to the persons in the group as it applies to a person.