

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

## SCHEDULE 1

(introduced by section 12(1))

### LISTS OF NOTIFIABLE DISEASES AND NOTIFIABLE ORGANISMS

#### PART 1

#### NOTIFIABLE DISEASES

##### Commencement Information

**II** Sch. 1 Pt. 1 in force at 1.1.2010 by [S.S.I. 2009/404](#), art. 2(3), [sch. 3](#)

*Anthrax*  
*Botulism*  
*Brucellosis*  
*Cholera*  
*Clinical syndrome due to E.coli O157 infection*  
*[<sup>F1</sup>Coronavirus disease 2019 (COVID-19)]*  
*Diphtheria*  
*Haemolytic Uraemic Syndrome (HUS)*  
*Haemophilus influenzae type b (Hib)*  
*Measles*  
*Meningococcal disease*  
*[<sup>F2</sup>Monkeypox]*  
*Mumps*  
*Necrotizing fasciitis*  
*Paratyphoid*  
*Pertussis*  
*Plague*  
*Poliomyelitis*  
*Rabies*  
*Rubella*  
*Severe Acute Respiratory Syndrome (SARS)*  
*Smallpox*  
*Tetanus*  
*Tuberculosis (respiratory or non-respiratory)*  
*Tularemia*  
*Typhoid*  
*Viral haemorrhagic fevers*  
*West Nile fever*  
*Yellow Fever*

##### Textual Amendments

**F1** Words in [sch. 1 Pt. 1](#) inserted (22.2.2020) by [The Public Health etc. \(Scotland\) Act 2008 \(Notifiable Diseases and Notifiable Organisms\) Amendment Regulations 2020 \(S.S.I. 2020/51\)](#), regs. 1(2), [2\(2\)\(a\)](#)

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- F2** Word in sch. 1 Pt. 1 inserted (16.6.2022 at 5.00 p.m.) by The Public Health etc. (Scotland) Act 2008 (Notifiable Diseases and Notifiable Organisms) Amendment Regulations 2022 (S.S.I. 2022/212), regs. 1(2), 2(a)

## PART 2

### NOTIFIABLE ORGANISMS

#### Commencement Information

- I2** Sch. 1 Pt. 2 in force at 1.1.2010 by S.S.I. 2009/404, art. 2(3), sch. 3

*Bacillus anthracis*  
*Bacillus cereus*  
*Bordetella pertussis*  
*Borrelia burgdorferi*  
*Brucella* genus  
*Campylobacter* genus  
 [<sup>F3</sup>Carbapenemase-producing Gram-negative organisms (excluding those with intrinsic carbapenem resistance from any human specimen)]  
*Chlamydia psittaci*  
*Clostridium botulinum*  
*Clostridium difficile*  
*Clostridium perfringens*  
*Clostridium tetani*  
*Corynebacterium diphtheriae* (toxigenic strains)  
*Corynebacterium ulcerans*  
*Coxiella burnetii*  
*Crimean-Congo haemorrhagic fever virus*  
*Cryptosporidium*  
*Dengue virus*  
*Ebola virus*  
*Echinococcus* genus  
*Verocytotoxin-producing E.coli* (VTEC)  
*Francisella tularensis*  
*Giardia lamblia*  
*Guanarito virus*  
*Haemophilus influenzae* type b (from blood, cerebrospinal fluid or other normally sterile site)  
*Hantavirus*  
*Hepatitis A virus*  
*Hepatitis B virus*  
*Hepatitis C virus*  
*Hepatitis E virus*  
*Influenza virus* (all types, including those caused by a new sub-type)  
*Junin virus*

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*Kyasanur Forest disease virus*  
*Lassa virus*  
*Legionella* genus  
*Leptospira* genus  
*Listeria monocytogenes*  
*Machupo virus*  
*Marburg virus*  
*Measles virus*  
*[<sup>F4</sup>Monkeypox virus]*  
*Mumps virus*  
*Mycobacterium bovis*  
*Mycobacterium tuberculosis complex*  
*Neisseria meningitidis*  
*Norovirus*  
*Omsk haemorrhagic fever virus*  
*Plasmodium falciparum, vivax, ovale and malariae*  
*Polio virus*  
*Rabies virus*  
*Rickettsia prowazekii*  
*Rift Valley fever virus*  
*Rubella virus*  
*Sabia virus*  
*Salmonella (all human types)*  
*SARS-associated coronavirus*  
*[<sup>F5</sup>Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)]*  
*Shigella* genus  
*Enterotoxigenic Staphylococcus aureus*  
*Staphylococcus aureus (all blood isolates)*  
*Methicillin-resistant Staphylococcus aureus (MRSA)*  
*Streptococcus pyogenes (from blood, cerebrospinal fluid or other normally sterile site)*  
*Streptococcus pneumoniae (from blood, cerebrospinal fluid or other normally sterile site)*  
*Toxoplasma gondii*  
*Trichinella* genus  
*Varicella-zoster virus*  
*Variola virus*  
*Vibrio cholerae*  
*West Nile fever virus*  
*Yellow Fever virus*  
*Yersinia enterocolitica*  
*Yersinia pestis*  
*Yersinia pseudotuberculosis*

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#### **Textual Amendments**

**F3** Words in sch. 1 Pt. 2 inserted (28.1.2021) by The Public Health etc. (Scotland) Act 2008 (Notifiable Organisms) Amendment Regulations 2020 (S.S.I. 2020/408), regs. 1(2), **2(2)**

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|-----------|---|
| <b>F4</b> | Words in sch. 1 Pt. 2 inserted (16.6.2022 at 5.00 p.m.) by <a href="#">The Public Health etc. (Scotland) Act 2008 (Notifiable Diseases and Notifiable Organisms) Amendment Regulations 2022 (S.S.I. 2022/212)</a> , regs. 1(2), <b>2(b)</b> |
| <b>F5</b> | Words in sch. 1 Pt. 2 inserted (22.2.2020) by <a href="#">The Public Health etc. (Scotland) Act 2008 (Notifiable Diseases and Notifiable Organisms) Amendment Regulations 2020 (S.S.I. 2020/51)</a> , regs. 1(2), <b>2(2)(b)</b>            |

## SCHEDULE 2

*(introduced by section 125)*

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *The Public Works Loans Act 1887 (c. 37)*

- 1 In the Public Works Loans Act 1887, in section 4(2) (meaning of “rating authority”), for paragraph (a) substitute—
- “(a) any council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39);”.

#### **Commencement Information**

- I3** [Sch. 2 para. 1](#) in force at 26.1.2009 by [S.S.I. 2009/9](#), art. 2(a), [Sch. 1](#)

#### *The Children and Young Persons (Scotland) Act 1937 (c. 37)*

- 2 In the Children and Young Persons (Scotland) Act 1937, in section 35(3) (evidence of byelaws)—
- (a) for the words “Public Health (Scotland) Act 1897” substitute “ Local Government (Scotland) Act 1973 (c. 65) ”; and
- (b) for the words “section one hundred and eighty-seven” substitute “ section 204 ”.

#### **Commencement Information**

- I4** [Sch. 2 para. 2](#) in force at 26.1.2009 by [S.S.I. 2009/9](#), art. 2(a), [Sch. 1](#)

#### *The Prevention of Damage by Pests Act 1949 (c. 55)*

- 3 In the Prevention of Damage by Pests Act 1949, in section 1(2) (meaning of “local authorities”), for the words from “local authorities” where they second occur to the end substitute “ councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39). ”.

#### **Commencement Information**

- I5** [Sch. 2 para. 3](#) in force at 26.1.2009 by [S.S.I. 2009/9](#), art. 2(a), [Sch. 1](#)

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*The Pests Act 1954 (c. 68)*

- 4 In the Pests Act 1954, in section 6 (charges for inspection of ships)—
- (a) for the words from “local authority”, where they first occur, to “1897” substitute “ council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39) ” and
  - (b) for the words “the authority” in each place where they occur substitute “ the council ”.

**Commencement Information**

**I6** Sch. 2 para. 4 in force at 26.1.2009 by S.S.I. 2009/9, art. 2(a), Sch. 1

*The Offices, Shops and Railway Premises Act 1963 (c. 41)*

- 5 In the Offices, Shops and Railway Premises Act 1963, in section 9(6) (application of enactments to sanitary conveniences)—
- (a) for “relate” substitute “ relates ”; and
  - (b) for “shall” substitute “ shall not ”.

**Commencement Information**

**I7** Sch. 2 para. 5 in force at 26.1.2009 by S.S.I. 2009/9, art. 2(a), Sch. 1

*The Statutory Nuisance (Appeals) (Scotland) Regulations 1996 (S.I. 1996/1076)*

- 6 (1) The Statutory Nuisance (Appeals) (Scotland) Regulations 1996 are amended as follows.
- (2) After regulation 2(2)(e)(iii) (appeals under section 80(3) of the 1990 Act), insert “; or (iv) is a nuisance falling within section 79(1)(ea), (faa) or (fba) of the 1990 Act,”.

**Commencement Information**

**I8** Sch. 2 para. 6 in force at 26.1.2009 by S.S.I. 2009/9, art. 2(a), Sch. 1

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### SCHEDULE 3

(introduced by section 126)

#### REPEALS AND REVOCATIONS

##### PART 1

##### REPEALS

###### Commencement Information

- I9** Sch. 3 Pt. 1 in force at 1.4.2009 for specified purposes by S.S.I. 2009/9, art. 2(b), **Sch. 2**
- I10** Sch. 3 Pt. 1 in force at 1.10.2009 for specified purposes by S.S.I. 2009/319, art. 2(a), **Sch. 1** (with art. 3, Sch. 2 para. 2)
- I11** Sch. 3 Pt. 1 in force at 1.1.2010 for specified purposes by S.S.I. 2009/404, art. 2(3), **Sch. 3**

<i>Enactment</i>	<i>Extent of repeal</i>
Infectious Disease (Notification) Act 1889 (c. 72)	The whole Act.
Cleansing of Persons Act 1897 (c. 31)	The whole Act.
Public Health (Scotland) Act 1897 (c. 38)	The whole Act.
Public Health (Scotland) Amendment Act 1907 (c. 30)	The whole Act.
Small Landholders (Scotland) Act 1911 (c. 49)	Section 11.
Land Settlement (Scotland) Act 1919 (c. 97)	In section 18(2), the words from “and all expenses” to the end.
Public Health (Scotland) Act 1945 (c. 15)	The whole Act.
Local Government (Scotland) Act 1947 (c. 43)	Section 377(5).
Atomic Energy Authority Act 1954 (c. 32)	In section 5(6), the words “by or under the provisions of section one hundred and eighty-one of the Public Health (Scotland) Act 1897, or”.
Offices, Shops and Railway Premises Act 1963 (c. 41)	In section 9(6), the word “Neither” and the words “nor section 29 of the Public Health (Scotland) Act 1897”.
Criminal Justice Act 1967 (c. 80)	Section 92(7). In schedule 3, Part 3.
Health Services and Public Health Act 1968 (c. 46)	Section 62(2). Section 71. Section 71A. Section 72. Section 73.
Sewerage (Scotland) Act 1968 (c. 47)	Schedule 1, paragraph 2.

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	In schedule 2, the entries relating to the Public Health (Scotland) Act 1897.
Transport Act 1968 (c. 73)	Section 108(2)(a) and the word “and” immediately following it. In section 112(3)(d), the words “section 16 of the Public Health (Scotland) Act 1897 and”.
Post Office Act 1969 (c. 48)	In schedule 9, paragraph 17(5), the words “or under the Public Health (Scotland) Act 1897”.
Finance Act 1970 (c. 24)	In schedule 8, in Part 5, the entry relating to the Public Health (Scotland) Act 1897.
National Health Service (Scotland) Act 1972 (c. 58)	Section 53.
Local Government (Scotland) Act 1973 (c. 65)	Section 202(1)(c)(iii). Schedule 27, paragraphs 26 to 29, 33 to 36 and 39 to 48.
Control of Pollution Act 1974 (c. 40)	Section 47(3). Section 106(7). In schedule 4, the entry relating to the Public Health (Scotland) Act 1897.
National Health Service (Scotland) Act 1978 (c. 29)	Section 14. In section 108(1), the definition of “designated medical officer”.
Slaughter of Animals (Scotland) Act 1980 (c. 13)	In schedule 3, the entry relating to the Public Health (Scotland) Act 1897.
Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23)	Schedule 2, paragraph 2. In schedule 4, the entry relating to the Public Health (Scotland) Act 1897.
Civic Government (Scotland) Act 1982 (c. 45)	In section 87(5), the words “or under section 20 of the Public Health (Scotland) Act 1897”.
Roads (Scotland) Act 1984 (c. 54)	Schedule 9, paragraph 17. In schedule 11, the entries relating to the Public Health (Scotland) Act 1897.
AIDS (Control) Act 1987 (c. 33)	The whole Act.
Local Government and Housing Act 1989 (c. 42)	Section 152(3)(d).
Food Safety Act 1990 (c. 16)	In section 5(3)(a), the words “or, by an order under section 172 of the Public Health (Scotland) Act 1897, to a port local authority”.
National Health Service and Community Care Act 1990 (c. 19)	Schedule 9, paragraphs 1 and 4.
Environmental Protection Act 1990 (c. 43)	In section 79(7), in the definition of “local authority”, the words “, subject to

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	subsection (8) below,”; and in subsection (8), the words from “or” in the first place where it occurs to “part of a port,” and the words “, port local authority or joint port local authority, as the case may be,”.
Local Government Finance Act 1992 (c. 14)	Schedule 13, paragraph 2.
Clean Air Act 1993 (c. 11)	In section 61, subsection (2); and in subsection (4) the words “port health authority or”, in each place where they occur, and “authority or”. In section 64(1), the definition of “port health authority”.
Value Added Tax Act 1994 (c. 23)	In section 33(3)(e), the words from “and a port local authority” to the end.
Local Government etc. (Scotland) Act 1994 (c. 39)	Schedule 13, paragraphs 9 and 26. In schedule 14, the entry relating to the Health Services and Public Health Act 1968.
Environment Act 1995 (c. 25)	Schedule 17, paragraph 2(c). In schedule 24, the entries relating to the Public Health (Scotland) Act 1897.
Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40)	In schedule 2, Part 3, the entry relating to the Public Health (Scotland) Act 1945.
Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17)	Schedule 3, paragraph 9.
Smoking, Health and Social Care (Scotland) Act 2005 (asp 13)	Section 36. Schedule 2, paragraph 1.
Housing (Scotland) Act 2006 (asp 1)	Section 173(2)(b)(i).

## PART 2

### REVOCATIONS

#### Commencement Information

**I12** Sch. 3 Pt. 2 in force at 1.1.2010 for specified purposes by S.S.I. 2009/404, art. 2(3), Sch. 3

<i>Enactment</i>	<i>Extent of revocation</i>
Public Health (Aircraft) (Scotland) Regulations 1971 (S.I. 1971/131)	The whole Regulations.
Public Health (Ships) (Scotland) Regulations 1971 (S.I. 1971/132)	The whole Regulations.
National Health Service (Designated Medical Officers) (Scotland) Regulations 1974 (S.I. 1974/470)	The whole Regulations.



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Public Health (Ships) (Scotland) Amendment Regulations 1974 (S.I. 1974/1008)	The whole Regulations.
Public Health (Aircraft) (Scotland) Amendment Regulations 1974 (S.I. 1974/1017)	The whole Regulations.
Public Health (Ships) (Scotland) Amendment Regulations 1978 (S.I. 1978/369)	The whole Regulations.
Public Health (Aircraft) (Scotland) Amendment Regulations 1978 (S.I. 1978/370)	The whole Regulations.
Public Health (Notification of Infectious Diseases) (Scotland) Regulations 1988 (S.I. 1988/132)	The whole Regulations.

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