MEDICAL OFFICER OF HEALTH, ENGLAND

The Sanitary Officers (London) Regulations, 1951

1951 No. 1021

Made - - - -	*7th June*, 1951
Laid before Parliament	*8th June*, 1951
Coming into Operation	*1st July*, 1951

M.H. 49

The Minister of Health, in exercise of his powers under section 79 of the London Government Act, 1939(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

PART I

General

Short Title and Interpretation

1.—(1) These regulations may be cited as the Sanitary Officers (London) Regulations, 1951, and shall come into operation on the first day of July, 1951.

(2) These regulations shall be construed as one with the Sanitary Officers Order, 1926(b), and these regulations, the Sanitary Officers Order, 1926, and the Sanitary Officers (London) Regulations, 1935(c), may be cited together as the Sanitary Officers (London) Regulations, 1926 to 1951.

(3) In these regulations, the expression "article" means article contained in the Sanitary Officers Order, 1926.

(4) The Interpretation Act, 1889(d), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. For Articles 6, 7 and 8 there shall be substituted the following Articles:—

"*Mode of appointment*

6. In the event of a vacancy occurring in the office of medical officer of health for a district, the local authority shall, before proceeding to consider the appointment of any person to fill the office, submit to the Minister a statement in such form and containing such particulars as he may require relating to the proposals of the local authority for filling the vacancy, and no steps shall be taken to appoint any person to fill the vacancy except in accordance with proposals approved by the Minister for the purpose.

7. The last preceding regulation shall not apply in relation to the medical officer of health of a port health district.

(a) 2 & 3 Geo. 6. c. 40.
(b) S.R. & O. 1926 (No. 552) p. 983.
(c) S.R. & O. 1935 (No. 1111) p. 1013.
(d) 52 & 53 Vict. c. 63.

Procedure on appointment

8. Before appointing a medical officer of health of a district the local authority shall cause to be inserted in some newspaper or newspapers circulating in the district, at least fourteen days before the date on which it is proposed that the appointment shall be considered by the authority, an advertisement specifying the district for which the appointment is to be made, together with the amount of the salary and of any travelling or other allowances proposed to be assigned."

3. For Article 13 there shall be substituted the following Article:—

"*Salary*

13. A local authority of a district may, with the approval of the Minister, pay to the medical officer of health a gratuity on account of extraordinary services performed by him, or on account of unforeseen or special circumstances connected with his duties or the necessities of the district."

4. In Article 17 there shall be substituted for the reference to Article 6 a reference to Article 8.

5. There shall be inserted after Article 18 the following Article:—

"*Variation of terms of appointment*

18A. If a local authority propose to alter the terms of appointment of a sanitary inspector of the district and he is unwilling to accept the alteration, he may refer the matter to the Minister, and no alteration shall in that event be made without the Minister's consent."

Given under the official seal of the Minister of Health this seventh day of June, nineteen hundred and fifty-one.

(L.S.)

E. Russell Smith,
Under Secretary,
Ministry of Health.

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend the Sanitary Officers Order, 1926, which, with the Sanitary Officers (London) Regulations, 1935, is in force in London only. The amendments are designed to relax central controls by removing the obligation to which metropolitan borough councils have been subject of obtaining the Minister's consent to the appointment and salaries of medical officers of health, and to proposals for the filling of vacancies, but to retain the measure of security of tenure which these officers have enjoyed. By virtue of applied provisions in the Order of 1926 for which provisions are substituted by these regulations, the position has been similar in relation to sanitary inspectors and will be similarly affected by these regulations. In the case of medical officers of health, however, the Minister's consent to proposals for filling vacant appointments will still be required.