



Public Health Act 1936

1936 CHAPTER 49

PART V

PREVENTION, NOTIFICATION AND TREATMENT OF DISEASE.

Provisions as to treatment of tuberculosis.

171 Institutional treatment of tuberculosis.

- (1) It shall be the duty of the council of every county and county borough to make adequate arrangements for the treatment of persons in their county or borough, who are suffering from tuberculosis, at or in dispensaries, sanatoria and other institutions approved by the Minister.
- (2) The Minister may under this section approve an institution for such time, and subject to such conditions, as he thinks fit, and may withdraw any such approval.

172 Removal to hospital of infectious persons suffering from tuberculosis of the respiratory tract.

- (1) Where a court of summary jurisdiction is satisfied, on the application of a county council or local authority, that a person suffering from tuberculosis of the respiratory tract (in this section referred to as "the patient") is in an infectious state, 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 court may, with the consent of the superintending body of the hospital or institution, order him to be removed thereto and to be detained and maintained therein for such period not exceeding three months as the court thinks fit.
- (2) Where, before the expiration of any period for which a patient has been ordered to be detained under this section, a court of summary jurisdiction acting for the same petty

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sessional division or place is satisfied, upon the application of the county council or local authority, that the conditions which led to his detention being ordered will again exist if he is not detained for a further period, the court may, subject to the like consent, order his detention for a further period, not exceeding three months.

- (3) Before making an application for an order under this section, the county council or local authority shall give to the patient, or to some person having the care of him, not less than three clear days' notice of the time and place at which the application will be made.
- (4) On the hearing of any application under this section, the court may, if it thinks it necessary so to do, require the patient to be examined by such registered medical practitioner as it may direct.
- (5) The county council or local authority on whose application an order has been made under this section shall, if so directed by the court—
 - (i) pay the whole, or such part as the court may direct, of the cost of the patient's removal to and maintenance in the hospital or institution;
 - (ii) make towards the maintenance of any of his dependants such contribution as the court may direct;
 and, in the absence of any direction by the court, may pay the whole or such part, if any, as they think fit of the said cost and make such contribution, if any, as they think fit.
- (6) At any time after the expiration of six weeks from the date of an order made under subsection (1) of this section, application for the rescission of that order, if it is still in force, or of any further order made under subsection (2) of this section, may, upon not less than three clear days' notice to the county council or local authority concerned, be made to a court of summary jurisdiction acting for the same petty sessional division or place, and upon the hearing of any such application the court may rescind the order.
- (7) An order under this section may be addressed to such officer of the county council or local authority as the court 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.

173 General provisions as to treatment of tuberculosis and after-care.

- (1) Without prejudice to the foregoing provisions of this Part of this Act with respect to institutional treatment, a county council or a local authority may make such arrangements as they think desirable for the treatment of tuberculosis.
- (2) The council of a county or county borough may make such arrangements as they think desirable for the after-care of persons who have suffered from tuberculosis.

174 Expenses of county councils in connection with tuberculosis.

Any expenses incurred under the three last preceding sections by a county council shall, if the Minister by order so directs, be defrayed as expenses for special county purposes charged on such part of the county as may be provided by the order, but any such order may be revoked or varied by a subsequent order.

175 Special provisions with respect to treatment of tuberculous seamen.

- (1) The Minister may, by order, constitute an advisory committee for the purpose of assisting the councils of counties and county boroughs in making arrangements for

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the treatment of persons suffering from tuberculosis who are masters, seamen, or apprentices in or to the sea service or the sea-fishing service.

- (2) An order under this section may provide for the advisory committee including representatives—
- (a) of the council of any county or county borough within whose area a substantial number of persons who are masters, seamen or apprentices in or to the sea service or the sea-fishing service are resident; and
 - (b) of the governing body of the Seamen's Special Fund for which provision is made, by section one hundred and thirty-eight of the National Health Insurance Act, 1936, so long as that body contribute out of their funds towards the expenses of the committee; and
 - (c) if the said governing body cease at any time so to contribute, of societies approved under the National Health Insurance Act, 1936, more than three-fourths of whose members are persons who are such masters, seamen or apprentices as aforesaid,

and may contain such incidental, consequential and supplemental provisions as appear to the Minister to be necessary or appropriate for giving full effect to the order.

- (3) An order made under this section may be varied or revoked by another order so made.
- (4) This section extends to London.