

SCHEDULE 2

Transitional and savings provisions in relation to public health protection

Sections 35 to 38 and 40 of the 1984 Act

9. Where, immediately before 6th April 2010, an order made by a justice of the peace under one or more of sections 35 to 38 and 40 of the 1984 Act⁽¹⁾ (which relate to justice of the peace orders) is in force, the order—

- (a) shall be treated as having been made under section 45G (power to order health measures in relation to persons) and, where the order has been combined with a warrant, section 45K (part 2A orders: supplementary) of the 1984 Act;
- (b) shall cease to be in force after a period of 14 days beginning with 6th April 2010, or such shorter period as the order may specify; and
- (c) cannot be extended, but this does not prevent a justice of the peace making a new order under sections 45G or 45K of the 1984 Act as the case may be.

(1) Before its repeal, section 37 was amended by: the National Health Service and Community Care Act 1990 (c.19), Schedule 9, paragraph 26(2), Schedule 10; the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 4, paragraphs 60 and 62; S.I. 2000/90, Schedule 1, paragraph 17(1) and (4)(b); S.I. 2002/2469, Schedule 1, Part 1, paragraph (11) (1) and (4)(a) and (b); and S.I. 2007/961, the Schedule, paragraph 14(1) and (6)(a) and (b).