SECOND SCHEDULE.

ACTS AUTHORISING CREATION OF RENTCHARGES TO WHICH PROVISIONS FOR REDUCTION OF INTEREST ARE NOT TO APPLY.

Session and Chapter.	Short Title.
29 & 30 Vict. c. 49.	The Drainage Maintenance Act, 1866.
38 & 39 Vict. c. 82.	The National School Teachers' Residences (Ireland) Act, 1875.
40 & 41 Vict. c. 27.	The Public Works Loans (Ireland) Act, 1877.
42 & 43 Vict. c. 25.	The Dispensary Houses (Ireland) Act, 1879.
42 & 43 Vict. c. 74.	The National School Teachers (Ireland) Act, 1879.

THIRD SCHEDULE.

AGREEMENTS WITH RAILWAY COMPANIES AS TO BRANCH RAILWAYS TO DOCKYARDS.

Agreement between Cornwall Railway Company and Admiralty, dated 15th December 1865.

Ditto between Pembroke and Tenby Railway Company and Admiralty, dated 31st March 1870.

Ditto between Great Western Railway Company and London and South-Western Railway Company and Admiralty, dated 29th May 1874.

Ditto between London, Chatham, and Dover Railway Company and Admiralty, dated 29th July 1874.

CHAPTER 72.

An Act to provide for the Notification of Infectious Disease to Local Authorities. [30th August 1889.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Infectious Disease (Notification) Act, 1889.

Extent of Act.

2. This Act shall extend—

(*a*) to every London district after the expiration of two months from the passing of this Act, and

(*b*) to any urban, rural, or port sanitary district after the adoption thereof.

Notification of infectious disease.

3.—(1.) Where an inmate of any building used for human habitation within a district to which this Act extends is suffering from an infectious disease to which this Act applies, then, unless such building is a hospital in which persons suffering from an

infectious disease are received, the following provisions shall have effect, that is to say :—

(*a.*) the head of the family to which such inmate (in this Act referred to as the patient) belongs, and in his default the nearest relatives of the patient present in the building or being in attendance on the patient, and in default of such relatives every person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he becomes aware that the patient is suffering from an infectious disease to which this Act applies, send notice thereof to the medical officer of health of the district:

(*b.*) every medical practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from an infectious disease to which this Act applies, send to the medical officer of health for the district a certificate stating the name of the patient, the situation of the building, and the infectious disease from which, in the opinion of such medical practitioner, the patient is suffering.

(2.) Every person required by this section to give a notice or certificate who fails to give the same, shall be liable on summary conviction in manner provided by the Summary Jurisdiction Acts to a fine not exceeding forty shillings;

Provided that if a person is not required to give notice in the first instance, but only in default of some other person, he shall not be liable to any fine if he satisfies the court that he had reasonable cause to suppose that the notice had been duly given.

As to forms and case of several medical practitioners.

4.—(1.) The Local Government Board may from time to time prescribe forms for the purpose of certificates under this Act, and any forms so prescribed shall be used in all cases to which they apply.

(2.) The local authority shall gratuitously supply forms of certificate to any medical practitioner residing or practising in their district who applies for the same, and shall pay to every medical practitioner for each certificate duly sent by him in accordance with this Act a fee of two shillings and sixpence if the case occurs in his private practice, and of one shilling if the case occurs in his practice as medical officer of any public body or institution.

(3.) Where in any district of a local authority there are two or more medical officers of health of such authority a certificate under this Act shall be given to such one of those officers as has charge of the area in which is the patient referred to in the certificate, or to such other of those officers as the local authority may from time to time direct.

Adoption of Act in urban or rural district.

5.—(1.) The local authority of any urban, rural, or port sanitary district may adopt this Act by a resolution passed at a meeting of such authority; and fourteen clear days at least before such meeting special notice of the meeting, and of the intention to propose such resolution, shall be given to every member of the

local authority, and the notice shall be deemed to have been duly given to a member if it is either:

(*a*) given in the mode in which notices to attend meetings of the local authority are usually given, or

(*b*) where there is no such mode, then signed by the clerk of the local authority and delivered to the member or left at his usual or last known place of abode in England, or forwarded by post in a prepaid letter addressed to the member at his usual or last known place of abode in England.

(2.) A resolution adopting this Act shall be published by advertisement in a local newspaper, and by handbills, and otherwise in such manner as the local authority think sufficient for giving notice thereof to all persons interested, and shall come into operation at such time, not less than one month after the first publication of the advertisement of the resolution as the local authority may fix, and upon its coming into operation this Act shall extend to the district.

(3.) A copy of the resolution shall be sent to the Local Government Board when it is published.

Definition of infectious disease.

6. In this Act the expression "infectious disease to which this Act applies" means any of the following diseases, namely, small-pox, cholera, diphtheria, membranous croup, erysipelas, the disease known as scarlatina or scarlet fever, and the fevers known by any of the following names, typhus, typhoid, enteric, relapsing, continued, or puerperal, and includes as respects any particular district any infectious disease to which this Act has been applied by the local authority of the district in manner provided by this Act.

Power to local authority to extend definition of infectious disease.

7.—(1.) The local authority of any district to which this Act extends may, from time to time, by a resolution passed at a meeting of such authority where the like special notice of the meeting and of the intention to propose the resolution has been given as is required in the case of a meeting held for adopting this Act, order that this Act shall apply in their district to any infectious disease other than a disease specifically mentioned in this Act.

(2.) Any such order may be permanent or temporary, and, if temporary, the period during which it is to continue in force shall be specified therein, and any such order may be revoked or varied by the local authority which made the same.

(3.) An order under this section and the revocation and variation of any such order shall not be of any validity until approved by the Local Government Board.

(4.) When it is so approved, the local authority shall give public notice thereof by advertisement in a local newspaper and by handbills, and otherwise in such manner as the local authority think sufficient for giving information to all persons interested. They shall also send a copy thereof to each registered medical practitioner whom, after due inquiry, they ascertain to be residing or practising in their district.

(5.) The said order shall come into operation at such date not earlier than one week after the publication of the first advertisement of the approved order as the local authority may fix, and

upon such order coming into operation, and during the continuance thereof, an infectious disease mentioned in such order shall, within the district of the authority, be an infectious disease to which this Act applies.

(6.) In the case of emergency three clear days' notice under this section shall be sufficient, and the resolution shall declare the cause of such emergency and shall be for a temporary order, and a copy thereof shall be forthwith sent to the Local Government Board and advertised, and the order shall come into operation at the expiration of one week from the date of such advertisement, but unless approved by the Local Government Board shall cease to be in force at the expiration of one month after it is passed, or any earlier date fixed by the Local Government Board.

(7.) The approval of the Local Government Board shall be conclusive evidence that the case was one of emergency.

Notices and certificates.

8.—(1.) A notice or certificate for the purposes of this Act shall be in writing or print, or partly in writing and partly in print; and for the purposes of this Act the expression "print" includes any mechanical mode of reproducing words.

(2.) A notice or certificate to be sent to a medical officer of health in pursuance of this Act may be sent by being delivered to the officer or being left at his office or residence, or may be sent by post addressed to him at his office or at his residence.

Expenses.

9. Any expenses incurred by a local authority in the execution of this Act shall be paid as part of the expenses of such authority in the execution of the Acts relating to public health and in the case of a rural authority shall be general expenses.

Repayment of expenses in London as expenses of managers of asylum district.

10. Where a medical officer of health receives in pursuance of this Act a certificate of a medical practitioner relating to a patient within the metropolitan asylum district, he shall within twelve hours after such receipt forward a copy thereof to the managers of that district, and those managers shall repay to the local authority the amounts paid by that authority in respect of those certificates of which copies have been sent to the managers as required by this section, and shall repay those amounts out of the fund out of which the general expenses of the managers are paid. The managers shall send weekly to the London County Council such return of the infectious diseases of which they receive certificates in pursuance of this Act as the London County Council from time to time require.

Non-disqualification of medical officer by receipt of fees.

11. A payment made to any medical practitioner in pursuance of this Act shall not disqualify that practitioner for serving as member of the council of any county or borough, or as member of a sanitary authority, or as guardian of a union, or in any municipal or parochial office.

Where a medical practitioner attending on a patient is himself the medical officer of health of the district, he shall be entitled to the fee to which he would be entitled if he were not such medical officer.

Application of Act to Woolwich.

12. This Act shall apply to the Local Board of Woolwich in like manner as if it were a vestry under the Metropolis Management

18 & 19 Vict. c. 120.

Act, 1855, and that board shall appoint and pay a medical officer of health, and all enactments relating to medical officers of health within the administrative county of London shall apply to the medical officer of health of Woolwich.

Application of Act to vessels, tents, &c.

13.—(1.) The provisions of this Act shall apply to every ship, vessel, boat, tent, van, shed, or similar structure used for human habitation, in like manner as nearly as may be as if it were a building.

(2.) A ship, vessel, or boat, lying in any river, harbour, or other water not within the district of any local authority within the meaning of this Act shall be deemed for the purposes of this Act to be within the district of such local authority as may be fixed by the Local Government Board, and where no local authority has been fixed, then of the local authority of the district which nearest adjoins the place where such ship, vessel, or boat is lying.

(3.) This section shall not apply to any ship, vessel, or boat belonging to any foreign Government.

Saving for local Act.

14. Where this Act is put in force in any district in which there is a local Act for the like purpose as this Act, the enactments of such local Act, so far as they relate to that purpose, shall cease to be in operation.

Exemption of Crown buildings.

15. Nothing in this Act shall extend to any building, ship, vessel, boat, tent, van, shed, or similar structure belonging to Her Majesty the Queen, or to any inmate thereof.

Definitions.

16. In this Act—

The expression "local authority" means each of the following authorities; that is to say,—

(*a*) the Commissioners of Sewers in the City of London;

(*b*) the vestry under the Metropolis Management Act, 1855, of a parish in Schedule A, and the district board of a district in Schedule B to the Metropolis Management Act, 1855, as amended by the Metropolis Management Amendment Act, 1885, and the Metropolis Management (Battersea and Westminster) Act, 1887;

18 & 19 Vict. c. 120. 48 & 49 Vict. c. 33. 50 & 51 Vict. c. 17.

(*c*) an urban or rural sanitary authority in England within the meaning of the Public Health Acts; and

(*d*) the port sanitary authority of any port sanitary district in England.

The expression "London district" means the City of London or the parish or district mentioned in Schedule A. or Schedule B. of the Metropolis Management Act, 1855, for which a local authority is elected:

The expression "urban or rural district" means the district for which any such urban or rural sanitary authority is elected:

The expression "port sanitary district" means the port sanitary district of London and any port or part of a port for which a port sanitary authority has been constituted under the Public Health Acts, and any such port sanitary district shall form no part, for the purposes of this Act, of any urban or rural district:

The expression "occupier" includes a person having the charge, management, or control of a building, or of the part of a building in which the patient is, and in the case of a house the whole of which is let out in separate tenements, or in the case of a lodging-house the whole of which is let to lodgers, the person receiving the rent payable by the tenants or lodgers either as his own account or as the agent of another person, and in the case of a ship, vessel, or boat, the master or other person in charge thereof.

Application of Act to Scotland.

17. In the application of this Act to Scotland—

The expression "Local Government Board" shall mean Board of Supervision:

The expression "Summary Jurisdiction Acts" shall mean the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and any Act amending the same:

The expression "local authority" shall mean the local authority as defined by the Public Health (Scotland) Act, 1867, and any Act amending the same:

The expression "England" in section five shall mean Scotland:

The powers contained in this Act shall be in addition to and not in lieu of any powers existing in any local authority by virtue of any general or local Act.

Application of Act to Ireland.

18. This Act shall apply to Ireland, with the following modifications:

(1.) In this Act, unless the context otherwise requires—

The expression "Local Government Board" means the Local Government Board for Ireland:

The expression "local authority" means an urban or rural sanitary authority within the meaning of the Public Health (Ireland) Act, 1878: 41 & 42 Vict. c. 52.

The word "district" means urban sanitary district or rural sanitary district, as the case may be, within the meaning of the said Act:

The expression "clerk of the local authority" includes, in the case of an urban sanitary authority, town clerk and secretary:

(2.) References to a place of abode in England shall be construed to refer to a place of abode in Ireland.

(3.) Offences under this Act may be prosecuted, and fines under this Act may be recovered, in manner directed by the Summary Jurisdiction Acts, before a court of summary jurisdiction constituted in the manner mentioned in the two hundred and forty-ninth section of the Public Health (Ireland) Act, 1878. 41 & 42 Vict. c. 52.