



Public Health Act (Northern Ireland) 1967

1967 CHAPTER 36

PART I

INFECTIOUS DISEASES

1 Notifiable diseases.

- (1) Subject to subsection (2), in this Part “notifiable disease” means a disease specified in Schedule 1.
- (2) The Ministry may by order amend Schedule 1 so as to—
 - (a) extend the application of the provisions of this Part which relate to notifiable diseases by adding, for the purpose of all or any of those provisions, any other infectious disease,
 - (b) restrict the application of all or any of those provisions by excluding, for all or any of the purposes thereof, any disease so specified.

2 Duty of medical practitioner on diagnosis of notifiable disease.

- (1) Every medical practitioner attending on a person shall as soon as he becomes aware, or has reasonable grounds for suspecting, that that person is suffering from a notifiable disease, send to [^{F1}the Director of Public Health]^{F2} . . . a certificate stating—
 - (a) the name, age, sex and address of the patient,
 - (b) the address of the building in which the examination took place, and
 - (c) the notifiable disease from which, in the opinion of the medical practitioner, the patient is, or may be, suffering.
- (2) The provisions of subsection (1) shall not apply where a medical practitioner diagnoses or suspects the occurrence of a notifiable disease in the Northern Ireland Fever Hospital or in any other hospital which the Ministry may designate for the purpose of this subsection.
- (3) Each [^{F3}Regional Agency] shall supply a sufficient quantity of forms for the purposes of subsection (1) to every medical practitioner ^{F4}

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- (4) [^{F5}The Regional Agency] shall pay to a medical practitioner for each certificate duly sent by him under subsection (1) such fee as may be [^{F6}determined by the Department, subject to such exceptions and conditions as may be so determined.]

F1	Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(1) ; S.R. 2009/114, art. 2
F2	Words in s. 2(1) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), Sch. 7 ; S.R. 2009/114, art. 2
F3	Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2) ; S.R. 2009/114, art. 2
F4	Words in s. 2(3) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), Sch. 7 ; S.R. 2009/114, art. 2
F5	Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2) ; S.R. 2009/114, art. 2
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[^{F7}2A **Regulations for control of certain diseases.**

- (1) Subject to the provisions of this section, the Department may, as respects the whole or part of Northern Ireland, including coastal waters, make regulations—
- with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases, ^{F8} . . .
 - for preventing danger to public health from vessels or aircraft arriving at any place, [^{F9} and
 - for preventing the spread of infection or contamination 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,]

so, however, that before making regulations under sub-paragraph (b) [^{F10}or (c)] the Department shall consult, in the case of vessels, the Secretary of State.

[For the purposes of subsection (1)(c) “contamination” means the presence of an ^{F11}(1A) infectious or toxic agent or matter on a human or animal body surface, in or on a product prepared for consumption or on other inanimate objects, including conveyances, that may constitute a public health risk.]

- (2) Without prejudice to the generality of subsection (1), the Department may by any such regulations apply, with or without modifications, to any disease to which the regulations relate any enactment relating to the notification of disease or to notifiable or infectious diseases.
- (3) Regulations made under this section may provide for—
- the signals to be displayed by vessels or aircraft having on board any case of epidemic, endemic or infectious disease,
 - 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,
 - requiring persons alighting from aircraft to answer questions pertaining to their state of health or their contact with infection,
 - the detention of vessels or aircraft and of persons on board them,

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- (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 2B, regulations made under this section—
- (a) shall provide for their enforcement and execution by [^{F12}the Regional Agency], and
- (b) may also provide for their enforcement and execution by officers of customs and excise,
but 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 signals, in the case of vessels, the consent of the Secretary of State.
- (5) Subject to section 2B, the following persons, that is to say—
- (a) authorised officers of [^{F12}the Regional Agency] as is specified by the regulations in accordance with subsection (4)(a), and
- (b) officers of customs and excise,
may enter any premises for the purpose of executing, or superintending the execution of, regulations under this section.
- (6) Any person who wilfully neglects or refuses to obey or carry out, or obstructs the execution of, any regulations made under this section shall be guilty of an offence and, in a case where no provision is made in the regulations for his punishment, be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (7) Where a person is convicted of an offence under subsection (6) and where that subsection is again contravened within one year after the conviction he shall be liable on summary conviction to a further fine not exceeding £50 for every day subsequent to the day on which he is first convicted of an offence under subsection (6) on which it is so contravened.

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F8 Word in s. 2A(1)(a) omitted (6.5.2008) by virtue of Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(2)(a)

F9 S. 2A(1)(c) and preceding word inserted (6.5.2008) by Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(2)(b)

F10 Words in s. 2A(1) inserted (6.5.2008) by Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(2)(c)

F11 S. 2A(1A) inserted (6.5.2008) by Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(3)

F12 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2); S.R. 2009/114, art. 2

2B Application of section 2A to certain 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 persons and aircraft arriving at any such aerodromes—

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- (a) subsection (4) of section 2A shall have effect as if, for paragraph (a) of that subsection, there were substituted—
 - “(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, and
 - (c) subsection (5) of that section shall have effect as if, for paragraph (a) of that subsection, there were substituted—
 - “(a) officers designated in accordance with subsection (4)(a) (as modified by section 2B(1)(a)), and.”
- (2) In this section “aerodrome” has the meaning given by section 105(1) of the Civil Aviation Act 1982.]

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3 Power of resident magistrate to order medical investigation.

- (1) If a resident magistrate is satisfied, on the evidence of [F13the Director of Public Health]^{F14} . . . , that—
- (a) there is reason to believe that some person ^{F15}. . . is, or has been, suffering from, or is a carrier of, a notifiable disease, and
 - (b) in the interest of that person, or in the interest of his family, or in the public interest, it is expedient that he should undergo a medical investigation, and
 - (c) that person is not under the treatment of a medical practitioner or that the medical practitioner who is treating him consents to the making of an order under this section,
- the magistrate may order that person to undergo a medical investigation by [F13the Director of Public Health], or by a medical practitioner nominated by [F13the Director of Public Health] and approved by the magistrate.
- (2) Any person who fails to comply with an order made under subsection (1) shall be guilty of an offence under this Part and shall, until such time as [F13the Director of Public Health] is satisfied that he is not suffering from a notifiable disease, or, as the case may be, is not a carrier of such a disease, be deemed—
- (a) for the purposes of sections 4 and 10, to be suffering, and to know that he is suffering, from a notifiable disease, and
 - (b) for the purposes of sections 4 to 15, to be a carrier of an infectious disease.

F13 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34(3), [Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

F14 Words in s. 3(1) repealed (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 33, 34(3), [Sch. 7](#); S.R. 2009/114, [art. 2](#)

F15 Words in s. 3(1)(a) repealed (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 33, 34(3), [Sch. 7](#); S.R. 2009/114, [art. 2](#)

[F73A Removal to hospital of person with notifiable disease.

- (1) Where a resident magistrate is satisfied, on the application of [F16the Regional Agency] that a person is suffering from a notifiable disease and that serious risk of infection

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is thereby caused to other persons, the magistrate may order him to be removed to a hospital.

- (2) An order under this section may be addressed to an authorised officer and that officer and any other authorised officer may do all acts necessary for giving effect to the order.

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F16 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

3B Detention in hospital of person with notifiable disease.

- (1) Where a resident magistrate is satisfied, on the application of [^{F17}the Regional Agency], that serious risk of infection would be caused to persons if an in-patient of a hospital who is suffering from a notifiable disease were to leave the hospital, the magistrate may order the in-patient to be detained in the hospital.
- (2) An order under subsection (1) may direct detention for a period specified in the order, but any resident magistrate may extend a period so specified as often as it appears to him to be necessary to do so.
- (3) Any person who leaves a hospital contrary to an order made under this section for his detention there shall be guilty of an offence under this Part and the court may order him to be taken back to hospital.
- (4) An order under this section may be addressed to an authorised officer and that officer and any other authorised officer may do all acts necessary for giving effect to the order.]

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F17 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

4 Person suffering from, or carrier of, notifiable disease not to carry on occupation to danger of others.

Any person who, knowing that he is suffering from, or that he is a carrier of, a notifiable disease, engages in, carries on or participates to any extent whatever in any trade, business or occupation which he cannot engage in, carry on or participate in without risk of spreading the disease shall be guilty of an offence under this Part.

5 Power to order child likely to convey notifiable disease not to attend school.

- (1) Where a child is or has been suffering from, or is or has been exposed to the infection of, a notifiable disease, [^{F18}the Director of Public Health] for the area in which the child resides or attends school may, for the purpose of preventing the spread of the disease, serve a notice on the person having the care of that child directing that, for such period as may be specified in the notice, the child shall not attend school.
- (2) Any person who permits a child to attend school in contravention of a notice served on him under subsection (1) shall be guilty of an offence under this Part.

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F18 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

6 Power to prohibit certain work on premises where notifiable disease occurs.

- (1) Where a notifiable disease occurs on any premises, [^{F19}the Regional Agency] may, whether the person suffering from the disease has been removed from the premises or not, by notice prohibit any work to which this section applies from being given out to any person living or working on those premises, or on such part thereof as may be specified in the notice.
- (2) A notice under this section may be expressed to operate for a specified time or until the premises to which it relates or any part thereof specified in the notice have been disinfected to the satisfaction of [^{F20}the Director of Public Health], or may be expressed to be inoperative so long as any other reasonable precautions specified in the notice are taken.
- (3) A notice under this section shall be served on the occupier of any factory or other place from which work is given out, and on any agent or independent contractor employed or engaged by any such occupier.
- (4) If any occupier, agent or independent contractor on whom a notice under this section has been served fails to comply with the requirements of the notice, he shall be guilty of an offence under this Part.
- (5) The work to which this section applies is the making, cleaning, washing, altering, ornamenting, finishing or repairing of wearing apparel, bed clothing, handkerchiefs and napery and any work incidental thereto, and to such other classes of work as the Ministry may prescribe.

F19 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

F20 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

7 Restriction on sending articles exposed to infection by notifiable disease to laundry etc.

- (1) No person shall send, cause to be sent, or take to any laundry or public wash-house for the purpose of being washed, cleaned or dyed any article which he knows to have been exposed to infection from a notifiable disease unless—
 - (a) the article has been disinfected by, or to the satisfaction of, [^{F21}the Director of Public Health] or some other medical practitioner, or
 - (b) the article is sent or taken with proper precautions for the purpose of disinfection to a laundry, which has proper facilities for the disinfection thereof, and is accompanied by a written notification that it has been exposed to infection.
- (2) [^{F22}The Regional Agency] may pay the expenses of the disinfection of any such article as aforesaid if carried out by them or under their direction.

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- (3) The occupier of any building in which a person is suffering from a notifiable disease shall, if required by [^{F23}the Director of Public Health]^{F24} . . . , furnish to him the address of any laundry, wash-house or other place to which articles from the building have been, or will be, sent or taken during the continuance of the disease.
- (4) Any person who contravenes any provision of this section shall be guilty of an offence under this Part.
- (5) In this section “laundry” includes any premises in which a business performing any of the functions or providing any of the facilities of a laundry, dry or wet cleaners or dyers is carried on, whether or not the operations therein are performed by the customers.

F21 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**

F22 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

F23 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**

F24 Words in s. 7(3) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), **Sch. 7**; S.R. 2009/114, **art. 2**

8 Provisions as to library books.

- (1) Where [^{F25}the Director of Public Health] has reason to believe that a person is suffering from a notifiable disease he may by notice in writing direct—
 - (a) that person not to take, cause to be taken for his use, or use, any book taken from a library; or
 - (b) that person not to return or cause to be returned to any library any book which has been exposed to infection from such a disease while under his control; or
 - (c) any person not to deliver to the person suffering from the notifiable disease any book which has been or may be taken from any library; or
 - (d) any person not to return to any library any book which he knows to have been in contact with a person suffering from a notifiable disease,unless such precautions as may be specified in the notice have been taken.
- (2) Any person who acts in contravention of a notice under subsection (1) shall be guilty of an offence under this Part.
- (3) Where [^{F26}the Regional Agency] is aware that a book in, or taken from, a library has been exposed to infection from a notifiable disease, they may disinfect the book and return it to the library, or cause it to be disinfected and so returned, or destroy it.
- (4) [^{F27}The Regional Agency] may pay compensation to the proprietors of a library who have suffered loss by reason of any action taken under subsection (3).
- (5) Where a person acts in contravention of a notice under subsection (1), [^{F28}the Regional Agency] may recover summarily from that person—
 - (a) the cost of any action taken under subsection (3), and
 - (b) the amount of any compensation paid under subsection (4),as a civil debt due to [^{F29}the Regional Agency].

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- F25** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)
- F26** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)
- F27** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)
- F28** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)
- F29** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

9 Person ceasing to occupy house or caravan after recent case of notifiable disease to disinfect same or notify owner.

(1) Any person who ceases to occupy a house or caravan in which to his knowledge a person has, within the previous six weeks been suffering from a notifiable disease, shall either—

- (a) have the house or caravan, and all articles therein liable to retain infection, disinfected to the satisfaction of^{F30}the Director of Public Health] or some other medical practitioner; or
- (b) give notice to the owner of the house or caravan of the previous existence of the disease,

and any person who fails to comply with this subsection shall be guilty of an offence under this Part.

(2) [^{F31}The Regional Agency] shall give notice of the provisions of this section to the occupier and also to the owner of any house or caravan in which they are aware that there is a person suffering from a notifiable disease, so however that failure to give such notice shall not constitute a defence to any proceedings in respect of a contravention of subsection (1).

- F30** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)
- F31** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

10 Provisions as to the letting of houses or caravans or rooms in hotels etc., after recent case of notifiable disease.

(1) Any person who, whether as principal or agent, lets a house or caravan in which to his knowledge there has been, within the previous six weeks, a person suffering from a notifiable disease without first having, to the satisfaction of^{F32}the Director of Public Health] or of some other medical practitioner, disinfected the house or caravan and all articles therein liable to retain infection, shall be guilty of an offence under this Part.

(2) The keeper of an hotel, inn, guest house, boarding house or apartment house who allows a room therein in which any person has to his knowledge been suffering from a notifiable disease to be occupied by any other person before the room and all articles therein liable to retain infection have been disinfected to the satisfaction of^{F33}the Director of Public Health] or of some other medical practitioner, shall be guilty of an offence.

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F32 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

F33 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

11 Prohibition on persons coming in contact with body of person dying from notifiable disease.

- (1) No person shall, without the consent of [^{F34}the Director of Public Health] or of some other medical practitioner, enter or remain in any room in which is lying the body of a person who has died while suffering from a notifiable disease, nor shall the occupier of any premises in which any such body is lying permit any person to enter or remain in such room without such consent.
- (2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence under this Part.

F34 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

12 Restriction on removal of body of person dying in hospital from notifiable disease.

- (1) Where [^{F35}the Director of Public Health], or some other medical practitioner, certifies that in his opinion it is necessary, in order to prevent the spread of infection, that the body of a person who has died in a hospital while suffering from a notifiable disease should not be removed from the hospital except for the purpose of being taken direct to a mortuary or being forthwith buried or cremated, it shall not be lawful for any person to remove the body from the hospital, except for such a purpose.
- (2) In any such case as aforesaid, when the body is removed for the purpose of burial or cremation from the hospital or is removed from any mortuary to which it has been taken, it shall forthwith be taken direct to some place of burial or cremation, and there buried or cremated.
- (3) Any person who contravenes the provisions of this section shall be guilty of an offence under this Part.

F35 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

13 Power of Ministry to make regulations as to disposal of dead bodies of persons who die from notifiable disease.

The Ministry may make regulations prescribing all or any of the following—

- (a) conditions and restrictions with respect to means of disposal otherwise than by burial or cremation of the dead bodies of persons who die from a notifiable disease;
- (b) the maximum period of time such bodies may be kept on any premises;

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- (c) conditions, restrictions or prohibitions on embalming or preserving such bodies.

14 Power of resident magistrate to order dead body to be removed to mortuary or buried forthwith.

- (1) If a resident magistrate is satisfied, on a certificate of [F36 the Director of Public Health], or on a certificate of some other medical practitioner, that the retention of a dead body in any building would endanger the health of persons residing in or resorting to that building or any adjoining or neighbouring building, the magistrate may order that the body be removed to a mortuary, and that arrangements be made to bury it within a time limited by the order, or, if the magistrate considers immediate burial necessary, immediately.
- (2) An order under subsection (1) shall be served on such relative of the deceased as the resident magistrate may direct, or if it appears that that deceased did not have any relative upon whom the order might be served, on [F37 the Regional Agency]^{F38}. . . , so however that failure to serve an order shall not constitute a defence to an action for the recovery of expenses under subsection (4).
- (3) Immediate cremation of a body or its cremation within the time limited for the burial of the body by an order under subsection (1), shall be a sufficient compliance with such an order.
- (4) [F39 The Regional Agency] shall, where—
- (a) an order under subsection (1) has been served on a relative of the deceased and that relative has failed to comply with the order, or
 - (b) the order has been served on them,
- cause the body to be buried, and any expenses reasonably incurred by them in so doing may be recovered summarily by them as a civil debt due to them from that relative or from the estate of the deceased.

F36 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(1); S.R. 2009/114, art. 2

F37 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2); S.R. 2009/114, art. 2

F38 Words in s. 14(2) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), Sch. 7; S.R. 2009/114, art. 2

F39 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2); S.R. 2009/114, art. 2

15 Power to require person in contact with infectious disease to discontinue employment and compensation therefor.

- (1) If any person is a carrier of, or has been exposed to the risk of infection from, an infectious disease, [F40 the Director of Public Health] may, for the purpose of preventing the spread of the disease,—
- (a) request the person forthwith to discontinue any trade, business or occupation in which he is engaged; and
 - (b) if that request is not complied with, serve on the person a notice in writing requiring him so to discontinue his trade, business or occupation.

Status: Point in time view as at 29/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Public Health Act (Northern Ireland) 1967, PART I. (See end of Document for details)

- (2) If a notice served under subsection (1)(*b*) is not complied with, [^{F41}the Director of Public Health] may apply to a resident magistrate for an order requiring the person upon whom the notice was served to discontinue forthwith any trade, business or occupation in which he is engaged.
- (3) An order made under subsection (2) shall continue in force indefinitely or until a date expressed in the order, so, however, that a resident magistrate may at any time revoke the order on the application of [^{F42}the Director of Public Health] or the person affected by the order.
- (4) Where a person discontinues a trade, business or occupation in compliance with a request made or notice served under subsection (1) or an order made under subsection (2), [^{F43}the Regional Agency] shall pay him compensation for any pecuniary loss suffered by him by reason of such compliance.
- (5) Where a request is made or where a notice is served under subsection (1) on a person by reason of the fact that he is deemed under section 3(2)(*b*) to be a carrier of an infectious disease, subsection (3) shall not apply to that person until he has complied with the order made under section 3(1) and no compensation shall be payable to him in respect of any period prior to the date on which he so complies.
- (6) Any question or dispute as to the amount of compensation payable under subsection (3) may be referred by either party to [^{F44}an industrial tribunal].

Subs.(7) rep. by 1972 NI 14

- F40** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**
- F41** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**
- F42** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**
- F43** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F44** 1984 NI 9

Modifications etc. (not altering text)

- C1** S. 15 applied (29.10.2013) by S.R. 2008/280 (as inserted by Social Security (Miscellaneous Amendments No. 2)) **Regulations (Northern Ireland) 2013** (S.R. 2013/246), reg. 11(7)(e)

16 Exclusion of children from places of entertainment or assembly to prevent spread of infectious disease.

- (1) For the purpose of preventing the spread of an infectious disease, [^{F45}the Regional Agency], acting on the advice of its [^{F46}Director of Public Health], may by notice prohibit or restrict the admission of persons under the prescribed age to any place to which this section applies for such period as is specified therein, and the notice may contain exemptions from the prohibitions or restrictions which it imposes, and any such exemption may be made subject to compliance with such conditions as may be specified in the notice.

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- (2) A notice under this section shall be published in one or more newspapers circulating in the area and in such other manner as [^{F47}the Regional Agency] think necessary for bringing it to the attention of persons affected thereby.

Subs.(3) rep. by 1972 NI 14

- (4) If the person responsible for the management or control of a place to which a notice under subsection (1) applies, admits, or permits the admission of, any person under the prescribed age to that place, he shall be guilty of an offence under this Part but it shall be a good defence to any prosecution under this section to prove that there were reasonable grounds for believing that the person admitted had attained the prescribed age.
- (5) In this section “prescribed age” in relation to a notice means such age, not exceeding sixteen years, as may be prescribed by the notice.
- (6) This section applies to—
- (a) any building or part of a building used as a theatre, cinematograph theatre, public hall, public concert-room, lecture room, public dance room, amusement arcade, public gymnasium, skating or roller skating rink or indoor swimming baths, and
 - (b) any sports ground, outdoor swimming baths or pool, or skating or roller skating rink, to which the public are admitted, whether on payment of an admission fee or not, and
 - (c) any circus, show, fair, fete or amusement park, and
 - (d) any other public place of entertainment or recreation.

F45 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

F46 1991 NI 1

F47 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

17 **Power of [^{F48}Regional Agency] to remove temporarily inmates from building in which infectious disease occurs.**

- (1) Where any infectious disease occurs in a building, or where [^{F49}the Regional Agency] deem it necessary to disinfect any building, [^{F50}the Regional Agency], acting on the advice of its [^{F51} Director of Public Health], may—
- (a) cause any person who is not himself suffering from the disease and who consents to leave the building, or where the person is a child, with the consent of the person having care of him, to be removed therefrom to any temporary shelter or house accommodation provided by [^{F52}the Regional Agency];
 - (b) cause any such person to be so removed without any consent, if a court of summary jurisdiction, being satisfied, on the application of [^{F53}the Regional Agency], of the necessity for the removal, makes an order in that behalf, which order shall be subject to such conditions, if any, as may be specified therein.
- (2) [^{F54}The Regional Agency] may provide and shall defray the cost of the provision of temporary shelter or house accommodation for the purposes of this section.

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- (3) [^{F55}The Regional Agency] shall in every case cause the removal to be effected and the conditions of any order to be satisfied without charge to the person removed.

- F48** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F49** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F50** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F51** 1991 NI 1
- F52** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F53** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F54** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F55** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

18 Special provisions as to anthrax.

- (1) Where an animal or carcase on any premises—
- is or was found to be affected, or to have been affected, with anthrax, or
 - is thought to have been recently in contact with another animal or carcase (including materials derived therefrom) which is known to be, or to have been, affected with anthrax,
- an authorised officer of [^{F56}the Regional Agency]^{F57} . . . may take such steps as he thinks necessary to prevent risk to public health.
- (2) Without prejudice to the generality of subsection (1), an authorised officer may in particular require—
- the cleansing and disinfection of the premises,
 - the cleansing, disinfection or destruction of any article in, or used in, the premises,
 - the disinfection or destruction of clothing worn by persons employed in, or in connection with, the premises,
 - the destruction and disposal of any carcase which is on those premises,
 - the milk from some or all of the animals on the premises to be withheld from sale or distribution until he may authorise such sale or distribution.
- (3) Any person who fails to comply with a requirement made under subsection (2) shall be guilty of an offence under this Part.
- (4) [^{F58}The Regional Agency] may pay compensation to any person who has suffered loss by reason of his compliance with the requirements of this section.
- (5) Nothing in this section shall affect any functions of the Ministry of Agriculture under the Diseases of Animals Acts (Northern Ireland) 1958 and 1966 or under any other enactment.

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- (6) In this section “carcase” has the meaning assigned to it by^{F59} Article 2(2) of the Diseases of Animals (Northern Ireland) Order 1981].

- F56** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F57** Words in s. 18(1) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), **Sch. 7**; S.R. 2009/114, **art. 2**
- F58** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F59** 1981 NI 22

19 Restrictions on sales &c. by persons dealing in rags &c.

- (1) No person who collects or deals in rags, old clothes or similar articles, and no person assisting, or acting on behalf of, any such person, shall—
- (a) in or from any shop or premises used for, or in connection with, the business of a dealer in any such articles; or
 - (b) while engaged in collecting any such articles, sell or deliver, whether gratuitously or not, any article of food or drink to any person, or any article or living creature whatsoever to a person under the age of sixteen years.
- (2) Any person who contravenes any of the provisions of this section shall be guilty of an offence under this Part.

20 [^{F60}Regional Agency] may provide disinfecting station.

[^{F61}The Regional Agency] may provide a disinfecting station and may disinfect free of charge any article brought thereto for the purpose of disinfection.

- F60** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F61** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

21 Cleansing and disinfection of premises and articles therein.

- (1) Where [^{F62}the Regional Agency] are satisfied, upon a certificate of [^{F63}the Director of Public Health], that the cleansing or disinfection of any premises, or the disinfection or destruction of any articles therein likely to retain infection, would tend to prevent the spread of any infectious disease, [^{F64}the Regional Agency] shall give notice in writing to the occupier of the premises that they will at his cost cleanse or disinfect, or cleanse and disinfect, the premises and disinfect or, as the case may require, destroy any such articles therein, unless, within twenty-four hours after the receipt of the notice, he informs them that within a time to be fixed by the notice he will take such steps as are specified therein.
- (2) If within twenty-four hours after the receipt of a notice under subsection (1) the occupier does not inform [^{F64}the Regional Agency] as aforesaid, or if, having so informed [^{F64}the Regional Agency], he fails to take such steps as aforesaid to the satisfaction of [^{F63}the Director of Public Health] within the time fixed by the notice,

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[^{F64}the Regional Agency] may cause the premises to be cleansed or disinfected, or to be cleansed and disinfected, and the articles to be disinfected or destroyed, as the case may require, and may, if they think fit, recover summarily as a civil debt due to [^{F64}the Regional Agency] from the person in default the expenses reasonably incurred by them in so doing.

- (3) Where [^{F65}the Regional Agency] are of opinion that the occupier of any premises is unable effectually to take such steps as [^{F64}the Regional Agency] consider necessary for the purposes of this section, [^{F64}the Regional Agency] may, with the consent of the occupier and without giving a notice under subsection (1), take such steps at their own expense.
- (4) [^{F66}The Regional Agency] may pay compensation to any person who has suffered loss by reason of any disinfection or destruction carried out by them under this section.
- (5) In this section “occupier” includes, in the case of unoccupied premises, the person entitled to immediate possession thereof.

F62 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

F63 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(1\)](#); S.R. 2009/114, [art. 2](#)

F64 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

F65 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

F66 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

22 Powers of entry.

- (1) An authorised officer of [^{F67}the Regional Agency] shall, on producing, if so required, a duly authenticated document showing his authority, have the right to enter any premises for all or any of the following purposes—
 - (a) ascertaining whether there is, or has been, on, or in connection with, the premises any contravention of this Part or of any regulations made thereunder;
 - (b) ascertaining whether circumstances exist which would authorise or require [^{F68} the Regional Agency] to take any action, or execute any work, under this Part or any such regulations;
 - (c) taking any action, or executing any work, authorised or required by this Part, or any such regulations, or any order made under this Part, to be taken, or executed by [^{F68}the Regional Agency].

[^{F69}(1A) Subsection (1)(c) shall not apply to regulations under section 2A.]

- (2) Admission shall not be demanded as of right under subsection (1) to any premises actually in use as a dwelling house unless twenty-four hours notice of the intended entry has been given to the occupier.

[^{F70}(2A) An authorised officer entering any premises by virtue of this section may take with him such other person as may be necessary.]

- (3) Any person who hinders or obstructs the entry of an authorised officer under this section shall be guilty of an offence under this Part.

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- F67** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F68** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**
- F69** 1986 NI 24
- F70** 1972 NI 14

[^{F72}22A Exercise of functions of [^{F71} Director of Public Health].

Any function of [^{F73}the Director of Public Health] under this Act may be exercised by such [^{F71} other officer] of the [^{F74}Regional Agency] as the [^{F71} Director of Public Health] may authorise in writing in that behalf.]

- F71** 1991 NI 1
- F72** SRO (NI) 1973/211
- F73** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**
- F74** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(2)**; S.R. 2009/114, **art. 2**

23 Power to make regulations.

- (1) The Ministry may make regulations prescribing anything which is to be or may be prescribed under this Part and providing for any matter in regard to which regulations may be made under this Part and generally for carrying this Part into effect.
- (2) Regulations made under this Part and an order made under section 1(2) shall be subject to negative resolution.

24 General penalty.

Any person who is guilty of an offence under this Part or who contravenes any provision of this Part or any regulations made under this Part shall [^{F75} subject to section 2A(6) and (7)] be liable on summary conviction to a fine not exceeding [^{F76} level 3 on the standard scale].

- F75** 1986 NI 24
- F76** 1984 NI 3

25 Application to Crown.

This Part shall bind the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.

Status:

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Changes to legislation:

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