



Public Health (Scotland) Act 1897

1897 CHAPTER 38 60 and 61 Vict

Preliminary

F¹ Short title.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F² Extent and commencement of Act.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F³ Definitions.

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Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Textual Amendments

F2 Ss. 4, 7, 9, 10 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

PART I

AUTHORITIES FOR EXECUTION OF ACT

Central Authority

Local Government Board to be central authority.

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Powers of Board to inquire into sanitary conditions of district.

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F3 Ss. 4, 7, 9, 10 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

^{F1}8 Power to Board to appoint commissioners for conducting special inquiries.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

9, 10. **F4**

Textual Amendments

F4 Ss. 4, 7, 9, 10 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

11 **F5**

Textual Amendments

F5 S. 11 repealed by [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\)](#), [Sch.](#)

Local Authorities

^{F1}12 Local authorities for the purposes of the Act.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

13, 14. **F6**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F6 Ss. 13, 14 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

15 **F7**

Textual Amendments

F7 S. 15 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

PART II

SANITARY PROVISIONS

Modifications etc. (not altering text)

C1 Part II amended by [Mines and Quarries Act 1954 \(c. 70\)](#), s. **151(2)(3)(5)**, and [Clean Air Act 1956 \(c. 52\)](#), s. **16**

General Nuisances

F8**16**

Textual Amendments

F8 S. 16 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3

F9**17**

Textual Amendments

F9 S. 17 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3

F10**18**

Textual Amendments

F10 S. 18 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

F1119

Textual Amendments

F11 S. 19 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

F1220

Textual Amendments

F12 S. 20 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

F1321

Textual Amendments

F13 S. 21 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

F1422

Textual Amendments

F14 S. 22 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

F1523

Textual Amendments

F15 S. 23 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

F1624

Textual Amendments

F16 S. 24 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

^{F17}**25**

Textual Amendments

F17 S. 25 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

^{F18}**26**

Textual Amendments

F18 S. 26 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

^{F1}**27** **Articles removed to be sold.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

28 ^{F19}

Textual Amendments

F19 S. 28 repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**

29 ^{F20}

Textual Amendments

F20 S. 29 repealed by Local Government and Planning (Scotland) Act 1982 (c. 43, SIF 81:2), s. 66(2), **Sch. 4 Pt. 1**

^{F1}**30** **Penalty for injuring closet, &c. so as to cause nuisance.**

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Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 31 Waterclosets, &c. used in common.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Offensive Trades

F1 32 Prohibition or regulation of certain offensive businesses, and byelaws as to offensive businesses.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

33 **F21**

Textual Amendments

F21 S. 33 repealed by [Slaughter of Animals \(Scotland\) Act 1980 \(c. 13, SIF 112\)](#), s. 24(2), [Sch. 3](#)

34 **F22**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F22 S. 34 repealed by [Slaughterhouses Act 1954 \(c. 42\)](#), **Sch. 2**

F1 35 Local authorities may make byelaws as to pigstyes.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F23 36

Textual Amendments

F23 S. 36 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

F24 37

Textual Amendments

F24 S. 37 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

Scavenging and Cleansing

38 **F25**

Textual Amendments

F25 S. 38 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

39 **F26**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F26 S. 39 repealed by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(3), **Sch. 11**

^{F1}40 Houses in filthy state to be purified.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

^{F1}41 Provision for obtaining order for cleansing offensive ditches lying near to or forming boundaries of districts.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

^{F1}42 Periodical removal of manure from mews and other premises.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

43 **F27**

Textual Amendments

F27 S. 43 repealed by [Food and Drugs \(Scotland\) Act 1956 \(c. 30\)](#), **Sch. 3**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

PART III

GENERAL PREVENTION AND MITIGATION OF DISEASE

Infectious Diseases.—Notification

F1 44 Notification of infectious disease.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Infectious Diseases—Prevention

45 **F28**

Textual Amendments

F28 S. 45 repealed by [Health Services and Public Health Act 1968 \(c. 46\)](#), [Sch. 4](#)

F1 46 Provision of means for disinfecting bedding, &c.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 47 Cleansing and disinfecting of premises, &c.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

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2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 48 Disinfection of bedding. &c.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

49 Persons engaged in washing or mangling clothes to furnish list of owners of clothes in certain cases.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 50 Infectious matter thrown into ash-pits, &c. to be disinfected.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 51 Penalty on letting houses in which infected persons have been lodging.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

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2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 52 Penalty on persons letting houses making false statements as to infectious disease.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 53 Penalty on ceasing to occupy house without disinfection or notice to owner, or on making false answer.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 54 Removal to hospital of infected persons without proper lodging.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 55 Detention of infected persons without proper lodging in hospital.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by

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Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 56 Penalty on exposure of infected persons and things.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 57 Penalty on sending child to school, so as to spread infection.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 58 Prohibitions on infected person carrying on business

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 59 Prohibition on conveyance, &c. of infected person in public conveyance.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

60, 61. **F29**

Textual Amendments

F29 Ss. 60, 61 repealed by Milk and Dairies (Scotland) Act 1914 (c. 46), s. 31, **Sch.**

F1 62 Prohibition of retention of dead body in certain cases.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 63 Body of person dying of infectious disease in hospital, &c. to be removed only for burial.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 64 Disinfection of public conveyances if used for carrying corpses.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

F1 65 Byelaws as to public conveyances.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Hospitals and Ambulances

F1 66 Power of local authority to provide hospitals.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

67 **F30**

Textual Amendments

F30 Ss. 67, 77 repealed by [National Health Service \(Scotland\) Act 1947 \(c. 27\)](#), [Sch. 11 Pt. II](#)

Mortuaries, &c.

F1 68 Power of local authority to provide mortuaries.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

F169 Power of sheriff, &c. in certain cases to order removal of dead body to mortuary.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F170 Power of local authority to provide places for post-mortem examinations.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F171 Power to sanitary authorities to unite for providing mortuary.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Byelaws as to Houses let in Lodgings

F172 Power of local authority to make byelaws as to lodging-houses.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Tents and Vans

73 Tents and vans used for human habitation.

(1) A tent, van, shed, or similar structure, used for human habitation, which is in such a state as to be a nuisance or injurious or dangerous to health, or is so overcrowded as to be injurious or dangerous to the health of the inmates, shall be a nuisance liable to be dealt with summarily under this Act.

^{F1}(2)

^{F1}(3)

^{F1}(4)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Modifications etc. (not altering text)

C2 [S. 73](#) extended by [S.I. 1965/1536](#), **Sch. 3**

Underground Dwellings

^{F1}74 Rules as to underground dwellings.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

^{F1}75 Penalty on letting underground dwellings.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F176 Cases in which two convictions have occurred within three months.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

77 **F31**

Textual Amendments

F31 [Ss. 67, 77](#) repealed by [National Health Service \(Scotland\) Act 1947 \(c. 27\)](#), [Sch. 11 Pt. II](#)

PART IV

78— **F32**
88.

Textual Amendments

F32 [Ss. 78–88](#) repealed with saving by [Public Health \(Scotland\) Act 1945 \(9 & 10 Geo. 6 c. 15\)](#), [s. 2](#)

PART V

REGULATION OF COMMON LODGING-HOUSES

F189 Common lodging-houses to be registered.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

F190 No lodger to be received in common lodging-house till it has been inspected and registered.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F191 Evidence of register.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Modifications etc. (not altering text)

- C3** Reference to “twopence” to be read as reference to equivalent amount in new currency: [Decimal Currency Act 1969 \(c. 19\)](#), s. 10(1)

F192 Power to local authority to make byelaws.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F193 Copy of bye-laws, to be furnished gratis to keepers.

.....

Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

*Changes to legislation: There are currently no known outstanding effects
for the Public Health (Scotland) Act 1897. (See end of Document for details)*

2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F194 Power to local authority to require additional supply of water.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F195 Power to local authority to order reports from keepers.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F196 Local authority may remove sick persons to hospitals, &c.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F197 As to giving notice of fever, &c. occurring.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F198 Inspection.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F199 Cleansing.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1100 Conviction for third offence, &c. to disqualify persons from keeping common lodging-houses.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

PART VI

SEWERS, DRAINS, AND WATER SUPPLY

Sewers and Drains

101— **F33**
112.

Textual Amendments

F33 Ss. 101–112 repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

113 **F34**

Textual Amendments

F34 S. 113 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

114, **F35**
115.

Textual Amendments

F35 Ss. 114, 115, 117 repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

^{F1}116 Distilleries, &c. to deposit refuse.

.....

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Modifications etc. (not altering text)

C4 S. 116 amended by Radioactive Substances Act 1960 (c. 34), s. 9, **Sch. 1 Pt. II para. 13**
 S. 116 amended (27.8.1993) by 1993 c. 12, ss. 40, 51(2), **Sch. 3 Pt. II para.11** (with ss. 42, 46).

117 **F36**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F36 Ss. 114, 115, 117 repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

118 **F37**

Textual Amendments

F37 S. 118 repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**

119, **F38**
120.

Textual Amendments

F38 Ss. 119, 120 repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

121 **F39**

Textual Amendments

F39 S. 121 repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**

122 **F40**

Textual Amendments

F40 S. 122 repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

^{F1}123 Works of distribution of sewage to be deemed a land improvement.

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

124— **F41**
130.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F41 Ss. 124–130 repealed by [Water \(Scotland\) Act 1946 \(c. 42\)](#), **Sch. 5**

131 **F42**

Textual Amendments

F42 S. 131 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

132 **F43**

Textual Amendments

F43 S. 132 repealed by [Water \(Scotland\) Act 1946 \(c. 42\)](#), **Sch. 5**

PART VII

RATING AND BORROWING POWERS

133, **F44**
134.

Textual Amendments

F44 Ss. 133, 134 repealed by [Burgh Sewerage, Drainage and Water Supply \(Scotland\) Act 1901 \(c. 24\)](#), **Sch.** and [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

135, **F45**
136.

Textual Amendments

F45 Ss. 135, 136 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

137 **F46**

Textual Amendments

F46 S. 137 repealed by [Water \(Scotland\) Act 1946 \(c. 42\)](#), **Sch. 5**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

138 F47

Textual Amendments

F47 S. 138 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 138, [Sch. 14](#)

Borrowing Powers

139 F48

Textual Amendments

F48 S. 139 repealed by [Sewerage \(Scotland\) Act 1968 \(c. 47\)](#), [Sch. 2](#)

140 F49

Textual Amendments

F49 S. 140 repealed by [Water \(Scotland\) Act 1946 \(c. 42\)](#), [Sch. 5](#)

^{F1}141 **Power of borrowing for hospitals, &c.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

142, F50
143.

Textual Amendments

F50 Ss. 142, 143 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

PART VIII

ACQUISITION OF LANDS

^{F1}144 Power to acquire lands.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

^{F1}145 Regulations as to compulsory purchase of land, &c.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

PART IX

LEGAL PROCEEDINGS

Enforcement of and Procedure under Act

^{F1}146 Procedure if local authority neglect its duty under Act. Procedure under 18 & 19 Vict. c. 68.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

147 F51

Textual Amendments

F51 Ss. 147, 152, 159, 160, 167 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

F1 148 **Procurator fiscal may sue by directions of Board.**

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 149 **Procedure where nuisance beyond district.**

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 150 **Local authority may require payment of costs, &c from owner or occupier, and occupier paying to deduct from rent.**

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 151 **Penalty for wilful damage of works.**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

152 ^{F52}

Textual Amendments

F52 Ss. 147, 152, 159, 160, 167 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

^{F1}**153** **Recovery of penalties.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}**154** **Form of applications to the sheriff, &c.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}**155** **No written pleadings &c. allowed.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}156 Appeal in certain cases.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}156A Appeal to sheriff or sheriff principal in certain cases: sections 54, 55 and 96

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}156B Further appeal to sheriff principal: section 96 decision

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}156C Further appeal to Court of Session: sections 54, 55 and 96

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 156D Effect of appeal in relation to section 54 order, section 55 direction or section 96 decision

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 157 No appeal otherwise.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 158 Justices, &c. being members of local authority may act.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

159, **F53**
160.

Textual Amendments

F53 Ss. 147, 152, 159, 160, 167 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

161 One or more joint owners may be proceeded against alone.

In case of any demand or complaint under this Act to which two or more parties, whether as owners or occupiers of premises, may be jointly answerable, it shall be sufficient to proceed against any one or more of them without proceeding against the others or other of them, and any one or more of such persons may be proceeded against, notwithstanding that the acts or defaults of any one or more of them would not separately be an offence against this Act; but nothing herein contained shall prevent the parties so proceeded against from recovering relief in any case in which they would now be entitled to relief by law. Proceedings against several persons included in one demand or complaint shall not lapse by reason of the death of any one or more of such persons, but all such proceedings may be carried on as if the deceased persons had not been originally so included. Whenever in any proceeding under the provisions of this Act relating to nuisances it becomes necessary to mention or refer to the owner or occupier of any premises, it shall be sufficient to designate him as the owner or occupier of such premises without name or further description.

Modifications etc. (not altering text)

C5 S. 161 applied (27.8.1993) by 1993 c. 11, ss. 62(2)(a)(i), 68(2).

^{F1}162 Penalty on occupier obstructing owner.

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), sch. 3 Pt. 1 (with s. 127); S.S.I. 2009/9, art. 2(b), sch. 2, S.S.I. 2009/319, art. 2(a), sch. 1 (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), sch. 3

^{F1}163 Penalty for violating Act or obstructing its execution.

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), sch. 3 Pt. 1 (with s. 127); S.S.I. 2009/9, art. 2(b), sch. 2, S.S.I. 2009/319, art. 2(a), sch. 1 (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), sch. 3

164 Compensation to be made.

Full compensation shall be made, out of any fund or assessment applicable to the purposes of this Act, to all persons sustaining any damage by reason of the exercise of any of the powers of this Act, except when otherwise specially provided; and in

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

case of dispute, if the sum claimed do not exceed the sum of fifty pounds sterling, the same may be ascertained on a summary application by either party to the [F54sheriff or sheriff principal], whose decision shall be final and not subject to review, unless when pronounced by the [F54sheriff], in which case it may be reviewed by the [F54sheriff principal] on appeal; and when the sum claimed exceeds fifty pounds sterling, such compensation shall be ascertained and disposed of by a sole arbiter appointed in manner set forth in sub-section eleven of section one hundred and forty-five of this Act.

Textual Amendments

F54 Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), [s. 4](#)

Modifications etc. (not altering text)

C6 S. 164 applied (27.8.1993) by [1993 c. 11](#), [ss. 62\(2\)\(a\)\(i\)](#), [68\(2\)](#).

F1165 Convictions not void for want of form.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), [s. 128\(2\)](#), [sch. 3 Pt. 1](#) (with [s. 127](#)); [S.S.I. 2009/9](#), [art. 2\(b\)](#), [sch. 2](#), [S.S.I. 2009/319](#), [art. 2\(a\)](#), [sch. 1](#) (with [art. 3](#), [sch. 2 para. 2](#)), [S.S.I. 2009/404](#), [art. 2\(3\)](#), [sch. 3](#)

F1166 Local authority or Board not liable for irregularity of their officers.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), [s. 128\(2\)](#), [sch. 3 Pt. 1](#) (with [s. 127](#)); [S.S.I. 2009/9](#), [art. 2\(b\)](#), [sch. 2](#), [S.S.I. 2009/319](#), [art. 2\(a\)](#), [sch. 1](#) (with [art. 3](#), [sch. 2 para. 2](#)), [S.S.I. 2009/404](#), [art. 2\(3\)](#), [sch. 3](#)

167 **F55**

Textual Amendments

F55 Ss. 147, 152, 159, 160, 167 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), [s. 381](#), [Sch. 14](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

F1 168 Exemption from stamp duties.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 169 Police constables to aid in executing Act.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 170 Act not to impair right of action, &c.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 171 Powers of Act cumulative.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

PART X

PORT SANITARY AUTHORITY

^{F1}172 Constitution of port local authorities.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}173 Jurisdiction of port local authority.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}174 Delegation of powers by port local authority.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}175 Expenses of port local authority.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 176 Proceedings for raising a sum for payment of debt within district of a defaulting authority.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

PART XI

MISCELLANEOUS

Provisions as to Ships

F1 177 Provision as to ships within the jurisdiction of local authority.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 178 Provision as to district of local authority extending to places where ships are lying.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

179, **F56**
180.

Textual Amendments
F56 Ss. 179, 180 repealed by [National Health Service \(Scotland\) Act 1947 \(c. 27\)](#), **Sch. 11 Pt. II**

181, **F57**
182.

Textual Amendments
F57 Ss. 181, 182 repealed by [Building \(Scotland\) Act 1959 \(c. 24\)](#), **Sch. 10**

183— **F58**
188.

Textual Amendments
F58 Ss. 183–188 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

PART XII

SAVING CLAUSES AND REPEALS

Saving Clauses

^{F1}189 Act not to affect navigation of rivers or canals, or irrigation of lands.

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Textual Amendments
F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

^{F1}190 Saving of certain Acts.

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Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

191, **F59**
192.

Textual Amendments

F59 Ss. 191, 192 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

F1 **193 Reference to Public Health Acts.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 **194 Exemption of Government property from building regulations.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

195 **F60**

Textual Amendments

F60 S. 195 repealed by [Aberdeen Corporation \(Administration Finance &c.\) Order Confirmation Act 1940 \(c. iii\)](#), s. 244, [Sch. 20](#)

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897. (See end of Document for details)

Repeal of Acts

F1 196 Repeal of Acts.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Changes to legislation:

There are currently no known outstanding effects for the Public Health (Scotland) Act 1897.