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**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care Act 2008, Paragraph 17. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 11

#### PUBLIC HEALTH PROTECTION: FURTHER AMENDMENTS

##### *Public Health (Control of Disease) Act 1984*

- 17 (1) Section 61 of the 1984 Act (power to enter premises) is amended as follows.
- (2) In subsection (1)—
- (a) for “authorised officer of a local authority” substitute “proper officer of a relevant health protection authority”,
  - (b) for paragraph (a) substitute—
    - “(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,” and
  - (c) in each of paragraphs (b), (c) and (d)—
    - (i) for “or such byelaws” substitute “or in relation to such an order”, and
    - (ii) for “local authority” substitute “relevant health protection authority”.
- (3) In subsection (2) omit “, other than a factory or workplace,”.
- (4) After subsection (2) insert—
- “(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 subsection (3) to issue a warrant authorising entry to a private dwelling or to any part of premises used as a private dwelling).”
- (5) In subsection (3), for “the local authority by any authorised officer” substitute “the relevant health protection authority by any proper officer”.

#### **Commencement Information**

- 11** Sch. 11 para. 17 in force at 6.4.2010 for E. by S.I. 2010/708, art. 6(e) (with Sch. 2)
- 12** Sch. 11 para. 17 in force at 26.7.2010 for W. by S.I. 2010/1547, art. 2(e) (with Sch. 1)

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