



# Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

## PART XII

### GENERAL

#### *Powers of the Minister*

312 .....<sup>F1</sup>

#### Textual Amendments

**F1** S. 312 repealed by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [Sch. 2](#)

313, .....<sup>F2</sup>  
314.

#### Textual Amendments

**F2** Ss. 313, 314 repealed with saving by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [s. 27\(6\)](#), [Sch. 2](#)

<sup>F3</sup>315 .....

#### Textual Amendments

**F3** S. 315 repealed (8.11.1995) by [1995 c. 44](#), [s. 1 Sch. 1 Pt. VI](#)

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*Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1936, Cross Heading: Powers of the Minister. (See end of Document for details)*

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### 316 Adaptation, where necessary, of provisional order procedure.

- (1) In relation to any order made by the Minister under this Act which [<sup>F4</sup>is subject to special Parliamentary procedure] but was not made on the application of any local authority, [<sup>F5</sup>section two hundred and forty of the <sup>M1</sup>Local Government Act 1972] (which relates to the procedure for making [<sup>F4</sup>such] orders), shall have effect as if for references therein to the applicants for the order and to the application for the order there were substituted respectively references to the Minister and to the order proposed to be made by him.
- (2) The expenses incurred by the Minister in connection with the making and confirmation of any such order as aforesaid shall be paid by such council, or by such councils in such shares, as he may direct, and the amount of those expenses as certified by him, or the amount of any share thereof so certified, shall be recoverable by him from the council liable therefor as a debt due to the Crown.

#### Textual Amendments

- F4** Words substituted by [S.I. 1949/2393](#) (1949 I, p. 3973), art. 3, Sch. 2  
**F5** Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)

#### Marginal Citations

- M1** [1972 c. 70.](#)

### 317 Amendment of 38 & 39 Vict. c. 55. s. 303.

In section three hundred and three of the <sup>M2</sup>Public Health Act 1875 (which relates to the power of the Minister to repeal and alter local Acts by means of provisional orders), the reference to any local Act which relates to the same subject-matters as that Act shall be construed as including a reference to any local Act which relates to the same subject-matters as this Act.

#### Modifications etc. (not altering text)

- C1** S. 317 extended by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\), s. 77, Sch. 1 para. 5\(a\)](#) and by [Building Act 1984 \(c.55, SIF 15\), s. 132, Sch. 5 para. 3\(a\)](#)

#### Marginal Citations

- M2** [1875 c. 55.](#)

### 318 Local inquiries.

The Minister may cause a local inquiry to be held in any case where he is authorised by this Act to determine any difference, to make any order, to frame any scheme, to give any consent, confirmation, sanction or approval, or otherwise to act under this Act, and in any other case where he deems it advisable that a local inquiry should be held in relation to any matter concerning the public health in any place.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health Act 1936, Cross Heading:  
Powers of the Minister.