



Public Health Act 1936

1936 CHAPTER 49

PART X

CANAL BOATS.

249 Authorities for registering, and enforcing provisions as to, canal boats.

- (1) For the purpose of the registration of canal boats under this Part of this Act, the registration authorities for any canal shall be the local authorities and port health authorities whose districts include, or abut on, some part of the canal:

Provided that a local authority shall not as such be a registration authority for a canal if they are, or are represented on, a port health authority who are a registration authority for that canal.

- (2) It shall be the duty of every registration authority, and of every local authority within whose district any part of a canal is situate, to carry into effect the provisions of this Part of this Act and the regulations made thereunder.
- (3) Every registration authority shall, within twenty-one days after the end of each calendar year, make a report to the Minister as to the steps taken by them during that year to carry into effect the said provisions and regulations.

250 Canal boats used as dwellings to be registered.

A canal boat shall not be used as a dwelling—

- (a) unless it is duly registered under this Part of this Act by some registration authority for the canal on which the boat is accustomed or intended to ply;
- (b) for a greater number of persons, or a greater number of persons of either sex or any particular age, than is permitted by the certificate of registration:

Provided that a canal boat which immediately before the commencement of this Act was registered under the corresponding enactments repealed by this Act shall be deemed to have been registered under this Part of this Act, and the certificate of registration shall have effect accordingly.

Status: This is the original version (as it was originally enacted).

251 Regulations as to canal boats.

- (1) It shall be the duty of the Minister to make regulations—
 - (a) with respect to the registration of canal boats, certificates of registration and the fees to be charged in connection with registration;
 - (b) with respect to the lettering, marking and numbering of canal boats;
 - (c) for fixing the number, age and sex of the persons who may be permitted to dwell in canal boats, regard being had to cubic space, ventilation, provision for the separation of the sexes, general healthiness and convenience of accommodation;
 - (d) for promoting cleanliness in, and ensuring the habitable condition of, canal boats; and
 - (e) for preventing the spread of infectious disease by canal boats.
- (2) Regulations made under this section shall be laid before Parliament.

252 Registration of canal boats and certificates of registration.

- (1) If a canal boat conforms to the conditions of registration prescribed by the regulations, any registration authority for the canal on which the boat is accustomed or intended to ply shall, upon payment of the prescribed fee, register the boat.
- (2) Upon registering a canal boat, the registration authority shall give to the owner of the boat a certificate of registration in duplicate, identifying the owner and the boat and stating the place to which the boat is registered as belonging, the number, age and sex of the persons permitted to dwell in the boat, and such other particulars as may be required by the regulations, or as the authority think desirable.
- (3) The master of a canal boat shall have the custody of one of the duplicate certificates of registration, but, on his ceasing to be the master of the boat, or on the boat ceasing to be registered, he shall deliver that certificate to the owner of the boat, or to such person as the owner may direct, and, if he unlawfully detains it, he shall be liable to a fine not exceeding forty shillings, and the court may order him to deliver up the certificate.
- (4) A certificate of registration of a canal boat shall cease to be in force, if any structural alterations which affect the conditions upon which the certificate was obtained are made in the boat.
- (5) A person aggrieved by the refusal of a registration authority to register a canal boat may appeal to a court of summary jurisdiction.

253 Penalties for use of unregistered canal boat as dwelling, and for breach of regulations.

If a canal boat is used as a dwelling in contravention of any of the foregoing provisions of this Part of this Act, or if any regulation made thereunder is not complied with as respects a canal boat, the master of the boat and also the owner thereof, if he is himself in default, shall be liable to a fine not exceeding five pounds, and to a further fine not exceeding forty shillings for each day on which after conviction for the offence the boat is so used, or the non-compliance continues.

254 Infectious disease on canal boats.

A local authority or port health authority, on being informed that any person on a canal boat within their district is suffering from an infectious disease, shall cause such steps to be taken for preventing the spread of the disease as they consider to be necessary, and for that purpose may exercise any of the powers in relation to the prevention of infection conferred upon them by this Act or, as the case may be, by the Public Health (London) Act, 1891, including powers for procuring the removal to hospital of persons suffering from infectious disease, and may also, if need be, detain the boat, but not for any longer period than is necessary for cleansing and disinfecting it.

255 Power to enter and inspect canal boat.

- (1) An inspector appointed by the Minister may, on producing, if required, evidence of his authority, enter a canal boat at any time between six o'clock in the morning and nine o'clock in the evening and examine every part of the boat and may, if need be, detain the boat for the purpose of his examination, but not for any longer period than is necessary.
- (2) If an authorised officer of a local authority or port health authority has reasonable ground for behaving—
 - (a) that any provision of this Part of this Act, or any regulation made thereunder, is being contravened as respects a canal boat, or
 - (b) that there is on board a canal boat any person suffering from an infectious disease,he shall, for the purpose of ascertaining whether there is any such contravention as aforesaid or any person on board suffering from an infectious disease, have the like rights of entering, examining and if necessary detaining the boat as an inspector of the Minister has under the last preceding subsection.
- (3) The master of the canal boat shall, if required by such an inspector or officer as aforesaid so to do, produce to him the certificate of registration, if any, of the boat, and permit him to examine and copy the certificate, and shall furnish him with such assistance and means as he may require for the purpose of his entry on, and departure from, the boat and his examination thereof.
- (4) Any person who refuses to comply with a requisition made under the preceding subsection shall be deemed to have obstructed the person by whom the requisition was made.

256 Prosecution of offences.

Proceedings in respect of an offence under this Part of this Act may be taken before a court of summary jurisdiction acting either in the place where the offence was committed, or in the place where the alleged offender for the time being is, or in the place to which the boat in respect of which the offence was committed is registered as belonging.

257 Application of Part X to London.

This Part of this Act shall extend to London.

Status: This is the original version (as it was originally enacted).

258 Interpretation of Part X.

In this Part of this Act the following expressions have the meanings hereby respectively assigned to them, that is to say—

" canal " includes any river, inland navigation or lake, and any other waters situate wholly or in part within a county or county borough, whether those waters are or are not within the ebb and flow of the tide;

" canal boat " means any vessel, however propelled, which is used for the conveyance of goods along a canal, not being—

- (a) a sailing barge which belongs to the class generally known as " Thames sailing barge " and is registered under the Merchant Shipping Acts, 1894 to 1928, either in the port of London or elsewhere; or
- (b) a sea-going ship so registered; or
- (c) a vessel used for pleasure purposes only;

" master, " in relation to a canal boat, means the person having command or charge of the boat; and

" owner, " in relation to a canal boat, includes a person who, though only the hirer of the boat, appoints the master and other persons working the boat.