



CHAPTER 72.

An Act to make further provision for the Destruction of Rats and Mice. A.D. 1919.
[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. Any person who shall fail to take such steps as may from time to time be necessary and reasonably practicable for the destruction of rats and mice on or in any land of which he is the occupier, or for preventing such land from becoming infested with rats or mice, shall be liable on summary conviction to a fine not exceeding five pounds, or, where he has been served with a notice under this Act requiring him to take such steps, not exceeding twenty pounds. Penalty for failure to destroy rats and mice.

2.—(1) The following local authorities shall execute and enforce this Act ; that is to say,— Enforcement of Act.

- (a) In the city of London, the common council ;
- (b) In any metropolitan borough, the borough council ;
- (c) In any administrative county (other than the county of London) or county borough (except any part thereof which is a port sanitary district), the council of the county or borough ;
- (d) In any port sanitary district, the port sanitary authority :

Provided that the London County Council shall, to the exclusion of any other authority, be the local authority for the purpose of executing and enforcing this Act with respect to the sewers vested in, and the sludge vessels belonging to, that council ; provided also that a county council may, with the consent of the council of any borough or county district in the county, delegate its powers and duties under this Act to that borough or district council, and, where powers and duties have been so delegated, the borough or district council shall be the local authority for the purposes of this Act.

(2) The expenses incurred by the local authority under this Act shall be defrayed in the case of a county out of the general

A.D. 1919. county fund, and in the case of a port sanitary authority as part of their expenses as a port sanitary authority, and in any other case as expenses incurred by the local authority in the execution of the Public Health (London) Act, 1891, or the Public Health Act, 1875, as the case may be.

54 & 55 Vict.
c. 76.
38 & 39 Vict.
c. 55.

Powers of Board of Agriculture and Fisheries in case of default by local authority.

3.—(1) Where a local authority having power to enforce this Act fails, in respect of land of which it is the occupier, to comply with the provisions of section one of this Act or fails, in respect of land for which it is the local authority under section two of this Act, to execute or enforce any of the provisions of this Act, the Board of Agriculture and Fisheries may by order empower the person therein named to enter upon such land and to execute and enforce those provisions or to procure the execution and enforcement thereof.

(2) The expenses incurred by or on behalf of the Board by reason of any such default of a local authority shall be paid to the Board on demand by the treasurer or other proper officer of that local authority, and in default of payment the Board may recover the amount of such expenses (except in so far as such expenses are otherwise recoverable under this Act) from the local authority; and any sum paid by a local authority under this section shall be defrayed as expenses under this Act.

(3) For the purposes of this section, any statement contained in an order of the Board that a local authority has failed to comply with, execute, or enforce any of the provisions of this Act shall be conclusive evidence of such default, and a certificate by the Board of expenses incurred under this section shall be conclusive evidence of such expenses.

Notice by local authority of effective methods.

4. A local authority having power to enforce this Act may from time to time, by public notice within its area, give instructions as to the most effective methods that can be adopted, both individually and collectively, with a view to the destruction of rats and mice.

Powers of local authorities and authorised persons, and penalty for interference.

5.—(1) Where a local authority having power to enforce this Act is of opinion that the occupier of any land in its district has failed to take such steps as are required by section one of this Act, such local authority may either serve a notice on the occupier requiring him to take such steps as are prescribed in the notice within a time specified therein, or, after not less than twenty-four hours previous notice to the occupier, enter upon the land and take such steps as are necessary and reasonably practicable for the purpose of destroying the rats and mice on the land or of preventing the land from becoming infested with rats and mice, and may recover any reasonable expenses so incurred from the occupier of the land summarily as a civil debt.

(2) A local authority in the exercise of its powers under this section shall, as far as possible, take or secure collective action for the destruction of rats or mice.

(3) The powers of a local authority under this Act may be exercised by any committee of the local authority to which the exercise of those powers may be delegated. A.D. 1919. —

(4) Any person authorised in writing by a local authority under this Act, or by a person empowered to act in default of a local authority, may enter any land in the district of such local authority for the purpose of ascertaining whether the steps required by section one of this Act are being taken or of executing and enforcing this Act in any other respect. Any such person must produce the document by which he is authorised if so required.

(5) Any person who shall obstruct or impede an officer or other person authorised as aforesaid in the execution of his duties or powers under this Act, or who, being the occupier of any land, shall fail to comply with any reasonable requirement of any such officer or other authorised person for facilitating the execution of his duties or powers, shall be liable on summary conviction to a fine not exceeding twenty pounds.

6.—(1) This Act shall apply to a vessel as if the vessel were land, and the master of the vessel shall be deemed to be the occupier thereof. Application to vessels.

(2) A local authority having power to enforce this Act may, by notice served on the master of a vessel in its district, require him to take such necessary and reasonably practicable steps as are prescribed by the notice for preventing the escape of rats and mice from the ship, and, if a master fails to comply with the requirements of any such notice served on him, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

7.—(1) A prosecution for an offence under this Act shall not be instituted except by or with the authority of the Board of Agriculture and Fisheries or the local authority: Provided that this section shall not apply to Scotland. Prosecutions.

(2) In any proceedings under this Act a notice purporting to be signed by the clerk of a local authority shall, unless the contrary is proved, be deemed to have been signed by the clerk with the authority of the local authority.

8. In this Act—

The expression “occupier” means, in the case of land not occupied by any tenant or other person, the owner of the land;

The expression “land” includes any buildings and any other erection on land, and any cellar, sewer, drain or culvert in or under land.

Interpretation.

9.—(1) This Act shall apply to Scotland with the following modifications:— Application to Scotland.

(a) The Board of Agriculture for Scotland shall be substituted for the Board of Agriculture and Fisheries:

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- A.D. 1919. (b) The section of this Act relating to the enforcement of the Act shall not apply, and in lieu thereof the following provisions shall have effect :—
- (i) The local authority for executing and enforcing this Act shall be the local authority under the Diseases of Animals Acts, 1894 to 1914 ;
 - (ii) The expenses incurred by any local authority under this Act shall be defrayed in like manner as expenses incurred by a local authority under the Diseases of Animals Acts, 1894 to 1914.
- Application to Ireland. (2) This Act shall apply to Ireland with the following modifications :—
- (a) Any reference to the Board of Agriculture and Fisheries shall be construed as a reference to the Local Government Board for Ireland :
 - (b) Subject to the exercise of the powers of delegation given to a county council by this Act, the local authorities for the purposes of this Act shall be, as respects so much of any administrative county or county borough as is not included in a port sanitary district, the council of the county or borough, and as respects any port sanitary district the port sanitary authority :
 - (c) The expenses incurred by a local authority under this Act shall be defrayed, in the case of a county council, out of the poor rate as a county at large charge ; in the case of a port sanitary authority as part of their expenses as such authority ; and in the case of any other local authority as expenses incurred in the execution of the Public Health (Ireland) Acts, 1878 to 1919.
- Saving of existing powers. **10.** The powers conferred by this Act shall be in addition to and not in derogation of any powers conferred on any Government department or local authority, and all such powers may be exercised concurrently in respect of any land.
- Service of notices. **11.** Any notice under this Act may be served either personally or by registered post.
- Short title. **12.** This Act may be cited as the Rats and Mice (Destruction) Act, 1919, and shall come into operation on the first day of January nineteen hundred and twenty.

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FOR

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