



Public Health Acts Amendment Act 1890

1890 CHAPTER 59 53 and 54 Vict

PART I—

GENERAL

1^{F1}

Textual Amendments

F1 S. 1 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. IV](#)

2 **Short title, construction and extent of Act.**

(1) This Act shall be construed as one with the Public Health Acts.

(2) Part One of this Act shall extend to England and Wales and Ireland . . .^{F2}

(3) This Act may be cited as the Public Health Acts Amendment Act 1890, and this Act and the Public Health Acts may be cited together as the Public Health Acts.

Textual Amendments

F2 Words repealed by [London Government Act 1963 \(c. 33\) Sch. 18 Pt. II and Local Government Act 1972 \(c. 70\), Sch. 30](#)

Modifications etc. (not altering text)

C1 Reference to Ireland to be construed as exclusive of Republic of Ireland: S.R.&O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2

3^{F3}

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part I— (See end of Document for details)

Textual Amendments

F3 S. 3 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

4 **F4**

Textual Amendments

F4 S. 4 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

5 **F5**

Textual Amendments

F5 S. 5 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

[^{F6}6 Legal proceedings, &c.

Offences under this Act may be prosecuted, and penalties, forfeitures, costs, and expenses recovered in like manner and subject to the same provisions as offences which may be prosecuted and penalties, forfeitures, costs, and expenses which may be recovered in a summary manner under the Public Health Acts.]

Textual Amendments

F6 S. 6 repealed (E.W.) (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. X** Group 1

[^{F7}7 Appeals to quarter sessions.

- (1) Any person aggrieved—
 - (a) By any order, judgment, determination, or requirement of a local authority under this Act;
 - (b) By the withholding of any order, certificate, licence, consent, or approval, which may be made, granted, or given by a local authority under this Act;
 - (c) By any conviction or order of a court of summary jurisdiction under any provision of this Act;

may appeal . . . ^{F8} to [^{F9}the Crown Court].

(2) ^{F10}]

Textual Amendments

F7 S. 7 repealed (E.W.) (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. X** Group 1

F8 Words repealed by [S.I. 1971/1292](#), **Sch. 3**

F9 Words substituted by virtue of [Courts Act 1971 \(c. 23\)](#), **s. 56(2) Sch. 9 Pt. I**

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part I—. (See end of Document for details)

F10 S. 7(2) repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

F118 **More than one sum in one summons, &c.**

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Textual Amendments

F11 S. 8 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. 1** Group 4

9 **Byelaws.**

All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the ^{M1}Public Health Act 1875, and any enactment amending or extending those sections, shall apply to all byelaws from time to time made by a local authority under the powers of this Act.^{F12}...

Textual Amendments

F12 Words in s. 9 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 13**

Marginal Citations

M1 [1875 c. 55](#).

[F1310 Powers of Act cumulative.

- (1) All powers given to a local authority under this Act shall be deemed to be in addition to and not in derogation of any other powers conferred upon such local authority by any Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not been passed.
- (2) Nothing in this Act shall exempt any person from any penalty to which he would have been liable if this Act had not been passed, provided that no person shall be liable to pay, except in the case of a daily penalty, more than one penalty in respect of the same offence.]

Textual Amendments

F13 S. 10 repealed (E.W.) (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. X** Group1

11 **Interpretation.**

(1) **F14**

(2) **F15**

(3) In this Act if not inconsistent with the context—

The expression . . . ^{F16c}“urban authority” . . . ^{F16}mean ^{F16}an urban sanitary authority and . . . ^{F16}under those Acts.

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part I—. (See end of Document for details)

[^{F17}The expressions “urban sanitary district” . . . ^{F16} mean . . . ^{F16} an urban sanitary district . . . ^{F16} under the Public Health Acts.]

[^{F17}The expression “sanitary convenience” includes urinals, water-closets, earth-closets, privies, ashpits, and any similar convenience.]

The expression “daily penalty” means a penalty for each day on which any offence is continued after conviction therefor.

[^{F17}The expressions . . . ^{F16}“lands,” “premises,” “owner,” “street,” “house,” “drain,” “sewer,” have respectively the same meaning as in the Public Health Acts.]

Textual Amendments

F14 S. 11(1) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. II**

F15 Ss. 11(2), 13–15 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

F16 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

F17 Definitions in s. 11(3) repealed (E.W.) (5.11.1993) by [1993 c. 50](#), s. 1(1), **Sch. 1 Pt. X** Group 1

12 Application of Act to Ireland.

In the application of this Act to Ireland the following modifications shall have effect:—

- ^{F18}(1)
- (2) This Act shall be construed as one with the ^{M2}Public Health (Ireland) Act 1878.
 - (3) This Act and the Public Health (Ireland) Act 1878, may be cited as the Public Health (Ireland) Acts.
 - (4) A reference to a place of abode in England shall be construed to be a reference to a place of abode in Ireland.
 - (5) The Local Government Board for Ireland shall be substituted for the Local Government Board.
 - (6) The Chief Secretary shall be substituted for the Secretary of State.
 - (7) The expression “the Public Health Acts” shall include the ^{M3}Public Health (Ireland) Act 1878, and the said Act shall be substituted for the ^{M4}Public Health Act 1875, and in particular references in this Act to sections thirty-eight, forty-one, eighty-four, one hundred and sixteen, one hundred and seventeen, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and sixty-five, two hundred and twenty-nine, two hundred and thirty, two hundred and sixty-eight, and three hundred and six of the ^{M5}Public Health Act 1875, shall be respectively taken to be references to sections forty-eight, fifty-one, ninety-five, one hundred and thirty-two, one hundred and thirty-three, forty-one, forty-two, one hundred and two, two hundred and thirty-two, two hundred and thirty-three, two hundred and sixty-eight, and two hundred and seventy-two of the ^{M6}Public Health (Ireland) Act 1878, and the references to sections one hundred and sixteen to one hundred and nineteen, and to sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act 1875, shall be respectively taken to be references to sections one hundred and thirty-two to one hundred and thirty-five, and to sections two hundred and nineteen to two hundred and twenty-three of the ^{M7}Public Health (Ireland) Act 1878.

Changes to legislation: There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part I—. (See end of Document for details)

- (8) In sub-section four of section fifty-one of this Act a notice to the clerk to the licensing justices and to the district inspector of the district in which the house, room, garden, or place is situated, or in his absence to the head constable, or if in the Dublin Metropolitan Police District to the superintendent of police of such division, shall be substituted for the notice to the clerk of the licensing justices and to the chief officer of police in the said sub-section mentioned.
- (9) In section fifty-one of this Act as modified by this section the expression “general annual licensing meeting” shall mean annual licensing quarter sessions, and the expressions “licensing justices,” “clerk to the licensing justices,” “special sessions” and all other expressions defined by the Licensing Acts (Ireland) 1872 to 1874, shall have the same meanings respectively as in the said Acts.
- (10) Sub-section two of section fifty-two of this Act shall be read and construed as if the words and figures “of the ^{M8}Local Loans Act 1875, and the Acts amending the same and,” and also “by the Metropolitan Board of Works, or the County Council of London, or,” were omitted therefrom.
- (11) The Lord Lieutenant by order made by and with the advice of the Privy Council shall be substituted for Her Majesty by Order in Council.

Textual Amendments

F18 S. 12(1) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

Marginal Citations

M2 1878 c. 52.
M3 1878 c. 52.
M4 1875 c. 55.
M5 1875 c. 55.
M6 1878 c. 52.
M7 1878 c. 52.
M8 1875 c. 83.

Changes to legislation:

There are currently no known outstanding effects for the Public Health Acts Amendment Act 1890, Part I—.