



Public Health Act 1875

1875 CHAPTER 55 38 and 39 Vict

PART VII

LEGAL PROCEEDINGS

Prosecution of Offences and Recovery of Penalties, &c.

265 Protection of local authority and their officers from personal liability.

No matter or thing done, and no contract entered into by any local authority or joint board or port sanitary authority, and no matter or thing done by any member of any such authority or by any officer of such authority or other person whomsoever acting under the direction of such authority, shall, if the matter or thing were done or the contract were entered into bona fide for the purpose of executing this Act, subject them or any of them personally to any action liability claim or demand whatsoever; and any expense incurred by any such authority member officer or other person acting as last aforesaid shall be borne and repaid out of the fund or rate applicable by such authority to the general purposes of this Act.

F1
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Textual Amendments

- F1** Words in s. 265 omitted (1.4.2015) by virtue of [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 12 para. 1](#); S.I. 2015/841, [art. 3\(x\)](#)

Modifications etc. (not altering text)

- C1** S. 265 extended by [Public Health Act 1936 \(c. 49\)](#), [s. 305](#), [Control of Pollution Act 1974 \(c. 40\)](#), [s. 86\(1\)](#), [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), [s. 39](#) and [National Health Service Act 1977 \(c. 49\)](#), [s. 125](#)
- C2** S. 265 extended (with modifications) by [1995 c. 25](#), ss. 63(5), 125(2), [Sch. 7 para. 15](#) (with ss. 7(6), 115, 117)

Changes to legislation: There are currently no known outstanding effects for the Public Health Act 1875, Section 265. (See end of Document for details)

- C3** S. 265 applied (with modifications) (22.7.2004) by Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), arts. 1, **19**
- C4** S. 265 applied (with modifications) (22.7.2004) by Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), arts. 1, **19**
- C5** S. 265 modified (1.3.2007) by National Health Service Act 2006 (c. 41), **ss. 69**, 277(1)
- C6** S. 265 modified (1.4.2013) by Health and Social Care Act 2012 (c. 7), **ss. 273**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- C7** S. 265 modified (1.4.2013) by Health and Social Care Act 2012 (c. 7), **ss. 246**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- C8** S. 265 modified (1.1.2015) by Care Act 2014 (c. 23), s. 127, Sch. 7 para. 18(7)(8); S.I. 2014/2473, art. 5(m)
- C9** S. 265 modified (1.4.2015) by Care Act 2014 (c. 23), s. 127, Sch. 5 para. 24(1)(2); S.I. 2014/3186, art. 2(f)
- C10** S. 265 modified (1.10.2023) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 13 para. 17**; S.I. 2023/1035, reg. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the Public Health Act 1875, Section 265.