



Public Health Act 1961

1961 CHAPTER 64 9 and 10 Eliz 2

PART VI

MISCELLANEOUS

73 Derelict petrol tanks.

- (1) Where a fixed tank or other fixed container which has been used for the storage of [^{F1}petrol], and is no longer used for that purpose, is kept on any premises, the occupier of the premises shall take all such steps as may be reasonably necessary to prevent danger from the container.
 - (2) An officer of the local authority duly authorised by them may, on producing, if so required, some duly authenticated document showing his authority, require the occupier of premises on which there is any tank or other container to which subsection (1) of this section applies to show it to him and permit him to ascertain whether steps have been taken to comply with the provisions of this section.
 - (3) The local authority may by notice require the occupier of the premises to take the steps reasonably necessary to prevent danger from any tank or other container to which subsection (1) of this section applies.
 - (4) The provisions of Part XII of the ^{M1}Public Health Act 1936 with respect to appeals against, and the enforcement of, notices requiring the execution of works shall apply in relation to any notice under subsection (3) of this section, and shall so apply as if this section were contained in that Act.
 - (5) This section shall apply in relation to premises which are unoccupied with the substitution for the references to the occupier of the premises of references to their owner (as defined in subsection (1) of section three hundred and forty-three of the Public Health Act 1936); and this section shall not apply to premises situated within the jurisdiction of a harbour authority (as defined in [^{F2}section 57 of the Harbours Act 1964]).
- [^{F3}(6) In this section “petrol” has the meaning given by regulation 2 of the Petroleum (Consolidation) Regulations 2014.]

Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1961, Section 73. (See end of Document for details)

Textual Amendments

- F1** Word in s. 73(1) substituted (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014](#) (S.I. 2014/1637), [reg. 1\(2\)](#), [Sch. 4 para. 3\(1\)](#) (with [reg. 3\(1\)](#))
- F2** Words in s. 73(5) substituted (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014](#) (S.I. 2014/1637), [reg. 1\(2\)](#), [Sch. 4 para. 3\(2\)](#) (with [reg. 3\(1\)](#))
- F3** S. 73(6) substituted (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014](#) (S.I. 2014/1637), [reg. 1\(2\)](#), [Sch. 4 para. 3\(3\)](#) (with [reg. 3\(1\)](#))

Modifications etc. (not altering text)

- C1** S. 73 amended by [S.I. 1990/1380](#), [regs. 3, 4](#)
- C2** S. 73 modified (7.8.1991) by [S.I. 1991/1773](#), [art. 8\(2\)\(3\)](#), [Sch. 2](#)
s. 73 modified (10.1.1992) by [S.I. 1991/2913](#), [art. 8](#), [Sch. 2](#)
- C3** S. 73 modified (E.) (6.4.2010) by [Portsmouth Port Health Authority Order 2010](#) (S.I. 2010/1217), [arts. 1\(1\), 4](#), [Schs.](#)
- C4** S. 73 applied (with modifications) (E.) (24.3.2011) by [Hull and Goole Port Health Authority Order 2011](#) (S.I. 2011/939), [arts. 1\(1\), 9](#), [Schs. 2](#)
- C5** S. 73 functions transferred and modified (E.) (14.6.2016) by [The River Tees Port Health Authority Order 2016](#) (S.I. 2016/644), [arts. 1\(1\), 9](#), [Sch. 2](#)
- C6** S. 73 functions etc. assigned to the port health authority and modified (E.) (31.3.2017) by [The Weymouth Port Health Authority Order 2017](#) (S.I. 2017/558), [arts. 1\(1\), 9](#), [Sch. 2](#) (with [art. 9\(3\)](#))

Marginal Citations

- M1** 1936 c. 49.

Changes to legislation:

There are currently no known outstanding effects for the Public Health Act 1961, Section 73.