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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 56 (C. 6)**

**PUBLIC HEALTH**

**The Health (Tobacco, Nicotine etc. and Care) (Scotland)  
Act 2016 (Commencement No. 4) Regulations 2018**

*Made* - - - - 8th February 2018  
*Laid before the Scottish  
Parliament* - - - - 12th February 2018  
*Coming into force* - - 1st April 2018

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 36(2) of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (Commencement No. 4) Regulations 2018 and come into force on 1st April 2018.

**Appointed day**

2. 1st April 2018 is the day appointed for the coming into force of the provisions of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 specified in column 1 of the schedule (the subject matter of which is described in column 2 of the schedule) in so far as not already in force.

St Andrew's House, Edinburgh  
8th February 2018

*SHONA ROBISON*  
A member of the Scottish Government

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## SCHEDULE

Regulation 2

<i>Column 1</i>	<i>Column 2</i>
<i>Provisions of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016</i>	<i>Subject matter</i>
Section 21	Incident which activates duty of candour procedure
Section 22	Duty of candour procedure
Section 23	Apologies
Section 24	Reporting and monitoring
Section 25	Interpretation of Part 2

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations bring into force on 1st April 2018 Part 2 (duty of candour) of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (“the Act”) so far as it is not already in force.

The provisions in Part 2 of the Act relate to the duty of candour procedure.

Sections 34, 35, 36 and 37 of the Act came into force on 7th April 2016, which was the day after Royal Assent.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Regulations)*

The following provisions of the Act were brought into force by commencement regulations made before the date of these Regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>Instrument. No.</i>
Section 1	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 2 for the purpose of making regulations	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 2 for all other purposes	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 3	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 4 for the purpose of making regulations	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 4 for all other purposes	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Sections 5 to 7	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 8 for the purpose of making regulations	6th February 2017	<a href="#">S.S.I. 2017/12</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>Instrument. No.</i>
Section 8 for all other purposes	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 9(1) for the purpose of making regulations	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 9(1) for all other purposes	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 9(2), (3) and (4)	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 10 for the purpose of making regulations	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 10 for all other purposes	1st October 2017	<a href="#">S.S.I. 2017/12</a>
Section 11	1st October 2017	<a href="#">S.S.I. 2017/12</a>
Section 12	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 13	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 14	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 15(1), (2), (9), (10) and (11)	1st April 2017	<a href="#">S.S.I. 2017/12</a>
Section 15(3), (4), (5), (6), (7) and (8)	1st October 2017	<a href="#">S.S.I. 2017/12</a>
Section 16	6th February 2017	<a href="#">S.S.I. 2017/12</a>
Section 21 for the purpose of making regulations	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 22 for the purpose of making regulations	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 23 for the purpose of making regulations	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 25(1) for the purpose of making regulations	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 26	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 27	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 28	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 29	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 30	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 31	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 32	1st October 2017	<a href="#">S.S.I. 2017/294</a>
Section 33	19th March 2018	<a href="#">S.S.I. 2018/26</a>