



Public Health Act 1936

1936 CHAPTER 49

PART V

PREVENTION, NOTIFICATION AND TREATMENT OF DISEASE.

Provisions as to disinfection of premises and articles, and the removal of infected persons.

166 Power of local authority to provide disinfecting station.

A local authority may provide a disinfecting station and may cause any article brought thereto to be disinfected free of charge.

167 Cleansing and disinfection of premises and articles therein.

- (1) If a local authority are satisfied upon a certificate of the medical officer of health of the district that the cleansing and disinfection of any premises, and the disinfection or destruction of any articles therein likely to retain infection, would tend to prevent the spread of any infectious disease, the authority shall give notice to the occupier of the premises that they will at his cost cleanse and disinfect the premises and disinfect or, as the case may require, destroy any such articles therein, unless, within twenty-four hours after the receipt of the notice, he informs them that within a time to be fixed by the notice he will take such steps as are specified therein.
- (2) If within twenty-four hours after receipt of the notice the person to whom it is given does not inform the authority as aforesaid, or if, having so informed the authority, he fails to take such steps as aforesaid to the satisfaction of the medical officer of health within the time fixed by the notice, the authority may cause the premises to be cleansed and disinfected and the articles to be disinfected or destroyed, as the case may require, and may, if they think fit, recover from him the expenses reasonably incurred by them in so doing.
- (3) Where the occupier of any premises is in the opinion of the local authority unable effectually to take such steps as they consider necessary, they may, without giving such notice as aforesaid but with his consent, take the necessary steps at their own cost.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) Where a local authority have under this section disinfected any premises or article, or destroyed any article, they may, if they think fit, pay compensation to any person who has suffered damage by their action.
- (5) For the purposes of this section, the owner of unoccupied premises shall be deemed to be in occupation thereof.

168 Power of local authority to remove temporarily inmates of infected house.

- (1) When any infectious disease occurs in a house, or the local authority deem it necessary to disinfect any house, the authority may, on a certificate of the medical officer of health of the district—
 - (a) cause any person who is not himself sick and who consents to leave the house, or whose parent or guardian, where the person is a child, consents to his leaving the house, to be removed therefrom to any temporary shelter or house accommodation provided by the authority;
 - (b) cause any such person to be so removed without any consent, if a justice of the peace (acting, if he deems it necessary, *ex parte*) is satisfied, on the application of the authority, of the necessity for the removal and makes an order for the removal, subject to such conditions, if any, as may be specified in the order.
- (2) The local authority shall in every case cause the removal to be effected and the conditions of any order to be satisfied without charge to the person removed, or to the parent or guardian of that person.
- (3) A local authority may provide temporary shelter or house accommodation for the purposes of this section.

169 Provision for removal to hospital of persons suffering from notifiable disease where serious risk of infection being spread.

- (1) Where a justice of the peace (acting, if he deems it necessary, *ex parte*) is satisfied, on the application of the local authority, that a person is suffering from a notifiable disease and—
 - (a) that his circumstances are such that proper precautions to prevent the spread of infection cannot be taken, or that such precautions are not being taken; and
 - (b) that serious risk of infection is thereby caused to other persons; and
 - (c) that accommodation for him is available in a suitable hospital or institution, the justice may, with the consent of the superintending body of the hospital or institution, order him to be removed thereto and maintained therein at the cost of the authority.
- (2) An order under this section may be addressed to such officer of the local authority as the justice may think expedient, and that officer and any officer of the hospital or institution may do all acts necessary for giving effect to the order.

170 Power of justice to order detention in hospital of infected person without proper lodging to return to.

- (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 situate is satisfied, on the application of any local authority, that an inmate of the hospital who is suffering from

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

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 at the cost of the authority:

Provided that the making of such an order shall not affect the liability of any council who by virtue of any contract or order, or otherwise, are under an obligation to defray the cost of his maintenance whilst in the hospital.

- (2) An order made under the preceding subsection 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 so to do.
- (3) Any person who leaves a hospital contrary to an order made under this section for his detention therein shall be liable to a fine not exceeding five pounds, and the court may order him to be taken back to the hospital.
- (4) An order under this section may be addressed, in the case of an order for a person's detention, to such officer of the hospital and, in the case of an order made under the last preceding subsection, 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.