



Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

PART XII

GENERAL

Relinquishment and transfer of powers and duties

324 Provisions as to exercise by Minister of functions of body in default.

- (1) Where under the last but one preceding section the Minister has by order transferred to himself any functions of a council . . . ^{F1} or joint board, any expenses incurred by him in discharging the said functions shall be paid in the first instance out of moneys provided by Parliament, but the amount of those expenses as certified by the Minister shall on demand be paid to him by the body in default, and shall be recoverable by him from them as a debt due to the Crown, and that body shall have the like power of raising the money required as they have of raising money for defraying expenses incurred directly by them.
- (2) The payment of any such expenses as aforesaid shall, to such extent as may be sanctioned by the Minister, be a purpose for which a local authority . . . ^{F1} or joint board may borrow money in accordance with the statutory provisions relating to borrowing by such an authority or board.

Textual Amendments

F1 Words repealed by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, [Sch. 3](#)

Modifications etc. (not altering text)

C1 Functions of Secretary of State under s. 324 so far as exercisable by virtue of s. 10(5) of Public Libraries and Museums Act 1964 made exercisable (E.) by Chancellor of Duchy of Lancaster: [S.I. 1979/907](#), [art. 4](#), transferred to the Secretary of State and the Lord President of the Council respectively, by [S.I. 1981/207](#), [art. 2\(1\)](#), [Sch. 1 Pt. I](#) and [S.I. 1983/879](#), [art. 5](#), retransferred to the

Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1936, Section 324. (See end of Document for details)

Chancellor of the Duchy of Lancaster by S.I. 1984/1814, art. 2, **Sch. 1 Pt. I** and transferred back to the Lord President of the Council by S.I. 1986/600 art. 2(1), Sch. 1 Pt. I

- C2** S. 324 applied by **Housing Act 1985** (c. 68, SIF 61), **s. 410(2)**
- C3** S. 324 restored for specified purposes by **Water Act 1989** (c. 15, SIF 130), s. 69, **Sch. 8 para. 1(3)** (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)
- C4** Functions of the Lord President of the Council under s. 324 (as applied by s. 10(5) of the Public Libraries and Museums Act 1964) transferred (3.7.1992) to the Secretary of State (or no longer exercisable by the Lord President of the Council in the case of functions exercisable by him concurrently with the Secretary of State) by virtue of S.I. 1992/1311, art. 3(1), **Sch. 1 Pt.I**.

Changes to legislation:

There are currently no known outstanding effects for the Public Health Act 1936, Section 324.