Tuberculosis

THE PUBLIC HEALTH (PREVENTION OF TUBERCULOSIS) REGULATIONS, 1925, DATED JULY 31, 1925, MADE BY THE MINISTER OF HEALTH UNDER SECTION 130 OF THE PUBLIC HEALTH ACT, 1875 (38 & 39 VICT. C. 55), AS EXTENDED BY THE PUBLIC HEALTH (LONDON) ACT, 1891 (54 & 55 VICT. C. 76), THE PUBLIC HEALTH ACT, 1896 (59 & 60 VICT. C. 19), AND THE PUBLIC HEALTH (REGULATIONS AS TO FOOD) ACT, 1907 (7 EDW. 7. C. 32).

1925 No. 757

(69,305).

The Minister of Health, in the exercise of the powers conferred on him by the Public Health Act, 1875, the Public Health (London) Act, 1891, the Public Health Act, 1896, and the Public Health (Regulations) as to Food) Act, 1907, hereby makes the following regulations :—

1. These Regulations may be cited as the Public Health (Prevention of Tuberculosis) Regulations, 1925, and shall come into operation forthwith.

2. In these regulations—

The expression " local authority " means, as the case may be, the Common Council of the City of London, the Council of a Metropolitan Borough, the Council of a Municipal Borough or other Urban District or the Council of a Rural District;

The expression " milk " means milk (including cream, skimmed milk and separated milk), intended for sale for human consumption;

The expression " dairy " includes any farm, cowshed, milk store, milk shop, or other place from which milk is supplied on, or for, sale, but does not include a shop or other place in which milk is sold for consumption on the premises only.

3. The local authority shall enforce and execute these regulations and for this purpose shall make such enquiries and take such other steps as may seem to them to be necessary for securing the due observance of the regulations in their District.

4. No person who is aware that he is suffering from tuberculosis of the respiratory tract shall enter upon any employment or occupation in connection with a dairy which would involve the milking of cows, the treatment of milk, or the handling of vessels used for containing milk.

5. Notwithstanding anything contained in the Public Health (Tuberculosis) Regulations, 1912(**a**), if a local authority, on the report in writing of their Medical Officer of Health, are satisfied that a person residing in their district who is engaged in any such employment or occupation as aforesaid is suffering from tuberculosis of the respiratory tract and is

(**a**) S.R. & O. 1912 No. 1813, revoked by S.R. & O. 1930 No. 572, above.

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in an infectious state, they may by notice in writing signed by the Clerk or the Medical Officer of Health require such person to discontinue his employment or occupation on or before the date specified in the notice, such date being not less than seven days after the service of the said notice, and such person shall thereupon comply with the said notice. A notice issued by the local authority under these regulations shall be in the form set forth in the Schedule hereto.

6.—(1) If any person deems himself aggrieved by a requirement of a local authority under these regulations, he may, within fourteen days after the service of notice of the requirement, appeal to a court of summary jurisdiction and shall in that event give written notice to the Clerk to the local authority of his intention to appeal and the ground thereof.

(2) The court may make such order in the matter as may seem equitable to them, and may award costs, which shall be recoverable summarily as a civil debt, and the order so made shall be binding and conclusive.

(3) Upon the hearing of an appeal under this article the court shall have power with the consent of the appellant to direct that he be examined by a registered medical practitioner nominated by the court.

7. The provisions of section 308 of the Public Health Act, 1875, (which relates to compensation for damages sustained by reason of the exercise of the powers of the Act) shall apply to any person who sustains any damage by reason of the exercise of any of the powers of these regulations in relation to any matter as to which he is not himself in default.

Schedule

THE PUBLIC HEALTH (PREVENTION OF TUBERCULOSIS) REGULATIONS, 1925.

To.....

of.....

The , being satisfied on the report of their Medical Officer of Health that you are engaged in an employment or occupation involving the milking of cows, the treatment of milk, or the handling of vessels used for containing milk in connection with a dairy, and that you are suffering from tuberculosis of the respiratory tract and are in an infectious state, hereby give you notice that you are required on or before the day of 19 to discontinue such employment or occupation.

Dated this day of 19 .

Signature of Clerk or

Medical Officer of Health.....

Note.—Any person sustaining damage by reason of the exercise by a local authority of any of the powers of these regulations, and not being himself in default, is entitled under section 308 of the Public Health Act, 1875, as applied by these regulations, to receive full compensation from the local authority. Any claim which you desire to make should be addressed in writing to the Clerk to the Council.

You are entitled, within fourteen days after the service of this notice, to appeal to a court of summary jurisdiction against the local authority's decision requiring you to discontinue your employment.

If you intend to appeal you must give notice in writing to the Clerk to the Council of your intention and of the ground of the appeal.

Given under the Official Seal of the Minister of Health this Thirty-first day of July, in the year One thousand nine hundred and twenty-five.

(L.S.) *A. B. Maclachlan*,
Assistant Secretary, Ministry of Health.

Note.—The Public Health Act, 1896, provides by sub-section (3) of section 1 that if any person wilfully neglects or refuses to obey or carry out, or obstructs the execution of, any regulations made under any of the enactments mentioned in that Act he shall be liable to a penalty not exceeding £100, and, in the case of a continuing offence to a further penalty not exceeding £50 for every day during which the offence continues.

The power of making regulations under the Public Health Act, 1896, and the enactments mentioned in that Act, is enlarged by the Public Health (Regulations as to Food) Act, 1907.