

---

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

**Appointed day for provisions relating to public health protection**

6. 6th April 2010 is the day appointed for the coming into force of the following provisions of the 2008 Act—

- (a) section 129, in so far as not already in force;
- (b) section 130(1), except in so far as it relates to sections 13 to 15 and 76 of the 1984 Act ceasing to have effect;
- (c) section 130(2);
- (d) section 166, in so far as it relates to the provisions of Part 3 of Schedule 15 commenced by paragraph (f);
- (e) Schedule 11; and
- (f) Part 3 of Schedule 15, except in so far as it relates to the repeal of sections 13 to 15 and 76 of the 1984 Act.

**Revocation in relation to public health protection**

7. Regulations 12 and 13 of the Canal Boats Regulations 1878(1) are revoked.

**Consequential amendments in relation to public health protection**

8. The consequential amendments to enactments set out in Schedule 1 have effect.

**Transitional and savings provisions in relation to public health protection**

9. The transitional and savings provisions set out in Schedule 2 have effect.

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

10. An application for an order under Part 2A of the 1984 Act(2) (public health protection) may be heard by a magistrates' court otherwise than in open court (and accordingly section 121(4) of

---

(1) [S.I. 20/3/1878](#).

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

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

the Magistrates' Courts Act 1980(3) (constitution and place of sitting of court) shall not apply to such an application).

---

(3) 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.