



# Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1962

## 1962 CHAPTER 12

An Act to make certain amendments to the law relating to public health and local government; and for purposes connected therewith. [20th February 1962]

### PUBLIC HEALTH PROVISIONS

#### **1 Application of certain provisions of 1907 c.53, to all districts.**

Notwithstanding anything in sub-section (2) of section two of the Public Health Acts Amendment Act, 1907, the following provisions of that Act shall have effect in the area of every [<sup>F1</sup> district council]...<sup>F2</sup>, that is to say,—

- section thirty (which relates to the repair and enclosure of dangerous places);
- section thirty-one (which relates to the fencing of lands adjoining streets); and
- section ninety-three (which relates to the provision of life-saving appliances).

**F1** SRO (NI) 1973/285

**F2** SRO (NI) 1973/285

*Ss. 2#4 rep. by 1972 NI 14*

#### **5 Rate of interest on certain expenses.**

<sup>F3</sup>(1) The rate of interest on expenses recoverable—

*Para. (a) rep. by 1972 NI 16*

- (b) by a [<sup>F4</sup> district council] under section two hundred and fifty-five of that Act<sup>F5</sup> (which relates to expenses for which the owners of premises are made liable under the Act or by any agreement with the [<sup>F4</sup> district council]);

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shall, in relation to expenses incurred after the coming into operation of this section, be such rate of interest as may from time to time be determined by the Ministry of Finance, and those enactments shall have effect accordingly.

- (2) A determination of the rate of interest by the Ministry of Finance under sub-section (1) shall be made by order which shall be subject to negative resolution.

**F3** App., 1980 NI 12; 1981 NI 4  
**F4** SRO (NI) 1973/285  
**F5** 1878 (c. 52)

*S. 6 rep. by 1972 c. 9 (NI)*

## 7 Limitation of liability of certain owners.

- (1) Where a [<sup>F6</sup> district council] claim to recover any expenses under any provision of the Public Health Acts (Northern Ireland), 1878 to 1961 from a person as being the owner of the premises in respect of which the expenses were incurred and that person proves that he—

- (a) is receiving the rent of those premises merely as agent or trustee for some other person; and  
 (b) has not, and since the date of the service on him of a demand for payment has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the [<sup>F6</sup> council];

his liability shall be limited to the total amount of the money which he has or has had in his hands as aforesaid, but a [<sup>F6</sup> council] who are, or would be, debarred by the foregoing provisions from recovering the whole of any such expenses from an agent or trustee may recover the whole or any unpaid balance thereof from the person on whose behalf the agent or trustee receives the rent.

- <sup>F7</sup>(2) Where a person to whom this section applies has paid to the Department of Finance, out of money he has or has had in his hands on behalf of the person for whom he acts as agent or trustee, any sum in respect of rates claimed by the Department to be recoverable from him by it under the Rates (Northern Ireland) Order 1977, that sum shall be deemed for the purposes of this section not to have been in his hands.]

**F6** SRO (NI) 1973/285  
**F7** Added, 1975 NI 21; subst., 1977 NI 28

### Modifications etc. (not altering text)

- C1** S. 7 applied (1.4.2007) by [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), **221(2)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

## 8 Exclusive rights of burial in burial grounds.

A burial board as constituted by the Public Health (Ireland) Act, 1878 <sup>M1</sup>, may appropriate for the purpose of exclusive rights of burial the whole or any part of a burial ground provided by the board, ... <sup>F8</sup>

**F8** SLR 1973

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#### **Marginal Citations**

**M1** [1878 c. 52](#)

*Ss. 9#18 rep. by 1972 c. 9*

*S. 19 rep. by 1972 NI 16; SRO (NI) 1973/285*

*S. 20 rep. by 1972 c. 9 (NI)*

*S. 21 rep. by 1985 NI 15*

*Ss. 22, 23 rep. by 1972 c. 9 (NI)*

*S. 24 rep. by 1972 NI 16*

*S. 25 rep. by 1969 c. 30 (NI)*

*S. 26 rep. by 1966 c. 36 (NI)*

*S. 27 rep. by SLR 1973*

*S. 28 rep. by 1972 c. 9 (NI)*

*S. 29 rep. by 1972 NI 14*

#### GENERAL PROVISIONS

*S. 30 rep. by SLR 1976*

*S. 31 rep. by SRO (NI) 1973/285; SLR 1976*

*S. 32 rep. by SLR 1973*

#### **33 Short title and citation.**

- (1) This Act may be cited as the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland), 1962.
- (2) Sections one to eight and so much of sections thirty to thirty-three as relates to those sections shall be included among the Acts referred to in citing the Public Health Acts (Northern Ireland), 1878 to 1962.

*Subs. (3) rep. by 1985 NI 15*

*Subs. (4) rep. by SLR 1973*

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*Schedule rep. by SLR 1973*

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