

## SCHEDULES

### SCHEDULE 1

Section 77.

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### *Port health districts and port health authorities*

- 1 Any area and any body which immediately before the commencement of this Act was a port health district or a port health authority by virtue of section 5 of the Public Health Act 1936 (which related to former port sanitary districts and port sanitary authorities) shall continue to be known as and styled a port health district or a port health authority, as the case may be; and any reference in any Act or other document to port sanitary districts or port sanitary authorities shall be construed accordingly.
- 2 (1) No repeal contained in this Act shall affect the validity of any order made under section 2(2) of the Public Health Act 1936, or under section 41 of the London Government Act 1963, the validity of which was preserved by section 42(4) of the Local Government (Miscellaneous Provisions) Act 1982 (port health districts and port health authorities).
- (2) Without prejudice to any power to vary any such order exercisable by virtue of the application to this Act of any provisions of the Interpretation Act 1978, any power to amend or vary any such order exercisable by virtue of section 42(4) of the said Act of 1982 shall continue to be exercisable notwithstanding any repeal contained in this Act.

##### *Notifiable diseases*

- 3 (1) Notwithstanding the repeal by this Act of section 147 of the Public Health Act 1936 (which empowered local authorities to extend the category of notifiable diseases) any order made under that section which was in force immediately before the coming into operation of the repeal—
- (a) shall continue to have effect notwithstanding the repeal of that section, and
  - (b) may be varied or revoked by an order made and approved in the like manner as the original order, except that it shall not be varied otherwise than by excluding a disease from it.
- (2) Where such an order continues to have effect by virtue of sub-paragraph (1) above, any reference in the order which (being originally a reference to Part V of the Public Health Act 1936) was, by virtue of section 52(2) of the Health Services and Public Health Act 1968, to be construed as a reference to section 48 of that Act shall be construed as a reference to section 11 of this Act.

##### *Unlawful expenditure*

- 4 In relation to—

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- (a) accounts of a local authority, port health authority or joint board for a period beginning before the 1st April 1983, and
- (b) a person disqualified under any enactment in its application to such accounts,

section 69 of this Act shall not apply, and instead section 305 of the Public Health Act 1936 shall apply as if this Act had not been passed.

*Amendment and repeal of Acts etc.*

- 5 Any power that is exercisable by virtue of—
- (a) section 317 of the Public Health Act 1936,
  - (b) section 82 of the Public Health Act 1961,
  - (c) section 84 of the London Government Act 1963, or
  - (d) section 48 of the Local Government (Miscellaneous Provisions) Act 1982,
- in relation to a provision of one of those Acts that is repealed and re-enacted by this Act shall be exercisable in relation to that provision as so re-enacted to the extent to which it would have been exercisable immediately before such repeal.
- 6 Sections 252 and 254 of the Local Government Act 1972 (which enable Acts passed before the 1st April 1974 and certain instruments to be amended or repealed) shall have effect in relation to this Act as if it had been passed before that date.

SCHEDULE 2

Section 78.

CONSEQUENTIAL AMENDMENTS

*Public Health Act 1936*

- 1 In section 6(1) of the Public Health Act 1936, after " repealed," there shall be inserted " or of the Public Health (Control of Disease) Act 1984 except section 46, ".  
 2 In section 247 of that Act, after "thereunder," there shall be inserted " or an offence under section 39(2) or 42(2) of the Public Health (Control of Disease) Act 1984, ".  
 3 In section 326(1) of that Act, after " 1875," there shall be inserted " or any order under section 2 of the Public Health (Control of Disease) Act 1984, ".  
 4 In section 327(1) of that Act, after "this Act" there shall be inserted " or section 2 of the Public Health (Control of Disease) Act 1984 ".  
 5 In section 343(1) of that Act, in the definition of "joint board ", for the words " and includes such a board acting as " there shall be substituted " other than ".

*Local Authority Social Services Act 1970*

- 6 In Schedule 1 to the Local Authority Social Services Act 1970, there shall be inserted at the end—

“Public Health (Control of Disease) Act  
 1984 (c. 22) |

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Section 46(2) and (5)

Burial or cremation of person dying in accommodation provided under Part III of the National Assistance Act 1948, and recovery of expenses from his estate.”

*National Health Service Act 1977*

7 In paragraph 13(1)(b) of Schedule 14 to the National Health Service Act 1977, for " 2 to 4, 6 to 9 " there shall be substituted " 2, 7 to 9 " , and " , 122 " shall be omitted.

*Local Government, Planning and Land Act 1980*

8 There shall be inserted at the end of section 159(1) of the Local Government, Planning and Land Act 1980—

“and

(e) sections 39 to 42 of the Public Health (Control of Disease) Act 1984, and so much of Part VI of that Act as relates to those sections.”

SCHEDULE 3

Section 78.

REPEALS

Chapter	Short Title	Extent of Repeal
1936 c. 49.	The Public Health Act 1936.	<p>Sections 2 to 5.</p> <p>In section 9, in subsection (1), the words " port health district, or a " , in subsection (2), the words " the port health authority or " , and in subsection (3), the words " port health district,".</p> <p>In section 10, the words " port health authority or " .</p> <p>Section 143(1) to (7) and (10).</p> <p>Sections 147 to 170.</p> <p>Section 179.</p> <p>Sections 242 to 245.</p> <p>Section 249(2).</p> <p>Section 251.</p> <p>Sections 253 to 256.</p> <p>Section 258.</p>

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Chapter	Short Title	Extent of Repeal
		<p>In section 267(4), the word " V " .</p> <p>In section 268, in subsection (1), the word " V ", and in subsection (4) the words from " for preventing " to " thereof" .</p> <p>In section 322(2), the words " , port health authority " .</p> <p>In section 324, in subsections (1) and (2), the words " , port health authority " .</p> <p>In section 325, the words " , port health authority " .</p> <p>In section 343(1), the definition of " notifiable disease " .</p>
1948 c. 29.	The National Assistance Act 1948.	Section 50.
1955 c. 16.	The Food and Drugs Act 1955.	Section 88(1).
1961 c. 64.	The Public Health Act 1961.	Section 1(2). Sections 38 to 42.
1963 c. 33.	The London Government Act 1963.	Section 41. In section 46(4), the words from " and section 50" to " dead)," and the words " and 50(2) " .
1966 c. 42.	Local Government Act 1966.	In Schedule 11, in Part I, in paragraph 11, the words " , section 41 of this Act", and paragraphs 22 and 25; in Part II, paragraph 8.
1967 c. 80.	The Criminal Justice Act 1967.	In Schedule 5, paragraph 2.
		In Part I of Schedule 3, the entries relating to section* 144(2), 148, 149, 152(4), 154(2), 159(3), 160(4) and 170(3) of the Public Health Act 1936 and the entry relating to section 39(2) of the Public Health Act 1961.
1968 c. 46.	The Health Services and Public Health Act 1968.	Sections 47 to 50.

Chapter	Short Title	Extent of Repeal
		Sections 52 to 58. Section 70.
1970 c. 42.	Local Authority Social Services Act 1970.	In Schedule 1, the item relating to section 50(3) and (4) of the National Assistance Act 1948.
1972 c. 70.	The Local Government Act 1972.	Section 180(3)(0) In Schedule 14, paragraphs 13 to 16, 38, 39, 46 and 47. In Schedule 23, paragraph 2(12). In Schedule 29, in paragraph 44(1), the words " and 50(2) ".
1973 c. 38.	The Social Security Act 1973.	In Schedule 27, paragraph 7.
1974 c. 3.	The Slaughterhouses Act 1974.	In section 28, paragraph (a).
1974 c. 40.	The Control of Pollution Act 1974.	In Schedule 3, paragraphs 6 and 19.
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 5.
1975 c. 78.	The Airports Authority Act 1975.	Section 15(4).
1976 c. 57.	The Local Government (Miscellaneous Provisions) Act 1976.	In section 27(4), the words " and port health authorities ".
1979 c. 2.	Customs and Excise Management Act 1979.	In Schedule 4, in paragraph 12, the item relating to the Public Health Act 1936.
1980 c. 53.	Health Services Act 1980.	In Schedule 1, paragraphs 1, 2, 3 and 19(2) and (5).
1982 c. 16.	The Civil Aviation Act 1982.	Section 36(5) to (7) and (9).
1982 c. 30.	The Local Government (Miscellaneous Provisions) Act 1982.	Section 42. In Schedule 6, paragraphs 1 to 3 and paragraph 6.
1983 c. 41.	The Health and Social Services and Social Security Adjudications Act 1983.	Section 26(1). In Schedule 9, paragraph 1.