



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 5

#### PUBLIC HEALTH FUNCTIONS OF LOCAL AUTHORITIES

##### *Disinfection etc. of premises and things*

#### **74 Inspection of premises in relation to which notice served**

- (1) This section applies where—
  - (a) a local authority serves notice under section 73(3); and
  - (b) the period mentioned in section 73(6)(b) expires.
- (2) An authorised officer may—
  - (a) enter the premises for the purpose of ascertaining whether the steps specified in the notice have been taken;
  - (b) on entering premises by virtue of paragraph (a), take any other person authorised by the officer and, if the officer has reasonable cause to expect any serious obstruction in obtaining access, a constable.
- (3) An authorised officer entitled to enter premises under subsection (2) must, if requested to do so, produce a document showing that officer's authority.
- (4) An authorised officer who enters any unoccupied premises by virtue of subsection (2) must leave the premises as effectively secured against unauthorised entry as the officer found them.

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#### **Commencement Information**

**II** S. 74 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), Sch. 1

**Status:**

Point in time view as at 01/10/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 74.