Public Health (Control of Disease) Act 1984

1984 CHAPTER 22

[F1PART 2A E+W

PUBLIC HEALTH PROTECTION

Orders that may be made by justice of the peace

[F145I **Power to order health measures in relation to premises** E+W

(1) A justice of the peace may make an order under subsection (2) in relation to premises if the justice is satisfied that—

    (a) the premises are or may be infected or contaminated,

    (b) the infection or contamination is one which presents or could present significant harm to human health,

    (c) there is a risk that the premises might infect or contaminate humans, and

    (d) it is necessary to make the order in order to remove or reduce that risk.

(2) The order may impose in relation to the premises one or more of the following restrictions or requirements—

    (a) that the premises be closed;

    (b) that, in the case of a conveyance or movable structure, the conveyance or structure be detained;

    (c) that the premises be disinfected or decontaminated;

    (d) that, in the case of a building, conveyance or structure, the premises be destroyed.

(3) A justice of the peace may make an order under subsection (4) in relation to premises if the justice is satisfied that—

    (a) the premises are or may be infected or contaminated or are or may be a place where infection or contamination was spread between persons or things,

2

Public Health (Control of Disease) Act 1984 (c. 22)
Part 2A – Public Health Protection
Document Generated: 2024-06-05

    (b)   the infection or contamination is one which presents or could present significant harm to human health,

    (c)   there is a risk that a related person or related thing might infect or contaminate humans, and

    (d)   it is necessary to make the order in order to remove or reduce that risk.

(4) The order may require the owner or any occupier of the premises to provide information or answer questions about the premises (including, in particular, information about the identity of any related person or the whereabouts of any related thing).

(5) " Related person " means—

    (a)   a person who has or may have infected or contaminated the premises,

    (b)   a person who has or may have infected or contaminated a person who or thing which is or has been on the premises,

    (c)   a person whom the premises have or may have infected or contaminated, or

    (d)   a person who has or may have been infected or contaminated by a person who or thing which is or has been on the premises.

(6) " Related thing " means—

    (a)   a thing which has or may have infected or contaminated the premises,

    (b)   a thing which has or may have infected or contaminated a person who or thing which is or has been on the premises,

    (c)   a thing which the premises have or may have infected or contaminated, or

    (d)   a thing which has or may have been infected or contaminated by a person who or thing which is or has been on the premises.

(7) The appropriate Minister may by regulations make provision about the evidence that must be available to a justice of the peace before the justice can be satisfied as mentioned in subsection (1) or (3).

(8) In this section—

    (a)   any reference to being infected or contaminated includes a reference to carrying the source of an infection or contamination, and

    (b)   any reference to infecting or contaminating humans, or a person, thing or premises, includes a reference to passing the source of an infection or contamination to humans, or to the person, thing or premises.]