



# Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

## PART XI

### MISCELLANEOUS

#### *Ships and boats*

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

- (1) For the purposes of such of the provisions of this Act specified in subsection (4) of this section as are provisions for the execution of which local authorities are responsible, a vessel lying in any inland or coastal waters shall—
    - (a) if those water are within a port health district, be subject to the jurisdiction of the port health authority for that district;
    - (b) if those waters are within the district of a local authority but not within a port health district, be subject to the jurisdiction of that local authority;
    - (c) if those waters are not within the district of any local authority or any port health district, be subject to the jurisdiction of such local authority as the Minister may from time to time by order direct or, if no such direction is given, within the jurisdiction of the local authority whose district includes that point on land which is nearest to the spot where the vessel is lying.
  - (2) For the purposes of such of the said provisions as are provisions for the execution of which county councils are responsible, a vessel when lying in any inland or coastal waters not within a county shall be subject to the jurisdiction of the council of the county which includes that point on land which is nearest to the spot where the vessel is lying.
- [<sup>F1</sup>(2A) Subsection (2) of this section does not apply if the point on land which is nearest to the spot where the vessel is lying is in Wales.]
- (3) In relation to any vessel the said provisions shall have effect as if—

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*Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1936, Cross Heading: Ships and boats. (See end of Document for details)*

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- (a) the vessel were a house, building or premises within the district, or, as the case may be, the county, of the [<sup>F2</sup>port health authority or] local authority or county council to whose jurisdiction it is subject; and
- (b) the master, or other officer or person in charge, of the vessel were the occupier.
- (4) The provisions of this Act referred to in the preceding subsections are Parts . . . <sup>F3</sup>, . . . <sup>F4</sup>, VI and XII and, so far as regards boats used for human habitation, the provisions of Part II relating to filthy or verminous premises or articles and verminous persons: . . . <sup>F5</sup>
- (5) This section does not apply to any vessel belonging to His Majesty or under the command or charge of an officer holding His Majesty's commission, or to any vessel belonging to a foreign government.
- [<sup>F6</sup>(6) In determining for the purposes of subsection (1) above what provisions of this Act specified in subsection (4) above are provisions for the execution of which local authorities are responsible, no account shall be taken of any enactment (whether contained in this Act or not) relating to port health authorities or joint boards or to any particular port health authority or joint board or of any instrument made under any such enactment]

#### Textual Amendments

- F1** S. 267(2A) added (1.4.1996) by 1994 c. 19, s.22(4), **Sch. 9 para. 3(4)**(with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F2** Words inserted by **Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1)**, s. 47, **Sch. 6 para. 4**
- F3** Word repealed by **Environmental Protection Act 1990 (c. 43, SIF 46:4)**, s. 162(2), **Sch. 16 Pt. III**
- F4** Word repealed by **Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1)**, s. 78, **Sch. 3**
- F5** S. 267(4) proviso repealed by **Clean Air Act 1956 (c. 52)**, **Sch. 4**
- F6** S. 267(6) added by **Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1)**, s. 47, **Sch. 6 para. 4**

#### Modifications etc. (not altering text)

- C1** S. 267(1)(c) amended by **Local Government Act 1972 (c. 70)** Sch. 14 Pt. I para. 19

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health Act 1936, Cross Heading: Ships and boats.