



# Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

## PART XII

### GENERAL

#### *Prosecution of offences, &c.*

**296 Summary proceedings for offences.**

All offences under this Act may be prosecuted under the Summary Jurisdiction Acts.

**297 Continuing offences and penalties.**

Where provision is made by or under this Act for the imposition of a daily penalty in respect of a continuing offence, the court by which a person is convicted of the original offence may fix a reasonable period from the date of conviction for compliance by the defendant with any directions given by the court and, where a court has fixed such a period, the daily penalty shall not be recoverable in respect of any day before the expiration thereof.

**298 Restriction on right to prosecute.**

Proceedings in respect of an offence created by or under this Act shall not, without the written consent of the Attorney-General, be taken by any person other than a party aggrieved, or a council or a body whose function it is to enforce the provisions or byelaws in question, or by whom or by whose predecessors the byelaw in question was made.

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

**C1** S. 298 excluded by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 12(1)

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*Status: Point in time view as at 01/02/1991.*

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

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- C2** S. 298 amended by [Water Act 1989](#) (c. 15, SIF 130), s. 69, **Sch. 8 para. 1(2)(b)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 13(2)(3), 17, 40(4), 57(6), 58)

## **299 Inclusion of several sums in one complaint, &c.**

Where two or more sums are claimed from any person as being due under this Act, or under byelaws [<sup>F1</sup>or building regulations] made thereunder, any complaint, summons or warrant issued for the purposes of this Act or of the byelaws [<sup>F1</sup>or building regulations] in respect of that person may contain in the body thereof, or in a schedule thereto, all or any of the sums so claimed.

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### **Textual Amendments**

- F1** Words inserted by [Public Health Act 1961](#) (c. 64), **Sch. 1 Pt. III**
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### **Modifications etc. (not altering text)**

- C3** S. 299 applied (27.8.1993) by [1993 c. 11](#), ss. **62(1)**, 68(2)

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health Act 1936, Cross Heading: Prosecution of offences, &c..