



# Public Health (Control of Disease) Act 1984

## 1984 CHAPTER 22

### PART II **E+W**

#### CONTROL OF DISEASE

##### *Infected premises*

#### **28 Prohibition of certain work on premises where notifiable disease exists. **E+W****

- (1) If a case of a notifiable disease occurs on any premises, then, whether the person suffering from the disease has been removed from the premises or not, the local authority for the district may make an order forbidding any work to which this section applies to be given out to any person living or working on those premises, or on such part of them as may be specified in the order; and any order so made may be served on the occupier of any factory or other place from which work is given out, or on any contractor employed by any such occupier.
- (2) An order under this section may be expressed—
  - (a) to operate for a specified time or until the premises or any part of them specified in the order have been disinfected to the satisfaction of the local authority, or
  - (b) to be inoperative so long as any other reasonable precautions specified in the order are taken.
- (3) If any occupier or contractor on whom an order under this section has been served contravenes the provisions of the order, he shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (4) This section applies to the making, cleaning, washing, altering, ornamenting, finishing or repairing of wearing apparel and any incidental work, and to such other classes of work as may be specified by order of the Secretary of State.

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Control of Disease) Act 1984, Cross Heading: Infected premises. (See end of Document for details)*

- (5) The power of the Secretary of State to make orders under subsection (4) above shall be exercisable by statutory instrument.

**Modifications etc. (not altering text)**

C1 Ss. 21–34 applied by S.I. 1988/1546, reg. 3, Sch. 1

**29 Letting of house or room after recent case of notifiable disease. E+W**

- (1) If a person who—
- (a) is concerned in the letting of a house or part of a house, or in showing a house or part of a house with a view to its being let, or
  - (b) has recently ceased to occupy a house or part of a house,
- is questioned by any person negotiating for the hire of the house or any part of it as to whether there is, or has been within the preceding six weeks, in any part of the house a person suffering from a notifiable disease, and knowingly makes a false answer to that question, he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale, or to imprisonment for a term not exceeding one month.
- (2) A person who lets any house or part of a house in which a person has to his knowledge been suffering from a notifiable disease without having the house, or the part of the house, and all articles in it liable to retain infection, properly disinfected shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (3) The keeper of a hotel or inn who allows a room in it in which a person has to his knowledge been suffering from a notifiable disease to be occupied by any other person before the room and all articles in it liable to retain infection have been properly disinfected shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (4) In this section and in section 30 below, “properly disinfected” means disinfected to the satisfaction of the proper officer of the local authority for the district or a registered medical practitioner, as testified by a certificate signed by him.

**Modifications etc. (not altering text)**

C2 Ss. 21–34 applied by S.I. 1988/1546, reg. 3, Sch. 1

**30 Duty on ceasing to occupy house after recent case of notifiable disease. E+W**

- (1) If a person ceases to occupy a house or part of a house in which to his knowledge a person has within six weeks previously been suffering from a notifiable disease and either—
- (a) he fails to have the house, or the part of the house, and all articles in it liable to retain infection, properly disinfected, or
  - (b) he fails to give to the owner of the house, or the part of the house, notice of the previous existence of the disease, or
  - (c) on being questioned by the owner as to whether within the preceding six weeks there has been in it any person suffering from any notifiable disease, he makes a false answer,

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he shall be liable on summary conviction—

- (i) in the case of an offence under paragraph (a) or (b) above, to a fine not exceeding level 2 on the standard scale, or
  - (ii) in the case of an offence under paragraph (c), to a fine not exceeding level 2 on the standard scale or to imprisonment for a term not exceeding one month.
- (2) The local authority shall give notice of the provisions of this section to the occupier and also to the owner of any house in which they are aware that there is a person suffering from a notifiable disease.

**Modifications etc. (not altering text)**

C3 Ss. 21–34 applied by S.I. 1988/1546, reg. 3, Sch. 1

**31 Disinfection of premises. E+W**

- (1) If, on a certificate of the proper officer of the local authority for a district, the local authority are satisfied that the cleansing and disinfection of any premises, and the disinfection or destruction of any articles there likely to retain infection, would tend to prevent the spread of any infectious disease, the authority shall give notice to the occupier of the premises that they will at his cost—
- (a) cleanse and disinfect the premises, and
  - (b) disinfect or, as the case may require, destroy any such articles,
- unless, within 24 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 in it.
- (2) If—
- (a) within 24 hours after receipt of the notice the person to whom it is given does not so inform the authority, or
  - (b) having so informed the authority, he fails to take the specified steps to the satisfaction of the proper officer within the time fixed by the notice,
- the authority may cause the premises 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 from him the expenses reasonably incurred by them in doing so; and any such expenses may be so recovered as a simple contract debt in any court of competent jurisdiction.
- (3) Where the occupier of any premises is in the opinion of the local authority unable effectually to take such steps as they consider necessary, they may, without giving such notice but with his consent, take the necessary steps at their own cost.
- (4) Where a local authority have under this section disinfected any premises or article or destroyed any article, they may if they think fit pay compensation to any person who has suffered damage by their action.
- (5) For the purposes of this section, the owner of unoccupied premises shall be deemed to be in occupation of them.

**Modifications etc. (not altering text)**

C4 Ss. 21–34 applied by S.I. 1988/1546, reg. 3, Sch. 1

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## **32 Removal of person from infected house. E+W**

- (1) Where any infectious disease occurs in a house, or the local authority deem it necessary to disinfect any house, the authority may, on a certificate of the proper officer of the local authority for the district—
  - (a) cause any person who is not himself sick and who consents to leave the house, or whose parent or guardian, where the person is a child, consents to his leaving the house, to be removed to any temporary shelter or house accommodation provided by the authority, or
  - (b) cause any such person to be so removed without any consent, if a justice of the peace (acting, if he deems it necessary, ex parte) is satisfied, on the application of the authority, of the necessity for the removal and makes an order for the removal, subject to such conditions, if any, as may be specified in the order.
- (2) The local authority 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, or to the parent or guardian of that person.
- (3) A local authority may provide temporary shelter or house accommodation for the purposes of this section.

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### **Modifications etc. (not altering text)**

**C5** Ss. 21–34 applied by S.I. 1988/1546, reg. 3, Sch. 1

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