



# Public Health (Control of Disease) Act 1984

## 1984 CHAPTER 22

### PART VI

#### GENERAL

#### 61 Power to enter premises.

- (1) Subject to the provisions of this section, any [<sup>F1</sup>proper officer of a relevant health protection authority] shall, on producing, if so required, some duly authenticated document showing his authority have a right to enter any premises at all reasonable hours—
- [<sup>F2</sup>(a) for the purposes of ascertaining whether there is, or has been, any contravention of a relevant provision of this Act, or of an order made by a justice of the peace under Part 2A of this Act, which it is the function of the relevant health protection authority to enforce,]
  - (b) for the purpose of ascertaining whether or not circumstances exist which would authorise or require the [<sup>F3</sup>relevant health protection authority] to take any action, or execute any work, under such a provision [<sup>F4</sup>or in relation to such an order],
  - (c) for the purpose of taking any action, or executing any work, authorised or required by such a provision [<sup>F5</sup>or in relation to such an order], or by any order made under such a provision, to be taken, or executed, by the [<sup>F6</sup>relevant health protection authority], or
  - (d) generally, for the purpose of the performance by the [<sup>F7</sup>relevant health protection authority] of their functions under such a provision [<sup>F8</sup>or in relation to such an order].
- (2) Admission to any premises <sup>F9</sup>... shall not be demanded as of right unless twenty–four hours' notice of the intended entry has been given to the occupier.
- [<sup>F10</sup>(2A) Subsection (1) does not authorise entry to any part of premises which is used as a private dwelling (but this does not affect the power of a justice of the peace under

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*Changes to legislation: There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Section 61. (See end of Document for details)*

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subsection (3) to issue a warrant authorising entry to a private dwelling or to any part of premises used as a private dwelling.)]

- (3) If it is shown to the satisfaction of a justice of the peace on sworn information in writing—
- (a) that admission to any premises has been refused, or that refusal is apprehended, or that the premises are unoccupied or the occupier is temporarily absent, or that the case is one of urgency, or that an application for admission would defeat the object of the entry, and
  - (b) that there is reasonable ground for entry into the premises for any such purpose as is mentioned in subsection (1) above.

the justice may by warrant under his hand authorise [<sup>F11</sup>the relevant health protection authority by any proper officer] to enter the premises, if need be by force.

- (4) Such a warrant shall not be issued unless the justice is satisfied either that notice of the intention to apply for a warrant has been given to the occupier, or that the premises are unoccupied, or that the case is one of urgency, or that the giving of such notice would defeat the object of the entry.

#### Textual Amendments

- F1** Words in s. 61(1) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(a\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F2** S. 61(1)(a) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(b\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F3** Words in s. 61(1)(b) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(c\)\(ii\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F4** Words in s. 61(1)(b) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(c\)\(i\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F5** Words in s. 61(1)(c) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(c\)\(i\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F6** Words in s. 61(1)(c) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(c\)\(ii\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F7** Words in s. 61(1)(d) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(c\)\(ii\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F8** Words in s. 61(1)(d) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(2\)\(c\)\(i\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F9** Words in s. 61(2) repealed (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(3\)](#), [Sch. 15 Pt. 3](#); S.I. 2010/708, art. 6(e)(f) (with Sch. 2)
- F10** S. 61(2A) inserted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(4\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)
- F11** Words in s. 61(3) substituted (6.4.2010 for E.) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 11 para. 17\(5\)](#); S.I. 2010/708, art. 6(e) (with Sch. 2)

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Section 61.