

# 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 Incorporation of Acts.

## **PART I**

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- 5 Local Government Board to be central authority.
- 6 Powers of Board to inquire into sanitary conditions of district.
- 7 Power to Board to authorise special inquiries.
- 8 Power to Board to appoint commissioners for conducting special inquiries.
- 9 Power to Board to allow expenses of witnesses. &c.
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- 11 Power to Board to appoint clerks, &c.

## Local Authorities.

- 12 Local authorities to execute Act.
- 13 Where district in more than one county.
- 14 Local authorities to be bodies corporate. Committees may be appointed.
- 15 Local authority to appoint medical and other officers.

#### **PART II**

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- 16 Definition of nuisances.
- 17 Duty of local authority to inspect district for detection of nuisances.
- 18 Power of entry to local authority or their officers.
- 19 Information of nuisances to local authority.
- 20 Notice requiring removal of nuisance.
- 21 On non-compliance with notice local authority to proceed summarily.
- 22 Proceedings by local authority when nuisances are ascertained to exist.
- 23 Form of interlocutor.
- 24 Penalty for contravention of decree and of interdict.
- 25 Order when structural works are required.
- Local authority to do works on owner's or occupier's default, or if person causing nuisance cannot be found.
- 27 Articles removed to be sold.
- Foul ditches, &c. may be replaced by sewers.
- 29 Local authority may erect public waterclosets, &c.
- 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 Licensing of slaughter-houses.
- 34 Local authorities may provide a slaughter-house.
- and make byelaws as to pigstyes.
- Duty of local authority to complain to sheriff, &c. of nuisance arising from offensive trade.
- 37 Provision as to nuisance created by local authority in dealing with refuse.

## Scavenging and Cleansing.

- Appeal against resolution of district committee as to formation of special scavenging, &c. districts.
- 39 Scavenging of highways, &c. within special districts.
- 40 Houses in filthy state to be purified.
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- 42 Periodical removal of manure from mews and other premises.

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43 Inspection and destruction of unsound meat, &c.

#### PART III

GENERAL PREVENTION AND MITIGATION OF DISEASE.

Infectious Diseases.—Notification.

44 Notification of infectious disease.

### Infectious Diseases.—Prevention.

- 45 Power to inspect premises where infectious disease supposed to exist.
- 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.
- 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.
- 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 Inspection of dairies, and power to prohibit supply of milk.
- 61 Dairymen to supply information and to produce list of customers and invoices.
- 62 Prohibition of retention of dead body in certain cases.
- 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 Provision of conveyance for infected persons.

#### 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.

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73 Tents and vans used for human habitation.

## *Underground Dwellings.*

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- 75 Penalty on letting underground dwellings.

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

#### Vaccination.

77 Cost of vaccination.

#### **PART IV**

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- 78 General power of Board to make regulations.
- 79 Power of Board to make regulations for certain purposes.
- 80 Publication of regulations and orders.
- 81 Local authority to see to execution of regulations.
- 82 Power of entry.
- 83 Board may combine local authorities.
- When regulation in force, overcrowded houses to come under common lodging-houses provisions.
- 85 Enforcement of regulations by Government officers, &c.
- 86 Regulations to be uniform.
- 87 Penalties.
- 88 Transfer of power under 39 & 40 Vict. c.36 s.234.

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- 91 Evidence of register.
- 92 Power to local authority to make byelaws.
- 93 Copy of byelaws to be furnished gratis to keepers.
- Power to local authority to require additional supply of water.
- 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.

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- 102 Power to purchase sewers.
- 103 Power to make sewers. Sewers to be cleansed.
- Notice to be given before commencing sewage works without district.
- In case of objection, work not to be commenced without sanction of Board.
- 106 Inspector to hold inquiry and report to Board.
- 107 Protection for railways, canals, &c.

- 108 Powers of utilizing sewage.
- 109 Power of entry.
- 110 Power to drain into sewers of local authority.
- 111 Use of sewers by persons beyond district.
- 112 Penalty for making unauthorised drains.
- 113 Estimates for work.
- 114 Not to build over sewers, &c.
- 115 Sewers to be trapped.
- 116 Distilleries, &c. to deposit refuse.
- 117 Prohibition against interrupting free flow of sewage.
- 118 Placing carcases in running water, &c.
- 119 Drain discharging below low-water mark.
- 120 As to drainage of houses.
- 121 Local authorities may combine as to sewerage.
- 122 Special drainage districts.
- 123 Works of distribution of sewage to be deemed a land improvement.

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- 124 Supply of water for burghs.
- 125 Local authority to require water to be supplied to houses in certain cases
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- 128 Penalties to be sued for within six months.
- 129 Daily penalty during continuance of offence.
- 130 Local authorities may combine as to water supply.
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- 151 Penalty for wilful damage of works.
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- 153 Recovery of penalties.
- 154 Form of applications to the sheriff, &c.
- No written pleadings, &c. allowed.
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- 158 Justices, &c. being members of local authority may act.
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- 162 Penalty on occupier obstructing owner.
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#### PART X

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Repeal of Acts.

196 Repeal of Acts.

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