



# Public Health (Scotland) Act 1897 (repealed)

1897 CHAPTER 38 60 and 61 Vict

## PART III

### GENERAL PREVENTION AND MITIGATION OF DISEASE

#### *Tents and Vans*

#### **73 Tents and vans used for human habitation.**

- (1) A tent, van, shed, or similar structure, used for human habitation, which is in such a state as to be a nuisance or injurious or dangerous to health, or is so overcrowded as to be injurious or dangerous to the health of the inmates, shall be a nuisance liable to be dealt with summarily under this Act.
- (2) A local authority may make byelaws for promoting cleanliness in, and the habitable condition of, tents, vans, sheds, and similar structures, used for human habitation, and for preventing the spread of infectious disease by the persons inhabiting the same, and generally for the prevention of nuisances in connexion with the same.
- (3) Where the [<sup>F1</sup>designated medical officer] or [<sup>F2</sup>the proper officer of the local authority] has reasonable cause to believe either—
  - (a) that any tent, van, shed, or similar structure, used for human habitation, is in such a state or so overcrowded as aforesaid, or that there is any contravention therein of any byelaw made under this section; or
  - (b) that there is any such tent, van, shed, or structure, any person suffering from an infectious disease, or that any infectious disease has recently existed therein,he may enter at reasonable times in the daytime, such tent, van, shed, or structure, and examine the same and every part thereof, and the [<sup>F1</sup>designated medical officer] may examine any person found therein, in order to ascertain whether such tent, van, shed, or structure, is in such a state or so overcrowded as aforesaid, or whether there is therein any such contravention, or a person suffering from an infectious disease,

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897 (repealed), Cross Heading: Tents and Vans. (See end of Document for details)*

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and the provisions of this Act with respect to the entry into any premises by an officer of the local authority [<sup>F3</sup>or the designated medical officer] shall be in force for the purposes of this section.

- (4) Nothing in this section shall apply to any tent, van, shed, or structure, erected or used by any portion of Her Majesty's naval or military forces.

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**Textual Amendments**

- F1** Words substituted by [National Health Service \(Scotland\) Act 1972 \(c. 58\), Sch. 6 para. 56](#)  
**F2** Words substituted by virtue of [Local Government \(Scotland\) Act 1973 \(c. 65\), Sch. 27 Pt. I para. 2](#)  
**F3** Words inserted by [National Health Service \(Scotland\) Act 1972 \(c. 58\), Sch. 6 para. 56](#)
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**Modifications etc. (not altering text)**

- C1** [S. 73](#) extended by [S.I. 1965/1536, Sch. 3](#)

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