



Port of Plymouth shall be varied in accordance with the provisions of any instrument relating to the Port of Plymouth made before 1st October 1979 by virtue of section 13 of that Act.

*The Port Health Authority*

2. For the purposes of the Act, the Port of Plymouth shall be a port health district and the City Council shall be the port health authority for that district.

*Jurisdiction*

3. The City Council shall have jurisdiction as port health authority over all waters within the Port of Plymouth and also over such part of the district of the specified riparian authorities as comprises the whole of any wharf and of the area within the gates of any dock and the buildings thereon respectively, within the Port of Plymouth.

*Functions assigned to Port Health Authority*

4.—(1) There are hereby assigned to the City Council as port health authority the functions, rights and liabilities of a local authority under the enactments specified in the Schedule, so far as they are applicable to a port health authority and to any lands, waters, premises, vessels or persons within their jurisdiction.

(2) For the purposes of the functions, rights and liabilities assigned to the City Council by virtue of this order, the enactments mentioned in the Schedule shall have effect as if

- (a) any vessel lying within their jurisdiction were a house, building or premises, and
- (b) the master or other officer or person in charge of the vessel were the occupier.

(3) This article shall not apply to any vessel belonging to Her Majesty or under command or charge of an officer holding Her Majesty's commission or to any vessel belonging to the armed forces of any country to which the provisions of the Visiting Forces Act 1952 (a) apply by virtue of section 1 of that Act.

*Revocations*

5. The Orders of the Local Government Board establishing the Plymouth Port Health Authority and dated 23rd February 1900, together with the amending orders of the Local Government Board dated 17th January 1902 and 4th November 1902 are hereby revoked.

Signed by the authority of the Secretary of State for Social Services.

*F. B. Hindmarsh,*

Under Secretary,

Department of Health and Social Security.

26th August 1977.

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(a) 1952 c. 67.

## SCHEDULE

## Article 4

*Public Health Act 1936 (c. 49.)*

Section 48	Power to examine and test drains.
Sections 51 and 52	Care of closets and sanitary conveniences.
Section 82	Byelaws as to removal through street of offensive matter or liquid.
Sections 83–86	Filthy or verminous premises or articles, and verminous persons.
Part III	Nuisances and offensive trades.
Sections 140 and 141	Provisions for the protection of the public from polluted water.
Part V	Prevention, Notification and Treatment of Disease.
Part XII	General.

*Food and Drugs Act 1955 (c. 16.)*

Part I	General Provision as to Food and Drugs.
Part V	Administration, Enforcement and Legal Proceedings.
Part VI	Miscellaneous and General.

*Clean Air Act 1956 (c. 52.)**Public Health Act 1961 (c. 64.)*

Section 26	Defective premises.
Section 36	Power to require vacation of premises during fumigation.
Section 38	Power of justices to order a medical examination.
Section 39	Information to be furnished by occupier in case of notifiable disease or food poisoning.
Section 41	Compensation for stopping employment to prevent spread of disease.

*Clean Air Act 1968 (c. 62.)**The Public Health (Recurring Nuisances) Act 1969 (c. 25.)**Slaughterhouses Act 1974 (c. 3.)*

Part I	Slaughterhouses and Knackers' Yards.
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*Control of Pollution Act 1974 (c. 40.)*

Part III (except sections 70 and 71)	Noise.
Section 76	Regulations about sulphur content of oil fuel for furnaces or engines.
Section 77 (insofar as it is supplementary to Section 76)	Provisions supplementary to section 76.
Sections 79–83	Information about atmospheric pollution.
Section 84	Interpretation of Part IV.
Section 86	Protection of members and officers of Authorities from personal liability.
Sections 91 and 92	Rights of Entry and Inspection, etc.
Section 93	Power of authorities to obtain information.
Section 94	Prohibition on disclosure of information.
Section 97	Default powers.
Section 98	Interpretation.
Part VI	Miscellaneous and General.

*Local Government (Miscellaneous Provisions) Act 1976 (c. 57.)*

Section 16	Power of local authorities to obtain particulars of persons interested in land.
Section 32	Power of local authorities to execute works outside their area.
Section 41	Evidence of resolutions and minutes of proceedings, etc.

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This order constitutes the Port of Plymouth as a port health district and constitutes the Council of the City of Plymouth as port health authority for that district. Articles 3 and 4 relate to the jurisdiction and powers of the Council as port health authority for the Port of Plymouth. The order supercedes similar orders made under the Public Health Acts and confers upon the port health authority functions under general Acts relating to public health and food and drugs.