



Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

PART XII **E+W**

GENERAL

Prosecution of offences, &c.

296 Summary proceedings for offences. **E+W**

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

297 Continuing offences and penalties. **E+W**

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.

Modifications etc. (not altering text)

- C1** S. 297 applied (with modifications) (13.7.2004) by [London Local Authorities Act 2004 \(c. i\)](#), ss. 1(1), 9, [Sch. 1](#)
- C2** S. 297 applied (with modifications) (19.9.2007) by [London Local Authorities Act 2007 \(c. ii\)](#), s. 1(3), [Sch. 1](#)
- C3** S. 297 modified (21.9.2008) by [London Local Authorities and Transport for London Act 2008 \(c. iii\)](#), ss. 1(2), 11(4), [Sch. 1](#)

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)

298 Restriction on right to prosecute. E+W

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.

Modifications etc. (not altering text)

- C4** S. 298 excluded by [Local Government \(Miscellaneous Provisions\) Act 1982](#) (c. 30, SIF 81:1), **s. 12(1)**
- C5** 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)

F1 299 E+W

Textual Amendments

- F1** S. 299 repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), **Sch. 1 Pt. I** Group4

Changes to legislation:

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