



Public Health Act 1936

1936 CHAPTER 49

PART VII

NOTIFICATION OF BIRTHS; MATERNITY AND CHILD WELFARE, AND CHILD LIFE PROTECTION.

Child life protection.

219 Exemptions from this Part of Act.

- (1) The foregoing provisions of this Part of this Act relating to child life protection shall not extend to any relative or legal guardian of a child who undertakes the nursing and maintenance of the child, or to any person who undertakes the nursing or maintenance of a child under the provisions of any Act for the relief of the poor or of any order made under any such Act, or undertakes the nursing and maintenance of a child boarded out under subsection (3) of section eighty-four of the Children and Young Persons Act, 1933, or to any school, hospital, convalescent home, voluntary home within the meaning of the Children and Young Persons Act, 1933, or other institution, being a school, hospital, home or institution—
- (a) which is maintained by a Government department, county council (including the London County Council), local authority or metropolitan borough council, or any other authority or body constituted by special Act of Parliament or incorporated by Royal Charter; or
 - (b) in respect of which a certificate of exemption from the said provisions granted by the welfare authority is in force; or
 - (c) which is an institution, house, or home certified or approved by the Board of Control under the Mental Deficiency Acts, 1913 to 1927, and in which no children or young persons who are not mental defectives within the meaning of those Acts are received;

nor shall the said provisions apply in relation to any mental defective who is under care elsewhere than in a certified institution, certified house or approved home, if he is so under care with the consent of the Board of Control, or if notice with respect to

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him has been given to the Board in accordance with subsection (2) of section fifty-one of the Mental Deficiency Act, 1913.

- (2) Where a person undertakes the nursing and maintenance of children who are boarded out with that person in succession for short holidays only by a bona fide charitable organisation, the welfare authority may exempt that person from the obligation to give notice under this Part of this Act in respect of each individual child received, on condition that notice is given in respect of the first such child received by that person in each year, but for the purposes of the other provisions of this Part of this Act a child in respect of whom notice ought, but for such exemption, to have been given shall be deemed to be a foster child.
- (3) A welfare authority may exempt from being visited, either unconditionally or subject to such conditions as they think fit, any particular premises within their area which appear to them to be so conducted that it is unnecessary that they should be visited by child protection visitors.
- (4) An exemption granted under this section, or under any corresponding enactment repealed by this Act, may at any time be withdrawn by the welfare authority.