



Public Health (Control of Disease) Act 1984

1984 CHAPTER 22

PART II

CONTROL OF DISEASE

Infectious persons

37 Removal to hospital of person with notifiable disease.

(1) Where a justice of the peace (acting, if he deems it necessary, *ex parte*) is satisfied, on the application of the local authority, that a person is suffering from a notifiable disease and—

- (a) that his circumstances are such that proper precautions to prevent the spread of infection cannot be taken, or that such precautions are not being taken, and
- (b) that serious risk of infection is thereby caused to other persons, and
- (c) that accommodation for him is available in a suitable hospital vested in the Secretary of State [^{F1}or, pursuant to arrangements made by a [^{F2}Local Health Board][^{F3}or Primary Care Trust] (whether under an NHS contract or otherwise), in a suitable hospital vested in a NHS trust [^{F3}, [^{F4}NHS foundation trust,] Primary Care Trust][^{F5}, Local Health Board] or other person],

the justice may, with the consent [^{F6}mentioned in subsection (1A) below], order him to be removed to it.

[^{F7}(1A) The consent referred to in subsection (1) above is that of a Primary Care Trust or [^{F8}Local Health Board]—

- (a) any part of whose area falls within that of the local authority, and
- (b) which appears to the local authority to be an appropriate Primary Care Trust or [^{F8}Local Health Board] from whom to obtain consent.]

Status: Point in time view as at 01/04/2007. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Section 37. (See end of Document for details)

- (2) An order under this section may be addressed to such officer of the local authority as the justice may think expedient, and that officer and any officer of the hospital may do all acts necessary for giving effect to the order.

Textual Amendments

- F1** Words inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 66(1), [Sch. 9 para. 26\(2\)\(a\)](#)
- F2** Words in s. 37(1)(c) substituted (1.4.2007) by [References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 1(1), [Sch. para. 14\(6\)\(a\)](#)
- F3** Words in S. 37(1)(c) inserted (8.2.2000) by [S.I. 2000/90](#), art. 3(1), [Sch. 1 para. 17\(4\)](#) (with art. 2(5))
- F4** Words in s. 37(1)(c) inserted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 4 para. 62](#); [S.I. 2004/759](#), art. 2
- F5** Words in s. 37(1)(c) inserted (1.4.2007) by [References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 1(1), [Sch. para. 14\(6\)\(b\)](#)
- F6** Words in s. 37(1) substituted (1.10.2002) by [The National Health Service Reform and Health Care Professions Act 2002 \(Supplementary, Consequential etc. Provisions\) Regulations 2002 \(S.I. 2002/2469\)](#), reg. 4, [Sch. 1 para. 11\(4\)\(a\)](#)
- F7** S. 37(1A) inserted (1.10.2002) by [The National Health Service Reform and Health Care Professions Act 2002 \(Supplementary, Consequential etc. Provisions\) Regulations 2002 \(S.I. 2002/2469\)](#), reg. 4, [Sch. 1 para. 11\(4\)\(b\)](#)
- F8** Words in s. 37(1A) substituted (1.4.2007) by [References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 1(1), [Sch. para. 14\(6\)\(a\)](#)

Modifications etc. (not altering text)

- C1** S. 37 applied by [S.I. 1988/1546](#), reg. 3, [Sch. 1](#)

Status:

Point in time view as at 01/04/2007. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Section 37.