
STATUTORY INSTRUMENTS

2010 No. 708

The Health and Social Care Act 2008 (Commencement
No. 15, Consequential Amendments and
Transitional and Savings Provisions) Order 2010

PART 4

Provisions relating to public health protection

Disapplication of section 121(4) of the Magistrates' Courts Act 1980

10. An application for an order under Part 2A of the 1984 Act⁽¹⁾ (public health protection) may be heard by a magistrates' court otherwise than in open court (and accordingly section 121(4) of the Magistrates' Courts Act 1980⁽²⁾ (constitution and place of sitting of court) shall not apply to such an application).

(1) Inserted by the Health and Social Care Act 2008, section 129.

(2) 1980 c. 43; section 121(4) was amended by the Courts Act 2003 (c. 39), Schedule 8, paragraph 237(1) and (3). By virtue of section 67(1) of the Public Health (Control of Disease) Act 1984, read with the definition of "magistrates' court" in Schedule 1 to the Interpretation Act 1978 (c. 30), an application for an order under Part 2A of the 1984 Act is to be heard as a complaint.