
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to orders applied for and made under Part 2A of the Public Health (Control of Disease) Act 1984 (the Act).

Regulation 3 sets out to whom the local authority must give notice of an application for a Part 2A order.

Regulation 4 sets out the evidence that must be available to a justice of the peace before the justice may be satisfied that the criteria for making an order under section 45G of the Act are met.

Regulation 5 sets a maximum period for which specified Part 2A orders (and any extensions to those orders) may remain in force.

Regulation 6 provides for certain persons to be “affected persons” for the purposes of Part 2A orders.

Regulation 7 enables a local authority to impose charges in order to recover the costs of actions taken by the local authority pursuant to a Part 2A order where that order is in relation to “things” (as defined by the Act) and premises. Charges may not be imposed in connection with orders in relation to people or dead bodies or human remains.

Regulations 8 to 11 place various obligations on local authorities in relation to Part 2A applications and orders. Regulation 8 obliges the local authority to provide certain information to the person subject to the order. Regulation 9 obliges the local authority to have regard to the impact of the order on the welfare of the person who is the subject of the order and of any dependants that person may have where an order is for detention, isolation or quarantine. Regulations 10 and 11 require the local authority to report details of applications, orders and variations or revocations of orders to the Health Protection Agency for monitoring purposes.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Department of Health, Room 514, Wellington House, 133-155 Waterloo Road, London SE1 8UG and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website (www.opsi.gov.uk).