



Public Health Act 1936

1936 CHAPTER 49

PART XII

GENERAL.

Interpretation, transitory provisions, repeals, dec.

346 Repeals.

(1) The following Acts are hereby repealed to the following extent:—

- (a) the Public Health Act, 1875, the Public Health Acts Amendment Act, 1890, the Public Health Acts Amendment Act, 1907, and the Public Health Act, 1925, to the extent specified in the First, Second, Third and Fourth Parts respectively of the Third Schedule to this Act ;
- (b) the Acts mentioned in the second column of the Fifth Part of that Schedule, to the extent specified in the third column of that Part of that Schedule,

and the said repeal shall as respects the Acts mentioned in the second column of the Sixth and Seventh Parts of that Schedule, to the extent specified in the third column of those Parts, extend to London and to Northern Ireland, the Isle of Man and the Channel Islands respectively :

Provided that—

- (a) save as expressly provided in this Act, nothing in this repeal shall affect any byelaw in force at the commencement of this Act, and, while such a byelaw continues in force by virtue of this proviso, any question as to its application or interpretation shall be determined as if this Act had not been passed ;
- (b) nothing in this repeal shall affect the constitution of any authority, board or committee constituted for any district or area under any enactment repealed by this Act, and any such authority, board or committee shall continue to act for that district or area as if they and it had been constituted under the corresponding provisions of this Act;
- (c) in so far as any appointment, agreement, scheme, order, rule, regulation, requirement, apportionment or representation made, or any resolution passed,

Status: This is the original version (as it was originally enacted).

or any notice, direction, consent, sanction, approval, exemption or certificate given under any enactment repealed by this Act, or any charge conferred by, or any conditions imposed, or any proceeding instituted, or any other thing done, under any such enactment, could have been made, passed, given, conferred, imposed, instituted or done under or by a corresponding provision of this Act, it shall not be invalidated by this repeal, but shall have effect as if it had been made, passed, given, conferred, imposed, instituted or done under or by that corresponding provision and, in the case of any legal proceeding, may be continued and appealed against as if this Act had not been passed;

- (d) where immediately before the commencement of this Act a local authority were recovering any expenses by means of private improvement rates they may continue to recover the unpaid balance of those expenses by means of such rates as if this Act had not been passed;
 - (e) the repeal of section twenty-seven of the Public Health Acts Amendment Act, 1907, shall not take effect in the district of a local authority until the date on which building byelaws made by that authority under this Act come into force in the district, or until the expiration of one year from the commencement of this Act, whichever date may first occur;
 - (f) the repeal of the Isolation Hospitals Acts, 1893 and 1901, shall not take effect until the expiration of two years from the commencement of this Act.
- (2) If any enactments or words mentioned in the Third Schedule to this Act are, wholly or partly, re-enacted in a Consolidation Act of the present session of Parliament, the references in the said Schedule to those enactments or words shall be construed as including references to such enactments or words in the Consolidation Act as His Majesty in Council may declare to be corresponding enactments or words, and accordingly any enactments and words to which such declaration extends shall also be repealed by this section.
- (3) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or to the corresponding enactment, if any, in this Act.
- (4) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.