



Public Health (Control of Disease) Act 1984

1984 CHAPTER 22

PART II

CONTROL OF DISEASE

Infectious persons

38 Detention in hospital of person with notifiable disease

- (1) Where a justice of the peace (acting, if he deems it necessary, *ex parte*) in and for the place in which a hospital for infectious diseases is situated is satisfied, on the application of any local authority, that an inmate of the hospital who is suffering from a notifiable disease would not on leaving the hospital be provided with lodging or accommodation in which proper precautions could be taken to prevent the spread of the disease by him, the justice may order him to be detained in the hospital.
- (2) An order made under subsection (1) above may direct detention for a period specified in the order, but any justice of the peace acting in and for the same place may extend a period so specified as often as it appears to him to be necessary to do so.
- (3) Any person who leaves a hospital contrary to an order made under this section for his detention there shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale, and the court may order him to be taken back to the hospital.
- (4) An order under this section may be addressed—
 - (a) in the case of an order for a person's detention, to such officer of the hospital, and
 - (b) in the case of an order made under subsection (3) above,to such officer of the local authority on whose application the order for detention was made, as the justice may think expedient, and that officer and any officer of the hospital may do all acts necessary for giving effect to the order.