



Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

PART V

PREVENTION, NOTIFICATION AND TREATMENT OF DISEASE

Regulations for the prevention and treatment of infectious disease, &c.

143 Power of Minister to make regulations with a view to the treatment of certain diseases, and for preventing the spread of such diseases.

- [^{F1}(1) Subject to the provisions of this section, the Minister may, as respects the whole or any part of England and Wales, including the coastal waters thereof, make regulations—
- (a) with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases;
 - (b) for preventing danger to public health from vessels or aircraft arriving at any place; and
 - (c) for preventing the spread of infection by means of any vessel or aircraft leaving any place, so far as may be necessary or expedient for the purpose of carrying out any treaty, convention, arrangement or engagement with any other country;

and without prejudice to the generality of the foregoing words, may by any such regulations apply, with or without modifications, to any disease to which the regulations relate any enactment (including any enactment in this Act) relating to the notification of disease or to notifiable diseases:

Provided that, before making regulations under paragraph (b) or paragraph (c) of this subsection, the Minister shall consult, in the case of vessels, the Board of Trade and, in the case of aircraft, the [^{F2}Board of Trade].

- (2) Regulations made under this section may provide for—
- (a) the signals to be displayed by vessels or aircraft having on board any case of epidemic, endemic or infectious disease;

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- (b) the questions to be answered by masters, pilots and other persons on board any vessel or aircraft as to cases of such disease on board during the voyage or on arrival;
 - (c) the detention of vessels or aircraft and of persons on board them;
 - (d) the duties to be performed in cases of such diseases by masters, pilots, and other persons on board vessels or aircraft;
- and may authorise the making of charges and provide for the recovery of such charges and of any expenses incurred in disinfection.
- (3) Regulations made under this section shall specify the authorities, whether county councils, local authorities . . . ^{F3} port health authorities, [^{F4}Regional Health Authorities, Area Health Authorities or special health authorities] by whom they are to be enforced and executed, and may also provide for their enforcement and execution by officers of customs and excise and officers and men employed in the coastguard: Provided that regulations so made shall require—
- (i) so far as they apply to officers of customs and excise, the consent of the Commissioners of Customs and Excise;
 - (ii) so far as they apply to officers or men employed in the coast-guard, the consent of the [^{F5}Secretary of State] and the Board of Trade;
 - (iii) So far as they apply to signals, in the case of vessels, the consent of the Board of Trade and, in the case of aircraft, the consent of the [^{F2}Board of Trade].
- (4) Authorised officers of any such authority, officers of customs and excise and officers and men employed in the coast-guard shall have power to enter any premises, vessel, or aircraft for the purpose of executing, or superintending the execution of, any such regulations as aforesaid.
- (5) Any person who wilfully neglects or refuses to obey or carry out, or obstructs the execution of, any regulations made by the Minister under this section shall, in a case where no provision is made by the regulations for his punishment, be liable to a fine not exceeding one hundred pounds, and in the case of a continuing offence to a further fine not exceeding fifty pounds for every day on which the offence continues after conviction therefor.
- (6) Any expenses incurred by a county council under this section 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.
- (7) Regulations made under this section shall be laid before Parliament [^{F6}and shall be subject to annulment in pursuance of a resolution of either House of Parliament.].]
- (8) ^{F7}
- (9) His Majesty may by Order in Council direct that the provisions of subsections (1) to (7) of this section, so far as they relate to regulations (including regulations as to quarantine) with respect to matters with respect to which the Parliament of Northern Ireland has no power to make laws, shall extend to Northern Ireland, subject to such exceptions, modifications and adaptations as may be specified in the Order.
- [^{F1}(10) His Majesty may by Order in Council direct that regulations made under this section, other than regulations for purposes mentioned in paragraph (a) of subsection (1) which will be operative on land, shall extend to the Isle of Man and the Channel Islands with such exceptions, modifications and adaptations as may be specified in the Order, and

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for the purposes of any such Order the provisions of subsections (4) and (5) of this section shall be deemed to form part of the regulations.]

Textual Amendments

- F1** [S. 143\(1\)–\(7\)](#), (10) repealed (E.W.) by [Public Health \(Control of Disease\) Act 1984](#) (c. 22, SIF 100:1), s. 78, [Sch. 3](#)
- F2** Words substituted by virtue of [Civil Aviation Act 1949](#) (c. 67), [Sch. 11 para. 1\(1\)](#), [S.I. 1953/1204](#) (1953 I, p. 1225), arts. 2(1), 3(1), 4(4), 1959/1768 (1959I, p. 1793), arts. 2(1)(a), 3(1), 4(1), 1966/741, arts. 2(1)(a), 3(1) and 1966/1015 art. 2(1)(3)
- F3** Word repealed by [National Health Service Reorganisation Act 1973](#) (c. 32), [Sch. 5](#)
- F4** Words inserted by [National Health Service Reorganisation Act 1973](#) (c. 32), [Sch. 4 para. 3](#)
- F5** Words substituted by [S.I. 1964/488](#), [Sch. 1 Pt. I](#)
- F6** Words in [s. 143\(7\)](#) inserted (N.I.)(5.11.1993) by 1993 c. 50, s. 1(2), [Sch. 2 Pt. II para. 24\(1\)](#)
- F7** [S. 143\(8\)](#) repealed by [London Government Act 1963](#) (c. 33), [Sch. 18 Pt. II](#)
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Modifications etc. (not altering text)

- C1** [S. 143](#) extended by [Health Services and Public Health Act 1968](#) (c. 46), [s. 56](#)
- C2** Functions of Board of Trade now exercisable concurrently by Secretary of State: [S.I. 1970/1537](#), [art. 2\(1\)](#)
- C3** [S. 143](#) modified by [Civil Aviation Act 1982](#) (c. 16, SIF 9), [s. 36\(5\)\(8\)](#)
- C4** [S. 143\(1\)–\(7\)](#) extended to Northern Ireland so far as relating to such regulations as are specified in [s. 143\(9\)](#) by [S.I. 1939/1438](#) and [S.I. 1953/1681](#) subject as stated therein and subject also to the modifications contained in [S.R. & O. \(N.I.\) 1973 No. 256](#)
- C5** Reference to expenses incurred for special county purposes in [s. 143\(6\)](#) to be construed as reference to special expenses of a county council: [Local Government Act 1972](#) (c. 70), [Sch. 29 Pt. I para. 3\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Public Health Act 1936, Section 143.