



Public Health (Control of Disease) Act 1984

1984 CHAPTER 22

PART II

CONTROL OF DISEASE

General

10 Notifiable diseases

In this Act, "notifiable disease" means any of the following diseases—

- (a) cholera;
- (b) plague;
- (c) relapsing fever;
- (d) smallpox; and
- (e) typhus.

11 Cases of notifiable disease and food poisoning to be reported

- (1) If a registered medical practitioner becomes aware, or suspects, that a patient whom he is attending within the district of a local authority is suffering from a notifiable disease or from food poisoning, he shall, unless he believes, and has reasonable grounds for believing, that some other registered medical practitioner has complied with this subsection with respect to the patient, forthwith send to the proper officer of the local authority for that district a certificate stating—
- (a) the name, age and sex of the patient and the address of the premises where the patient is,
 - (b) the disease or, as the case may be, particulars of the poisoning from which the patient is, or is suspected to be, suffering and the date, or approximate date, of its onset, and

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- (c) if the premises are a hospital, the day on which the patient was admitted, the address of the premises from which he came there and whether or not, in the opinion of the person giving the certificate, the disease or poisoning from which the patient is, or is suspected to be, suffering was contracted in the hospital.
- (2) A local authority shall, upon application, supply forms of certificate for use under this section free of charge to any registered medical practitioner practising in their district.
 - (3) The officer who receives the certificate shall, on the day of its receipt (if possible) and in any case within 48 hours after its receipt, send a copy—
 - (a) to the District Health Authority within whose district are situated the premises whose address is specified in the certificate in accordance with subsection (1) (a) above, and
 - (b) if the certificate is given with respect to a patient in a hospital who came there from premises outside the district of the local authority within whose district the hospital is situated and the certificate states that the patient did not contract the disease or the poisoning in the hospital—
 - (i) to the proper officer of the local authority for the district within which the premises from which the patient came are situated, and
 - (ii) to the District Health Authority for the district in which those premises are situated, if that Authority is not responsible for the administration of the hospital, and
 - (iii) to the proper officer of the relevant port health authority, if those premises were a ship or hovercraft situated within the port health district for which that authority is constituted.
 - (4) A person who fails to comply with an obligation imposed on him by subsection (1) above shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.
 - (5) In this section, " hospital" means any institution for the reception and treatment of persons suffering from illness, any maternity home and any institution for the reception and treatment of persons during convalescence or persons requiring medical rehabilitation, and " illness " includes mental disorder within the meaning of the Mental Health Act 1983 and any injury or disability requiring medical, surgical or dental treatment or nursing.

12 Fees for certificates under s. 11

- (1) Subject to any exceptions which he may specify, the Secretary of State may direct that a District Health Authority shall pay to a registered medical practitioner for each certificate duly sent by him under section 11 above a fee of such amount as the direction may specify.
- (2) The Secretary of State may direct that different fees shall be paid under this section in relation to different circumstances.
- (3) A direction under this section may make provision in relation to fees payable after a date specified in the direction.
- (4) The date may be before or after the date of the direction but may not be before if it would be to the detriment of registered medical practitioners.

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- (5) Before giving a direction as to a fee under this section, the Secretary of State shall consult any body accepted by him as a proper body for negotiating fees for registered medical practitioners.
- (6) For the avoidance of doubt it is hereby declared that the fact that a registered medical practitioner who gives a certificate under section 11 above holds the office to whose holder the certificate is required to be sent does not disentitle him to payment of the fee (if any) payable for the certificate.

13 Regulations for control of certain diseases

- (1) Subject to the provisions of this section, the Secretary of State may, as respects the whole or any part of England and Wales, including coastal waters, 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.
- (2) Without prejudice to the generality of subsection (1) above, the Secretary of State 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.
- (3) 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,
 - (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) requiring persons alighting from aircraft to answer questions pertaining to their state of health or their contact with infection,
 - (d) the detention of vessels or aircraft and of persons on board them,
 - (e) 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.

- (4) Subject to section 14 below, regulations made under this section—
 - (a) shall specify the authorities, whether county councils, local authorities, port health authorities, Regional Health Authorities, Area Health Authorities, District Health Authorities or special health authorities, by whom they are to be enforced and executed, and
 - (b) may also provide for their enforcement and execution by officers of customs and excise,

but, in so far as they apply to officers of customs and excise, the regulations shall require the consent of the Commissioners of Customs and Excise.

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- (5) Subject to section 14 below, the following persons, that is to say—
- (a) authorised officers of any such authority as is specified by the regulations in accordance with subsection (4) (a) above, and
 - (b) officers of customs and excise, shall have power to enter any premises, vessel or aircraft for the purpose of executing, or superintending the execution of, regulations under this section.
- (6) The power to make regulations under this section shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) Any expenses incurred by a county council under this section shall, if the Secretary of State by order so directs, be defrayed as special expenses charged on such part of the county as may be provided by the order, but such an order may be revoked or varied by a subsequent order.

14 Application of s. 13 to aerodromes

- (1) in relation to aerodromes for the time being vested in or under the control of the Secretary of State, and in relation to aerodromes owned or managed by the Civil Aviation Authority or the British Airports Authority, and in relation to persons and aircraft arriving at or departing from any such aerodromes—
- (a) subsection (4) of section 13 above shall have effect as if, for paragraph (a) of that subsection, there were substituted the following paragraph—
 - “(a) may provide for their enforcement and execution by officers designated for that purpose by the Secretary of State, and”,
 - (b) so much of that subsection as requires the consent of the Commissioners of Customs and Excise shall not apply in relation to aerodromes for the time being vested in or under the control of the Secretary of State and aerodromes owned or managed by the Civil Aviation Authority, and
 - (c) subsection (5) of that section shall have effect as if, for paragraph (a) of that subsection, there were substituted the following paragraph—
 - “(a) officers designated in accordance with subsection (4)(a) above (as modified by section 14(1)(a) below), and”.
- (2) In this section, " aerodrome " has the meaning given by section 105(1) of the Civil Aviation Act 1982.

15 Contravention of regulations under s. 13

Any person who wilfully neglects or refuses to obey or carry out, or obstructs the execution of, any regulations made under section 13 above shall, in a case where no provision is made in the regulations for his punishment, be liable on summary conviction—

- (a) to a fine not exceeding level 5 on the standard scale, and
- (b) in the case of a continuing offence, to a further fine not exceeding £50 for every day on which the offence continues after conviction.

16 Power of local authority to direct that other diseases notifiable

- (1) A local authority may by order direct that an infectious disease other than one specified in section 10 above or one to which regulations under section 13 above relate shall, for the purpose of the application to their district of such of the provisions of this Act relating to notifiable diseases as are specified in the order, be deemed to be a notifiable disease.
- (2) Subject to the provisions of this section with respect to a temporary order made in a case of emergency, an order made under this section shall have no effect until it has been approved by the Secretary of State and duly advertised.
- (3) When any such order has been approved by the Secretary of State, the local authority—
 - (a) shall give notice of the order by advertisement in a local newspaper circulating in the district and in such other manner as they think sufficient for informing persons interested, and
 - (b) shall also send a copy to each registered medical practitioner who after due inquiry is ascertained to be practising in their district,and the order shall come into operation on such date, not being earlier than one week after the date of the publication of the advertisement of the order in a local newspaper, as the local authority may fix.
- (4) If, in a case which appears to a local authority to be one of emergency, the authority resolve under this section to make a temporary order and declare in their resolution the nature of the emergency, the order may be advertised at once in accordance with the provisions of subsection (3) above and shall come into operation at the end of one week from the date of the publication of the advertisement.
- (5) A copy of the resolution to make a temporary order shall be transmitted to the Secretary of State as soon as it is passed, and the order shall, unless previously approved by him, cease to be in force at the end of one month after it is made, and may be revoked by the Secretary of State at any earlier date.
- (6) Any temporary order shall specify the period during which it is to continue in operation.
- (7) An order made under this section may be varied or revoked by an order made and approved in the like manner as the original order.

17 Exposure of persons and articles liable to convey notifiable disease

- (1) A person who—
 - (a) knowing that he is suffering from a notifiable disease, exposes other persons to the risk of infection by his presence or conduct in any street, public place, place of entertainment or assembly, club, hotel, inn or shop,
 - (b) having the care of a person whom he knows to be suffering from a notifiable disease, causes or permits that person to expose other persons to the risk of infection by his presence or conduct in any such place as aforesaid, or
 - (c) gives, lends, sells, transmits or exposes, without previous disinfection, any clothing, bedding or rags which he knows to have been exposed to infection from any such disease, or any other article which he knows to have been so exposed and which is liable to carry such infection,shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

- (2) A person shall not incur any liability under this section by transmitting with proper precautions any article for the purpose of having it disinfected.

18 Information to be furnished by occupier in case of notifiable disease or food poisoning

- (1) On the application of the proper officer of the local authority for any district, the occupier of any premises in the district in which there is or has been any person suffering from a notifiable disease or food poisoning shall furnish such information within his knowledge as that officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease or, as the case may be, to trace the source of food poisoning.
- (2) If any person required to furnish information under this section fails to furnish it, or knowingly furnishes false information, he shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (3) In this section, " occupier ", in relation to any premises, includes—
- (a) a person having the charge, management or control of the premises, or of a building of which the premises form part, and
 - (b) in the case of premises consisting of a building the whole of which is ordinarily let out in separate tenements, or of a lodging house the whole of which is ordinarily let to lodgers, the person receiving the rent payable by the tenants or by the lodgers, as the case may be, either on his own account or as the agent of another person.

19 Trading etc. by person with notifiable disease

A person who, knowing that he is suffering from a notifiable disease, engages in or carries on any trade, business or occupation which he cannot engage in or carry on without risk of spreading the disease shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

20 Stopping of work to prevent spread of disease

- (1) With a view to preventing the spread of—
- (a) a notifiable disease, or
 - (b) a disease to which subsection (1) of section 23 of the Food and Drugs Act 1955 applies,
- the proper officer of the local authority for any district may by notice in writing request any person to discontinue his work.
- (2) The local authority shall compensate a person who has suffered any loss in complying with a request under this section, and section 57(2), (3) and (4) below shall apply to any dispute arising under this subsection.