



Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

PART XII

GENERAL

Provisions as to recovery of expenses, &c.

294 Limitation of liability of certain owners.

Where a council claim to recover any expenses under this Act from a person as being the owner of the premises in respect of which the expenses were incurred and that person proves that he—

- (a) is receiving the rent of those premises merely as agent or trustee for some other person; and
- (b) has not, and since the date of the service on him of a demand for payment has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the authority,

his liability shall be limited to the total amount of the money which he has or has had in his hands as aforesaid, but a council who are, or would be, debarred by the foregoing provisions from recovering the whole of any such expenses from an agent or trustee may recover the whole or any unpaid balance thereof from the person on whose behalf the agent or trustee receives the rent.

Modifications etc. (not altering text)

- C1** S. 294 applied with modifications by S.I. 1987/349, **reg. 11** and S.I. 1990/1519, **reg. 11**
- C2** S. 294 amended by **Water Act 1989** (c. 15, SIF 130), s. 69, **Sch. 8 para. 1(2)(b)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 13(2)(3), 17, 40(4), 57(6), 58)
- C3** Power to apply s. 294 conferred by **Town and Country Planning Act 1990** (c. 8, SIF 123:1), **ss. 178(3)(c)(5), 209(3)(c)(5), 219(3)(c)(5)** and by **Planning (Listed Buildings and Conservation Areas) Act 1990** (c.9, SIF 123:1), **ss. 42(3)(c)(5), 74(3)**

Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1936, Section 294. (See end of Document for details)

- C4** S. 294 applied (1.12.1991) by Water Industry Act 1991 (c. 56), **ss. 107(5)**, 109(3), 160(2), 223(2) (with ss. 82(3), 117(5), 186(1), 219(3), 222(1), Sch. 13 paras. 1, 2, Sch. 14 para. 6)
S. 294 applied (27.8.1993) by 1993 c. 11, **ss. 62(1)**, 68(2)
- C5** S. 294 applied (with modifications) (17.7.1992) by S.I. 1992/1492, **reg. 14(1)**.
S. 294 applied (with modifications)(27.8.1993) by 1993 c. 12, **ss. 30(3)**, 51(2)
- C6** S. 294 applied (with modifications) (1.3.2010) by The Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010 (S.I. 2010/105), regs. 1(1), **5(1)**
- C7** S. 294 applied (with modifications) by SI 2010/675 Sch. 23 Pt. 4 para. 4(3)(b) (as substituted (1.10.2011) by The Environmental Permitting (England and Wales) (Amendment) Regulations 2011 (S.I. 2011/2043), reg. 1(b), **Sch. 1**)
- C8** S. 294 applied (with modifications) (30.4.2012) by The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (No. 793), regs. 1, **15(1)**
- C9** S. 294 applied (with modifications) (6.4.2015) by The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 (S.I. 2015/462), regs. 1, **8(1)**
- C10** S. 294 applied (with modifications) (1.1.2017) by The Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154), reg. 1(1), **Sch. 23 para. 8(3)(b)** (with regs. 1(3), 77-79, Sch. 4)

Changes to legislation:

There are currently no known outstanding effects for the Public Health Act 1936, Section 294.