STATUTORY INSTRUMENTS

1985 No. 707

PORT HEALTH AUTHORITIES, ENGLAND AND WALES

The Milford Port Health Authority (Amendment) Order 1985

Made - - - -	*26th April* 1985
Coming into Operation	*17th June* 1985

The Secretary of State for Wales in exercise of the powers conferred upon him by sections 2(3), 3 and 4 of the Public Health (Control of Disease) Act 1984(**a**) and of all other powers enabling him in that behalf and having given the notices required by the aforesaid sections 2 and 4 of his proposals to make this order and not having received any objection thereto, hereby makes the following order:—

1. This order may be cited as the Milford Port Health Authority (Amendment) Order 1985 and shall come into operation on 17th June 1985.

2. For article 7 of the Milford Port Health Authority Order 1981(**b**), there shall be substituted the following:—

"**7.**—(1) There are hereby assigned to the joint board as port health authority, the functions, rights and liabilities of a local authority under the enactments specified in the Schedule so far as they are applicable to a port health authority and to any lands, waters, premises, houseboats, vessels or persons within their jurisdiction. Provided that in the application of the provisions of the Local Government Act 1972(**c**) as set out in the Schedule—

(*a*) the provisions of section 97 of that Act shall be exercisable only by the Secretary of State;

(*b*) the provisions of Schedule 12 Parts I and VI shall apply as if the joint board were a district council.

(2) For the purposes of the functions, rights and liabilities assigned to the joint board by virtue of this order, the enactments specified in the Schedule shall have effect as if—

(*a*) any vessel or houseboat lying within their jurisdiction were a house, building, premises, tent, van or shed; and

(*b*) the master or other officer or person in charge of the vessel or houseboat were the occupier.

(**a**) 1984 c. 22. (**b**) S.I. 1981/679. (**c**) 1972 c. 70.

(3) This article shall not apply to any vessel belonging to Her Majesty or to any vessel engaged in the service of Her Majesty, whether belonging to Her Majesty or not, or to any vessel belonging to the armed forces of any country, to which the provisions of the Visiting Forces Act 1952(a) apply by virtue of section 1 of that Act."

3. For the provisions of the Public Health Act 1936(b) set out in the Schedule to the Order there shall be substituted the following:—

"Public Health Act 1936 (c. 49)

Section 48	Power to examine and test drains.
Sections 51 and 52	Care of closets and sanitary conveniences.
Section 82	Byelaws as to removal through streets of offensive matter or liquid.
Sections 83–86	Filthy or verminous premises or articles and verminous persons.
Part III	Nuisances and Offensive Trades.
Sections 140 and 141	Provisions for the protection of the public from polluted water.
Part V	Prevention, Notification and Treatment of Disease.
Section 268(4)	Byelaws for promoting cleanliness and habitable conditions.
Part XII	General. "

J. I. Davies,
An Under Secretary,
Welsh Office.

Signed by authority of the
Secretary of State for Wales.
26th April 1985.

(a) 1952 c. 67.
(b) 1936 c. 49; relevant amendments are made by the Public Health (Control of Disease) Act 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Milford Port Health Authority Order 1981 constituted part of the Port of Milford Haven as a port health district and constituted a joint board consisting of representatives of the District Councils of Preseli and South Pembrokeshire to be the port health authority for that district. The 1981 Order conferred upon the joint board functions under general Acts relating among other matters to public health purposes. This Order adds to the public health functions of the joint board by enabling them to make byelaws for promoting cleanliness and habitable conditions on vessels and houseboats which are stationed within the area of the port health district. For this purpose vessels and houseboats are deemed to come within the provision of section 268(4) of the Public Health Act 1936 (article 2) and the powers to make byelaws under section 268(4) are applied to the joint board (article 3).