

Public Health Act 1936

CHAPTER 49

PUBLIC HEALTH ACT 1936

PART I

LOCAL ADMINISTRATION

Local authorities and their districts

Port health authorities and joint boards

1 Local authorities for purposes of Act.

2—5

Union of districts, or parts of districts, for certain purposes under joint board.
Restriction on discharge of functions by local authorities within united district.
General provisions as to orders constituting port health districts, united districts and joint boards.

Borrowing powers of port health authorities and joint boards.

SANITATION AND BUILDINGS

Sewerage and sewage disposal

- †Adoption by local authority of sewers and sewage disposal works.

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18	Power of local authority to agree to adopt sewer or drain, or sewage
10	disposal works, at future date.
19	†Power of local authority to require proposed sewer or drain to be so
20	constructed as to form part of general system.
20 21	Agreements with county council for use of highway drains and sewers
21	for sanitary purposes, or to allow public sewers to be used for drainage
	of highways.
22	†Power of local authority to alter, or close, public sewers.
23, 24	Tower or local authority to after, or close, public sewers.
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27	Certain matters not to be passed into public sewers.
28	Certain matters not to be passed into public sewers.
29	
30	Sewage, &c. to be purified before discharge into streams, canals, &c.
31	†Local authority not to create any nuisance.
32	Local authority not to create any nuisance.
33	Application of 27 & 28 Vict. c. 114 to works for supply of sewage.
33	ripplication of 27 & 20 viet. c. 11 vio works for supply of sewage.
	Private sewers and drains and cesspools
34	Right of owners and occupiers within district to drain into public
	sewers.
35	
36	†Right of local authority to undertake the making of communications
	with public sewers.
37—41	
42	†Power of local authority to alter drainage system of premises.
	Sanitary conveniences for buildings
40 44	
43, 44	
45	Buildings having defective closets capable of repair.
46, 47	
Si	upplemental provisions as to drains, sanitary conveniences, cesspools, &c
48	Power of local authority to examine and test drains, &c., believed to be
49	Rooms over alocats of cortain types or over ashnits, from not to be used
49	Rooms over closets of certain types, or over ashpits, &c., not to be used
50	as living, sleeping or workrooms.
50 51	Overflowing and leaking cesspools. Care of closets.
52	Care of sanitary conveniences used in common.
53—62	Care of Sanitary conveniences used in common.
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68, 69	
70, 71	
70, 71	
	Removal of refuse, scavenging, keeping of animals, &c.
72—76	
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78	Scavenging of common courts and passages.			
79	[Power to require removal of noxious matter by occupier of premises in			
, ,	urban district.			
90				
80	[Power to require periodical removal of manure, &c. from stables,			
	&c. in urban district.			
81	Byelaws for the prevention of certain nuisances.			
82				
	Filthy or verminous premises or articles, and verminous persons.			
83	Cleansing of filthy or verminous premises.			
84	Cleansing or destruction of filthy or verminous articles.			
85	Cleansing of verminous persons and their clothing.			
86	Provision of cleansing stations.			
	Public sanitary conveniences			
0.7	•			
87	Provision of public conveniences in England.			
88				
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	General			
90	Interpretation of Part II.			
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	NUISANCES AND OFFENSIVE TRADES			
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	Public wells, pumps, &c.			
124	Cartain public numns, walls, distarns, fra vested in local authority			
	Certain public pumps, wells, cisterns, &c. vested in local authority.			
125	Power of parish council to utilise wells, springs or streams for obtaining			
	water.			
126—				
136				
137, 138				
137, 130				
139				
	Provisions for the protection of public from polluted water			
140	Power to close, or restrict use of water from, polluted source of supply.			
140	Power to deal with insanitary cisterns, &c.			
141	1 Ower to utar with insamilary disterns, &C.			

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	PART V
	PREVENTION, NOTIFICATION AND TREATMENT OF DISEASE
	Regulations for the prevention and treatment of infectious disease, &c.
143	Power of Minister to make regulations with a view to the treatment of certain diseases, and for preventing the spread of such diseases.
144— 146	
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	PART VI
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	Laboratories, ambulances, mortuaries, &c.
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197	Provision of mortuaries and post-mortem rooms.
198 199	Provision of mortuaries and post-mortem rooms.
	PART VII
NOTIFICAT	ION OF BIRTHS; MATERNITY AND CHILD WELFARE, AND CHILD LIFE PROTECTION
200—	
202 203	
	Maternity and child welfare
204	миетту ини сти жените
204 205	Women not to be employed in factories within four weeks after birth of a child.
206— 220	

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PART VIII

BATHS, WASHHOUSES, BATHING PLACES, &C.

Provision of baths, &c.

	<i>y</i> ,				
221	Power of local authority to provide baths, bathing places and				
222	washhouses. Charges for use of baths, &c.				
223	Byelaws for regulation of baths, &c.				
224	Baths, &c., to be public places for certain purposes.				
225	Use of baths and bathing places for swimming contests, &c., or by schools or clubs.				
226	Closing of baths and bathing places during winter months, and use for other purposes.				
227	Power of local authority to lay pipes for purposes connected with baths, &c.				
228	Power of trustees to sell existing baths, &c., to local authority.				
229	Power of statutory undertakers to supply water, gas or electricity to baths, &c., on favourable terms.				
230	(1)				
	Public bathing				
231	Byelaws with respect to public bathing.				
232	Provision of bathing huts, &c.				
233	6 7				
	Life-saving appliances				
234	Provision of life-saving appliances.				
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PART XI

MISCELLANEOUS

Watercourses, ditches, ponds, &c.

259 Nuisances in connection with water-courses, ditches, ponds, &c. Changes to legislation: Public Health Act 1936 is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- Power of parish council, or local authority, to deal with ponds, ditches, &c.
- 261 Provision for obtaining order for cleansing offensive ditches lying near to, or forming, boundary of district.
- Power of local authority to require culverting of watercourses and ditches where building operations in prospect.
- Watercourses in urban district not to be culverted except in accordance with approved plans.
- 264 Urban authority may require repair and cleansing of culverts.
- Power of local authority to defray cost of, or execute, works relating to watercourses.
- †Saving for land drainage authorities, the London County Council, railway companies and dock undertakers.

Ships and boats

267 Application to ships and boats of certain provisions of Act.

Tents, vans, sheds, &c.

- Nuisances arising from, and byelaws and other matters relating to, tents, vans, &c.
- 269 Power of local authority to control use of moveable dwellings.

Hop-pickers, &c.

270 Byelaws as to hop-pickers and persons engaged in similar work.

PART XII

GENERAL

Supplemental as to powers of councils

- 271 General
- 272, 273 General
 - 274 General
 - 275 Power of local authority to execute certain work on behalf of owners or occupiers.
 - 276 Power of local authority to sell certain materials.
 - 277 General
 - 278 Compensation to individuals for damage resulting from exercise of powers under Act.

Breaking open of streets

- 279 General
- 280, 281 General
 - 282 Application of 38 & 39 Vict. c. 55 s. 153.

Notices, &c.

- Notices to be in writing; forms of notices, &c.
- 284 Authentication of documents.
- 285 Service of notices, &c.
- 286 General

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Entry and obstruction

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287	Power	to.	enter	premises.
,	1 0 11 01	·	CIICCI	premises.

- 288 Penalty for obstructing execution of Act.
- Power to require occupier to permit works to be executed by owner.

Notices requiring the execution of works

290 Provisions as to appeals against, and the enforcement of, notices requiring execution of works.

Provisions as to recovery of expenses, &c.

- 291 Certain expenses recoverable from owners to be a charge on the premises: power to order payment by instalments.
- 292 General
- 293 Recovery of expenses, &c.
- 294 Limitation of liability of certain owners.
- 295 General

Prosecution of offences, &c.

- 296 Summary proceedings for offences.
- 297 Continuing offences and penalties.
- 298 Restriction on right to prosecute.
- 299 General

Appeals and other applications to courts of summary jurisdiction, and appeals to quarter sessions

- 300 Appeals and applications to courts of summary jurisdiction.
- 301 Appeals to quarter sessions against decisions of justices.
- 302 Effect of decision of court upon an appeal.

Arbitrations

303 Mode of reference to arbitration.

Judges and justices

Judges and justices not to be disqualified by liability to rates.

Protection of members and officers

- Protection of members and officers of certain local authorities from personal liability
- 306 General

Expenses and borrowing

- 307 General
- 308 General
- 309 Expenses of joint boards.
- 310 General
- 311 General

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Powers of the Minister

312	General
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- 313, 314 General
 - 315 General
 - 316 Adaptation, where necessary, of provisional order procedure.
 - 317 Amendment of 38 & 39 Vict. c. 55. s. 303.
 - 318 Local inquiries.

Regulations

319 General

Relinquishment and transfer of powers and duties

- 320, 321 General
 - Power of Minister to enforce exercise of powers by local authorities, &c., in default.
 - 323 General
 - Provisions as to exercise by Minister of functions of body in default.
 - 325 Power to vary and revoke orders relating to defaults.

General provisions as to transfer, compensation and superannuation rights of officers

- Provisions as to the transfer and compensation of officers and superannuation rights of transferred officers.
- Provisions for compensation in certain cases to officers of trustees, &c. executing local Acts.

Savings

- 328 Powers of Act to be cumulative.
- †Saving for certain provisions of the Land Charges Act, 1925.
- Power of railway companies, dock undertakers and land drainage authorities to alter sewers, &c. vested in a local authority.
- Works affecting water rights.
- Arbitration as to alteration of sewers, &c., or injurious affection of water rights.
- Protection for works of dock undertakers and for railways.
- Protection for works of land drainage authorities, &c.
- 335, 336 General
 - 337 General
 - Sewers or drains of collegiate and other corporate bodies and Government departments.
 - 339 Saving for existing rights of drainage.
 - Works below high-water mark.
 - Power to apply provisions of Act to Crown property.

Interpretation, transitory provisions, repeals, &c.

- 342 General
- 343 Interpretation.
- 344 General
- 345 General
- 346 Repeals.
- 347 †Short title, date of commencement and extent.

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FIRST SCHEDULE —	
SECOND — SCHEDULE	
THIRD SCHEDULE —	

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Changes and effects yet to be applied to:

s. 287(5) words repealed by 2003 c. 44 Sch. 37 Pt. 9