



Smoking, Health and Social Care (Scotland) Act 2005

2005 asp 13

SMOKING, HEALTH AND SOCIAL CARE (SCOTLAND) ACT 2005

PART 1

SMOKING: PROHIBITION AND CONTROL

- 1 Offence of permitting others to smoke in no-smoking premises
- 2 Offence of smoking in no-smoking premises
- 3 Display of warning notices in and on no-smoking premises
- 4 Meaning of “smoke” and “no-smoking premises”
- 4A Offence of permitting others to smoke outside hospital building
- 4B Offence of smoking outside hospital building
- 4C Display of warning notices in hospital buildings and on hospital grounds
- 4D Meaning of “no-smoking area outside a hospital building” and related expressions
- 5 Proceedings for offences under sections 1 to 3 and 4A to 4C
- 6 Fixed penalties
- 7 Powers to enter and require identification
- 8 Bodies corporate etc.
- 9 Sale of tobacco to under-age persons: variation of age limit
- 10 Crown application

PART 2

GENERAL DENTAL SERVICES, GENERAL OPHTHALMIC SERVICES, PERSONAL DENTAL SERVICES ETC.

- 11 Detection of vision problems in children
- 12 Free oral health assessments and dental examinations
- 13 Free eye examinations and sight tests
- 14 Charges for certain dental appliances and general dental services
- 15 Arrangements for provision of general dental services
- 16 Assistance and support: general dental services

- 17 Lists of persons undertaking to provide or approved to assist in the provision of general dental services
- 18 Lists of persons performing personal dental services under section 17C arrangements or pilot schemes
- 19 Lists of persons undertaking to provide or approved to assist in the provision of general ophthalmic services

PART 3

PHARMACEUTICAL CARE SERVICES ETC.

- 20 Health Boards' functions: provision and planning of pharmaceutical care services
- 21 Pharmaceutical care services contracts
- 22 Drug Tariff
- 23 Persons performing pharmaceutical care services
- 24 Assistance and support: primary medical services and pharmaceutical care services

PART 4

PROVISION OF SERVICES UNDER NHS CONTRACTS

- 25 Provision of certain services under NHS contracts

PART 5

DISCIPLINE

- 26 Disqualification by the NHS Tribunal
- 27 Corresponding provision in England or Wales or Northern Ireland

PART 6

MISCELLANEOUS

Infection with hepatitis C as a result of NHS treatment etc.

- 28 Payments to certain persons infected with hepatitis C as a result of NHS treatment etc.

Amendment of Regulation of Care (Scotland) Act 2001

- 29 Independent health care services
- 30 Implementation of certain decisions under the 2001 Act
- 31 Frequency of inspection of care services under the 2001 Act
- 32 Provision of information to the Scottish Social Services Council

Child care agencies and housing support services

- 33 Registration of child care agencies and housing support services
- 34 Grants in respect of housing support services

Authorisation of medical treatment

- 35 Amendment of Adults with Incapacity (Scotland) Act 2000: authorisation of medical treatment

Changes to legislation: There are currently no known outstanding effects for the
Smoking, Health and Social Care (Scotland) Act 2005. (See end of Document for details)

Appeals under Public Health (Scotland) Act 1897

- 36 Amendment of Public Health (Scotland) Act 1897: appeal against certain orders etc.

Joint ventures

- 37 Joint ventures

Scottish Hospital Endowments Research Trust

- 38 Scottish Hospital Endowments Research Trust

PART 7

GENERAL

- 39 Ancillary provision
40 Regulations or orders
41 Interpretation
42 Minor and consequential amendments and repeals
43 Short title and commencement

SCHEDULE 1 — Fixed penalty for offences under sections 1, 2, 3, 4A, 4B and 4C(5)

- 1 Power to give fixed penalty notices
2 A fixed penalty notice for an offence under section 1,...
3 Contents of fixed penalty notice
4 The amount of the penalty and the period for payment
5 The discounted amount
6 Effect of notice and payment of penalty
7 Request for hearing
8 Power to withdraw notices
9 Effect of prosecution on notice
10 Recovery of unpaid fixed penalties
11 Judicial determination of enforcement of fixed penalty
12 General and supplementary
13 (1) Fixed penalty notices may not be given in such...

SCHEDULE 2 — Minor and consequential amendments

- 1 Public Health (Scotland) Act 1897 (c. 38)
2 National Health Service (Scotland) Act 1978 (c. 29)
3 Health and Medicines Act 1988 (c. 49)
4 National Health Service (Primary Care) Act 1997 (c. 46)
5 Police Act 1997 (c. 50)
6 The Scottish Public Services Ombudsman Act 2002 (asp 11)

SCHEDULE 3 — Repeals

Changes to legislation:

There are currently no known outstanding effects for the Smoking, Health and Social Care (Scotland) Act 2005.