



Public Health Act 1925

1925 CHAPTER 71 15 and 16 Geo 5

PART I

PRELIMINARY

1 Short title, construction and commencement.

- (1) This Act may be cited as the Public Health Act 1925.
- (2) Parts [^{F1}I, II, VI and VIII] of this Act and the Public Health Acts 1875 to 1907, may be cited together as the Public Health Acts 1875 to 1925 . . . ^{F2}
- (3) Parts [^{F1}I, II, VI and VIII] of this Act shall be construed as one with the Public Health Acts 1875 to 1907 . . . ^{F2}
- (4) ^{F3}
- (5) ^{F4}

Textual Amendments

- F1** Words substituted by virtue of [Public Health Act 1936 \(c. 49\)](#), s. 346, [Sch. 3 Pt. IV](#)
F2 Words repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, [Sch. 3 Pt. IV](#)
F3 [Ss. 1\(4\), 2\(2\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
F4 [S. 1\(5\)](#) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. IV](#)

2 Extent of Act.

- (1) This Act shall not apply to Scotland or Northern Ireland, . . . ^{F5}
- (2) ^{F6}
- (3) ^{F7}

Status: Point in time view as at 01/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1925. (See end of Document for details)

(4)^{F8}Part IX. of this Act shall extend to England and Wales inclusive of the administrative county of London.

Textual Amendments

- F5** Words repealed by [Public Health \(London\) Act 1936 \(c. 50\)](#), [Sch. 7](#) and [London Government Act 1963 \(c. 33\)](#), [Sch. 18 Pt. II](#)
- F6** [Ss. 1\(4\), 2\(2\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F7** [S. 2\(3\)](#) repealed by [Public Health Act 1961 \(c. 64\)](#), [Sch. 5 Pt. II](#)
- F8** [S. 2\(4\)](#): any reference in s.2 to Pt.IX of the Act is repealed(E.W.,save the repeal did not extend to the administrative county of London) by [Public Health Act 1936 \(c. 49, SIF 100:1\)](#), [ss. 346, 347](#), [Sch. 3 Pt. IV](#). The text of s.2(4) except as specified, is in the form in which it was originally enacted: it was reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Modifications etc. (not altering text)

- C1** The text of s. 2(4) which is spent,so far as not repealed,is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not, reflect any amendments or repeals which may have been made prior to 1.2.1991.

3—5.^{F9}

Textual Amendments

- F9** [Ss. 3—5](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

6 Amendment or adaptation of local Acts, &c.

[^{F10}The Secretary of State] may, by order made on the application of any local authority, make such amendments or adaptations of any local Act as may appear to him to be necessary for the purpose of bringing the provisions of that Act into conformity with the provisions of this Act,^{F11} . . .

Textual Amendments

- F10** Words substituted by virtue of [S.I. 1951/142 \(1951 I, p. 1348\)](#), arts. 3, 5(2), [Sch. Pt. I, 1951/1900 \(1951 I, p. 1347\)](#), art. 1, (W.) [1965/319](#), arts. 2, 10(1), [Sch. 1 Pt. I](#) and [1970/1681](#), arts. 2(1), 6(3)
- F11** Words in [s. 6](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt.X](#)

Modifications etc. (not altering text)

- C2** [S. 6](#) amended by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), [s. 33](#)
[S. 6](#): transfer of functions (1.7.1999) by [S.I. 1999/672, art. 2](#), [Sch. 1](#)

7 Application of certain provisions of Part I. of 7 Edw. VII. c. 53, and interpretation.

^{F12}(1)

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- (2) In this Act the expression “local Act” includes an Act for the confirmation of a provisional order and the order thereby confirmed.
- (3) In this Act the expression “statutory undertakers” means any person authorised by Parliament to construct, work, or carry on any railway, canal, inland navigation, dock, harbour, tramway, . . . ^{F13} . . . ^{F14} , . . . ^{F15} or other public undertaking.

Textual Amendments

- F12** S. 7(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X**
- F13** Word repealed by Gas Act 1986 (c. 44, SIF 44:2), s. 67(4), **Sch. 9 Pt. I**
- F14** Word repealed by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(3)(4), Sch. 17 para. 35(1), **Sch. 18**
- F15** Word repealed by Water Act 1989 (c. 15, SIF 130), s. 190(3), **Sch. 27 Pt. I** (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), 17, 40(4), 41(1), 57(6), 58)

8 Appeals to petty sessional court.

Where any enactment in this Act provides for an appeal to a petty sessional court against a notice, determination, requirement, order or intended order of a local authority under this Act—

- (1) Notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the [^{F16}proper officer of the authority]
- (2) The court may make such order in the matter as they consider reasonable, and may award costs to be recoverable as a civil debt;
- (3) No proceeding shall be taken by the local authority, or work executed, until after the determination or abandonment of the appeal;
- (4) Notice of the right of appeal shall be endorsed on the order of the local authority and on any notice communicating their determination, requirement or intended order.

Textual Amendments

- F16** Words substituted by virtue of Local Government Act 1972 (c. 70), **Sch. 29 Pt. I para. 4(1)(a)**

9 ^{F17}

Textual Amendments

- F17** Ss. 9, 11, 12 repealed by Public Health Act 1936 (c. 49), s. 346, **Sch. 3, Pt. IV**

^{F18}**10 Crown rights.**

Without prejudice to the generality of the provisions of section twelve of the ^{M1}Public Health Acts Amendment Act 1907, nothing in this Act shall affect . . . ^{F19} any [^{F20}[^{F18}electronic communications apparatus kept installed for the purposes of an electronic communications code network] or the execution for those purposes of any works]. . .

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Textual Amendments

- F18** Words in s. 10 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 4](#) (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Schs. 1](#) (with [art. 3](#)) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with [art. 11](#))
- F19** Words repealed by [Post Office Act 1969 \(c. 48\)](#), [Sch. 11 Pt. II](#)
- F20** Words substituted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, [Sch. 4 para. 18](#), [Sch. 5 para. 45](#)

Marginal Citations

- M1** 1907 c. 53.

11, 12. ^{F21}

Textual Amendments

- F21** [Ss. 9, 11, 12](#) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, [Sch. 3, Pt. IV](#)

PART II

STREETS AND BUILDINGS

Street Bins, Drinking Fountains, Fire Alarms, &c.

13 ^{F22}

Textual Amendments

- F22** [S. 13](#) repealed by [Highways Act 1959 \(c. 25\)](#), [Sch. 25](#)

14 Public drinking fountains, seats, &c. in streets.

The local authority and any person with their consent and subject to such conditions as they may impose may, in proper and convenient situations in any street or public place, erect and maintain seats and drinking fountains for the use of the public and troughs for watering horses or cattle.

Modifications etc. (not altering text)

- C3** [S. 14](#) amended by [Trunk Roads Act 1936 \(1 Edw. 8 & 1 Geo. 6 c. 5\)](#), s. 3(2), [Sch. 3 Pt. III](#) and [Local Government Act 1972 \(c. 70\)](#), [Sch. 14 Pt. II para. 28](#): modified by S.I. 1973/686, art. 3(1), [Sch. 3](#)
- C4** [S. 14](#): functions of the Secretary of State for Transport as highway authority made exercisable by, or by employees of, such person (if any) as may be authorised in that behalf by the Secretary of State for Transport (25.7.1995) by S.I. 1995/1986, art. 2, [Sch. 3 para. 2](#)

Status: Point in time view as at 01/04/2015.

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- S. 14: functions of a local highway authority made exercisable by, or by employees of, such person as may be authorised in that behalf by the local highway authority whose function it is (23.7.1999) by S.I. 1999/2106, art. 2, **Sch. 3 para. 2**
- C5** S. 14: functions made exercisable as specified (24.3.2009) by **The Contracting Out (Highway Functions) Order 2009 (S.I. 2009/721)**, arts. 1, 3, **Sch. 3 para. 2**
- C6** S. 14: functions made exercisable as specified (E.) (1.4.2015) by **The Delegation of Functions (Strategic Highways Companies) (England) Regulations 2015 (S.I. 2015/378)**, regs. 1(1), 3, **Sch. 3 para. 2**

15 **F23**

Textual Amendments

F23 S. 15 repealed by **Fire Brigades Act 1938 (c. 72)**, **Sch. 3**

16 Main roads and premises of statutory undertakers.

(1) The powers conferred on the local authority by the foregoing sections of this Part of this Act shall not be exercised . . . ^{F24} so as to obstruct or render less convenient the access to or exit from any station or goods yard belonging to a railway company, or any premises belonging to other statutory undertakers and used for the purposes of their undertaking . . . ^{F25}

(2) **F26**

Textual Amendments

F24 Words repealed by **Local Government Act 1972 (c. 70)**, **Sch. 30**

F25 Words repealed by **Highways Act 1959 (c. 25)**, **Sch. 25**

F26 Ss. 16(2), 18(5), 19(3) repealed by **Local Government Act 1972 (c. 70)**, **Sch. 30**

Modifications etc. (not altering text)

C7 S. 16 extended by **Electricity Act 1989 (c.29, SIF 44:1)**, s. 112(1)(3), **Sch. 16 para. 1(1)(i)**, **Sch. 17 paras. 33, 35(1)**

Naming of Streets

17 Notice to urban authority before street is named.

(1) Before any street is given a name, notice of the proposed name shall be sent to the urban authority by the person proposing to name the street.

(2) The urban authority, within one month after the receipt of such notice, may, by notice in writing served on the person by whom notice of the proposed name of the street was sent, object to the proposed name.

(3) It shall not be lawful to set up in any street an inscription of the name thereof—

(a) until the expiration of one month after notice of the proposed name has been sent to the urban authority under this section; and

Status: Point in time view as at 01/04/2015.

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- (b) where the urban authority have objected to the proposed name, unless and until such objection has been withdrawn by the urban authority or overruled on appeal;

and any person acting in contravention of this provision shall be liable to a penalty not exceeding [^{F27}level 1 on the standard scale] and to a daily penalty not exceeding [^{F28}£1].

- (4) Where the urban authority serve a notice of objection under this section, the person proposing to name the street may, within twenty-one days after the service of the notice, appeal against the objection to a petty sessional court.

Textual Amendments

F27 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**

F28 Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), **s. 10(1)**

Modifications etc. (not altering text)

C8 Power to extend or exclude section 17 conferred by [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 Pt. II para. 25**

C9 [S. 17](#) excluded (Greater London) by [Local Government Act 1972 \(c. 70\)](#) Sch. 14 Pt. II para. 26

18 Alteration of name of street.

- (1) The urban authority by order may alter the name of any street, or part of a street, or may assign a name to any street, or part of a street, to which a name has not been given.
- (2) Not less than one month before making an order under this section, the urban authority shall cause notice of the intended order to be posted at each end of the street, or part of the street, or in some conspicuous position in the street or part affected.
- (3) Every such notice shall contain a statement that the intended order may be made by the urban authority on or at any time after the day named in the notice, and that an appeal will lie under this Act to a petty sessional court against the intended order at the instance of any person aggrieved.
- (4) Any person aggrieved by the intended order of the local authority may, within twenty-one days after the posting of the notice, appeal to a petty sessional court.
- (5) ^{F29}

Textual Amendments

F29 [Ss. 16\(2\), 18\(5\), 19\(3\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

Modifications etc. (not altering text)

C10 Power to extend or exclude section 18 conferred by [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 Pt. II para. 25**

C11 [S. 18](#) excluded (Greater London) by [Local Government Act 1972 \(c. 70\)](#) Sch. 14 Pt. II para. 26; modified by [S.I. 1973/686, art. 3\(1\)](#), **Sch. 3**

Status: Point in time view as at 01/04/2015.

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19 Indication of name of street.

- (1) The urban authority shall cause the name of every street to be painted, or otherwise marked, in a conspicuous position on any house, building or erection in or near the street, and shall from time to time alter or renew such inscription of the name of any street, if and when the name of the street is altered or the inscription becomes illegible.
- (2) If any person . . . ^{F30}, pulls down . . . ^{F30} any inscription of the name of a street which has lawfully been set up, or sets up in any street any name different from the name lawfully given to the street, or places or affixes any notice or advertisement within twelve inches of any name of a street marked on a house, building, or erection in pursuance of this section, he shall be liable to a penalty not exceeding [^{F31}level 1 on the standard scale] and to a daily penalty not exceeding [^{F32}£1].
- (3) ^{F33}

Textual Amendments

- F30** Words repealed by [Criminal Damage Act 1971 \(c. 48\), Sch. Pt. I](#)
- F31** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#)
- F32** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\), s. 10\(1\)](#)
- F33** [Ss. 16\(2\), 18\(5\), 19\(3\)](#) repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

Modifications etc. (not altering text)

- C12** Power to extend or exclude section 19 conferred by [Local Government Act 1972 \(c. 70\), Sch. 14 Pt. II para. 25](#)
- C13** [S. 19](#) excluded (Greater London) by [ibid; Sch. 14 Pt. II para. 26](#); modified by [S.I. 1973/686, art. 3\(1\), Sch. 3](#)

20 ^{F34}

Textual Amendments

- F34** [S. 20](#) repealed by [Public Health Act 1936 \(c. 49\), Sch. 3, Pt. IV](#)

21, 22. ^{F35}

Textual Amendments

- F35** [Ss. 21—25, 27—35](#) repealed by [Highways Act 1959 \(c. 25\), Sch. 25](#)

Obstructions, &c. to Persons using Streets

23— ^{F36}
25.

Status: Point in time view as at 01/04/2015.

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Textual Amendments

F36 Ss. 21—25, 27—35 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

26 Byelaws as to wires, &c. connected with wireless installations.

(1) The local authority may make byelaws for the prevention of danger or obstruction to persons using any street or public place from posts, wires, tubes, aerials or any other apparatus, in connection with or for the purposes of wireless telegraphy or telephony installations, stretched or placed, whether before or after the commencement of this section, on or over any premises and liable to fall on to any street or public place.

In this section the expression “public place” includes any public park or garden, and any ground to which the public have or are permitted to have access, whether on payment or otherwise.

(2) Nothing in any byelaws made under this section shall extend to any apparatus belonging to any statutory undertakers.

Modifications etc. (not altering text)

C14 S. 26 extended by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(1)(3), [Sch. 16 para. 2\(4\)\(a\)](#), [Sch. 17 paras. 33, 35\(1\)](#)

C15 Function of confirming byelaws or regulations made under s. 26 now exercisable by Secretary of State: S.R. & O. 1946/1757, (Rev. XV, p. 112: 1946 I, p. 1012), art. 3(1), Sch.

C16 S. 26 excluded by [S.I. 1973/686](#), art. 2(1), **Sch. 1**

27— **F37**
35.

Textual Amendments

F37 Ss. 21—25, 27—35 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

PARTS III-V

36— **F38**
55.

Textual Amendments

F38 Ss. 36—55 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. IV**

Status: Point in time view as at 01/04/2015.

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PART VI

RECREATION GROUNDS

Modifications etc. (not altering text)

C17 Pt. VI extended by [Public Health Act 1961 \(c. 64\)](#), s. 52(1)

56 Further powers as to parks and pleasure grounds.

(1) F39

(5) When any part of the park or ground has been set apart by the local authority for the purpose of cricket, football or any other game or recreation, under paragraph (b) of subsection (1) of the principal section, the local authority may charge reasonable sums for the use thereof for that purpose.

(6) Part VI. of the ^{M2}Public Health Acts Amendment Act 1907, shall have effect as if the powers given to local authorities by this section were included amongst the powers given to local authorities by the principal section.

Textual Amendments

F39 S. 56(1)—(4) repealed by [Local Government Act 1948 \(c. 26\)](#), Sch. 2, Pt. V

Modifications etc. (not altering text)

C18 The “principal section” means [Public Health Acts Amendment Act 1907 \(c. 53\)](#), s. 76

C19 S. 56(5) excluded by [Countryside Act 1968 \(c. 41\)](#) s. 7(7)

Marginal Citations

M2 1907 c. 53.

PART VII

57— F40

65.

Textual Amendments

F40 Ss. 57—67 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, Sch. 3, Pt. IV

PART VIII

MISCELLANEOUS

66, 67. F41

Status: Point in time view as at 01/04/2015.

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Textual Amendments

F41 Ss. 57—67 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3, Pt. IV**

68 **F42**

Textual Amendments

F42 S. 68 repealed by [Road Traffic Act 1960 \(c. 16\)](#), s. 267, **Sch. 18**

69 **F43**

Textual Amendments

F43 S. 69 repealed by [Physical Training and Recreation Act 1937 \(c. 46\)](#), **Sch.**

70 **F44**

Textual Amendments

F44 S. 70 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

71, 72. **F45**

Textual Amendments

F45 Ss. 71, 72 repealed by [Food and Drugs Act 1938 \(c. 56\)](#), **Sch. 4 Pt. I**

73 **F46**

Textual Amendments

F46 S. 73 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3, Pt. IV**

74 Penalties for neglect of traffic directions and for dangerous driving, &c.

(1) **F47**

(2) **F48**

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Textual Amendments

- F47** S. 74(1) repealed by [Road Traffic Act 1930 \(c. 43\)](#), **Sch. 5**
- F48** S. 74(2)(3) repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 121, **Sch. 7 Pt. I**

75 Byelaws as to persons waiting to enter public vehicles.

- (1) The local authority may make byelaws for regulating the conduct of persons waiting in streets to enter public vehicles, and the priority of entry into such vehicles, and may by such byelaws require queues or lines to be formed and kept by such persons.
- (2) The local authority may erect and maintain, or permit other persons to erect and maintain, in any street such barriers and posts as appear to the local authority to be necessary for the purposes of securing compliance with any such byelaws:

... **F49**

- (3) Nothing in subsection (2) of this section shall be construed as empowering the local authority to hinder the reasonable use of the street by the public, or to obstruct the access to or exit from any station or goods yard belonging to a railway company or to or from any premises belonging to the owners, trustees, or conservators, acting under powers conferred by Parliament, of any canal, inland navigation, dock or harbour, and used for the purposes of the canal, inland navigation, dock or harbour, nor shall any barrier or post be erected on any bridge carrying any street over a railway or the approaches thereto.

- (4) **F50**

Textual Amendments

- F49** S. 75(2) proviso repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F50** S. 75(4) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

Modifications etc. (not altering text)

- C20** Function of confirming byelaws or regulations made under s. 75 now exercisable by Secretary of State: S.R. & O. 1946/1757, (Rev. XV, p. 112: 1946 I, p. 1012), art. 3(1) Sch.
- C21** S. 75 excluded (Greater London) by [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 Pt. II para. 26**; amended by *ibid*; **Sch. 14 Pt. II para. 28**

76 As to public vehicles taken at railway stations.

In any area within which the provisions of the ^{M3}Town Police Clauses Act 1847, with respect to hackney carriages are in force, those provisions and any byelaws of the local authority with respect to hackney carriages shall be as fully applicable in all respects to hackney carriages standing or plying for hire at any railway station or railway premises within such area, as if such railway station or railway premises were a stand for hackney carriages or a street:

Provided that—

- (a) the provisions of this section shall not apply to any vehicle belonging to or used by any railway company for the purpose of carrying passengers and their luggage to or from any of their railway stations or railway premises, or to the driver or conductor of such vehicle;

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- (b) Nothing in this section shall empower the local authority to fix the site of the stand or starting place of any hackney carriage in any railway station or railway premises, or in any yard belonging to a railway company, except with the consent of that company.

Modifications etc. (not altering text)

C22 Power to extend or exclude section 76 conferred by [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 Pt. II para. 25**; excluded (Greater London) by [Local Government Act 1972 \(c. 70\)](#), **Sch. 14 Pt. II para. 26** and [S.I. 1973/686](#), art. 2(1), **Sch. 1**

Marginal Citations

M3 [1847 c. 89](#).

77 **F51**

Textual Amendments

F51 [S. 77](#) repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

78 **F52**

Textual Amendments

F52 [S. 78](#) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. IV**

79 **F53**

Textual Amendments

F53 [S. 79](#) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

80 **F54**

Textual Amendments

F54 [S. 80](#) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), **Sch. Pt. VIII**

81— **F55**

84.

Status: Point in time view as at 01/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1925. (See end of Document for details)

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Textual Amendments

F55 Ss. 81—84 repealed by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

PART IX

85— **F56**
87.

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Textual Amendments

F56 Ss. 85—87 repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3, Pt. IV**

Status:

Point in time view as at 01/04/2015.

Changes to legislation:

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