



# Public Health (Scotland) Act 1897

## CHAPTER 38

### PUBLIC HEALTH (SCOTLAND) ACT 1897

#### *Preliminary*

- 1 Short title.
- 2 Extent and commencement of Act.
- 3 Definitions.
- 4 .....

#### **PART I**

##### AUTHORITIES FOR EXECUTION OF ACT

#### *Central Authority*

- 5 Local Government Board to be central authority.
- 6 Powers of Board to inquire into sanitary conditions of district.
- 7 .....
- 8 Power to Board to appoint commissioners for conducting special inquiries.
- 9, 10 .....
- 11 .....

#### *Local Authorities*

- 12 Local authorities for the purposes of the Act.
- 13, 14 .....
- 15 .....

#### **PART II**

##### SANITARY PROVISIONS

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

*General Nuisances*

- 16 .....
- 17 .....
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- 20 .....
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- 22 .....
- 23 .....
- 24 .....
- 25 .....
- 26 .....
- 27 Articles removed to be sold.
- 28 .....
- 29 .....
- 30 Penalty for injuring closet, &c. so as to cause nuisance.
- 31 Waterclosets, &c. used in common.

*Offensive Trades*

- 32 Prohibition or regulation of certain offensive businesses, and byelaws as to offensive businesses.
- 33 .....
- 34 .....
- 35 Local authorities may make byelaws as to pigstyes.
- 36 .....
- 37 .....

*Scavenging and Cleansing*

- 38 .....
- 39 .....
- 40 Houses in filthy state to be purified.
- 41 Provision for obtaining order for cleansing offensive ditches lying near to or forming boundaries of districts.
- 42 Periodical removal of manure from mews and other premises.
- 43 .....

**PART III**

**GENERAL PREVENTION AND MITIGATION OF DISEASE**

*Infectious Diseases.—Notification*

- 44 Notification of infectious disease.

*Infectious Diseases—Prevention*

- 45 .....
- 46 Provision of means for disinfecting bedding, &c.
- 47 Cleansing and disinfecting of premises, &c.
- 48 Disinfection of bedding, &c.
- 49 Persons engaged in washing or mangling clothes to furnish list of owners of clothes in certain cases.
- 50 Infectious matter thrown into ash-pits, &c. to be disinfected.

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- 51 Penalty on letting houses in which infected persons have been lodging.
- 52 Penalty on persons letting houses making false statements as to infectious disease.
- 53 Penalty on ceasing to occupy house without disinfection or notice to owner, or on making false answer.
- 54 Removal to hospital of infected persons without proper lodging.
- 55 Detention of infected persons without proper lodging in hospital.
- 56 Penalty on exposure of infected persons and things.
- 57 Penalty on sending child to school, so as to spread infection.
- 58 Prohibitions on infected person carrying on business
- 59 Prohibition on conveyance, &c. of infected person in public conveyance.
- 60, 61 .....
- 62 Prohibition of retention of dead body in certain cases.
- 63 Body of person dying of infectious disease in hospital, &c. to be removed only for burial.
- 64 Disinfection of public conveyances if used for carrying corpses.
- 65 Byelaws as to public conveyances.

*Hospitals and Ambulances*

- 66 Power of local authority to provide hospitals.
- 67 .....

*Mortuaries, &c.*

- 68 Power of local authority to provide mortuaries.
- 69 Power of sheriff, &c. in certain cases to order removal of dead body to mortuary.
- 70 Power of local authority to provide places for post-mortem examinations.
- 71 Power to sanitary authorities to unite for providing mortuary.

*Byelaws as to Houses let in Lodgings*

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

*Tents and Vans*

- 73 Tents and vans used for human habitation.

*Underground Dwellings*

- 74 Rules as to underground dwellings.
- 75 Penalty on letting underground dwellings.
- 76 Cases in which two convictions have occurred within three months.
- 77 .....

**PART IV**

- 78—88 .....

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## PART V

### REGULATION OF COMMON LODGING-HOUSES

- 89 Common lodging-houses to be registered.
- 90 No lodger to be received in common lodging-house till it has been inspected and registered.
- 91 Evidence of register.
- 92 Power to local authority to make byelaws.
- 93 Copy of bye-laws, to be furnished gratis to keepers.
- 94 Power to local authority to require additional supply of water.
- 95 Power to local authority to order reports from keepers.
- 96 Local authority may remove sick persons to hospitals, &c.
- 97 As to giving notice of fever, &c. occurring.
- 98 Inspection.
- 99 Cleansing.
- 100 Conviction for third offence, &c. to disqualify persons from keeping common lodging-houses.

## PART VI

### SEWERS, DRAINS, AND WATER SUPPLY

#### *Sewers and Drains*

- 101— .....
- 112 .....
- 113 .....
- 114, 115 .....
- 116 Distilleries, &c. to deposit refuse.
- 117 .....
- 118 .....
- 119, 120 .....
- 121 .....
- 122 .....
- 123 Works of distribution of sewage to be deemed a land improvement.
- 124— .....
- 130 .....
- 131 .....
- 132 .....

## PART VII

### RATING AND BORROWING POWERS

- 133, 134 .....
- 135, 136 .....
- 137 .....
- 138 .....

#### *Borrowing Powers*

- 139 .....
- 140 .....
- 141 Power of borrowing for hospitals, &c.
- 142, 143 .....

## PART VIII

### ACQUISITION OF LANDS

- 144 Power to acquire lands.
- 145 Regulations as to compulsory purchase of land, &c.

## PART IX

### LEGAL PROCEEDINGS

#### *Enforcement of and Procedure under Act*

- 146 Procedure if local authority neglect its duty under Act. Procedure under 18 & 19 Vict. c. 68.
- 147 .....
- 148 Procurator fiscal may sue by directions of Board.
- 149 Procedure where nuisance beyond district.
- 150 Local authority may require payment of costs, &c from owner or occupier, and occupier paying to deduct from rent.
- 151 Penalty for wilful damage of works.
- 152 .....
- 153 Recovery of penalties.
- 154 Form of applications to the sheriff, &c.
- 155 No written pleadings &c. allowed.
- 156 Appeal in certain cases.
- 156A Appeal to sheriff or sheriff principal in certain cases: sections 54, 55 and 96
- 156B Further appeal to sheriff principal: section 96 decision
- 156C Further appeal to Court of Session: sections 54, 55 and 96
- 156D Effect of appeal in relation to section 54 order, section 55 direction or section 96 decision
- 157 No appeal otherwise.
- 158 Justices, &c. being members of local authority may act.
- 159, 160 .....
- 161 One or more joint owners may be proceeded against alone.
- 162 Penalty on occupier obstructing owner.
- 163 Penalty for violating Act or obstructing its execution.
- 164 Compensation to be made.
- 165 Convictions not void for want of form.
- 166 Local authority or Board not liable for irregularity of their officers.
- 167 .....
- 168 Exemption from stamp duties.
- 169 Police constables to aid in executing Act.
- 170 Act not to impair right of action, &c.
- 171 Powers of Act cumulative.

## PART X

### PORT SANITARY AUTHORITY

- 172 Constitution of port local authorities.
- 173 Jurisdiction of port local authority.
- 174 Delegation of powers by port local authority.
- 175 Expenses of port local authority.

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

**PART XI**

MISCELLANEOUS

*Provisions as to Ships*

177 Provision as to ships within the jurisdiction of local authority.  
178 Provision as to district of local authority extending to places where ships are lying.

179, 180 .....  
181, 182 .....  
183— .....  
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**PART XII**

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*Saving Clauses*

189 Act not to affect navigation of rivers or canals, or irrigation of lands.  
190 Saving of certain Acts.  
191, 192 .....  
193 Reference to Public Health Acts.  
194 Exemption of Government property from building regulations.  
195 .....

*Repeal of Acts*

196 Repeal of Acts.

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FIRST SCHEDULE —  
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SECOND —  
SCHEDULE  
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**Changes to legislation:**

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