



Shops Act 1950

1950 CHAPTER 28

PART V

GENERAL

72 Further provision for enforcement

- (1) It shall be the duty of the local authority having power under the Children and Young Persons Act, 1933, to enforce the provisions of that Act as to street trading, to enforce as part of their duties under that Act the provisions of Part II of this Act (other than section twenty-two) in their application to street trading, and the last foregoing section shall not apply with respect to the provisions to be enforced under this subsection, except that offences under those provisions shall be punishable on summary conviction.
- (2) It shall be the duty of the sanitary authority for every district, as part of their duties under the Public Health Acts, to enforce the provisions of section thirty-eight of this Act which relate to ventilation and temperature of shops and to sanitary conveniences, and the last foregoing section shall not apply with respect to the said provisions, except that offences under those provisions shall be punishable on summary conviction.

Any inspector appointed by such a sanitary authority as aforesaid shall, for the purposes of his powers and duties, have in relation to shops (within the meaning assigned to that word by the said section thirty-eight) all the powers conferred in relation to factories on inspectors by section one hundred and twenty-three of the Factories Act, 1937, and that section and section one hundred and twenty-five of the same Act shall apply accordingly.

- (3) Notwithstanding that certain provisions of section thirty-eight of this Act are not enforceable by local authorities under the last foregoing section, it shall, nevertheless, be the duty of inspectors appointed under this Act to take note of and if necessary report to the sanitary authority for the district any contravention of the said provisions of section thirty-eight, and for that purpose subsection (2) of the last foregoing section shall apply accordingly.

Status: This is the original version (as it was originally enacted).

(4) In the application of this section to Scotland—

- (a) subsection (1) shall have effect as if for the local authority and the provisions of the Children and Young Persons Act, 1933, therein mentioned there were respectively substituted references to the local authority for the purposes of this Act, and the provisions of this Act, and the last foregoing section shall apply accordingly;
- (b) subsections (2) and (3) shall have effect as if for references to the Public Health Acts and the sanitary authority there were respectively substituted references to the Public Health (Scotland) Acts, 1897 to 1907, and the local authority for the purposes of this Act.