The Sanitary Officers (Outside London) Regulations, 1951

1951 No. 1022

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

M.H.50

The Minister of Health, in exercise of his powers under section 108 of the Local Government Act, 1933(a), and the First Schedule to the Public Health Act, 1936(b), 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 (Outside London) Regulations, 1951, and shall come into operation on the first day of July, 1951.

(2) These regulations and the Sanitary Officers (Outside London) Regulations, 1935(c), shall be construed as one, and these regulations and those regulations may be cited together as the Sanitary Officers (Outside London) Regulations, 1935 and 1951.

(3) In these regulations, unless the context otherwise requires, the expression "article" means article contained in the Sanitary Officers (Outside London) Regulations, 1935.

(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 9, 10 and 11 there shall be substituted the following Articles:—

"*Mode of appointment*

9.—(1) In the event of a vacancy occurring in the office of medical officer of health for a district in relation to which there are not in force any such arrangements as are mentioned in subsection (4) of section 111 of the Local Government Act, 1933, 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.

(2) The preceding paragraph shall also apply in relation to a vacancy in the office of medical officer of health for a district affected by any such arrangements as aforesaid which it is proposed to fill otherwise than in accordance with those arrangements.

(a) 23 & 24 Geo. 5. c. 51.
(b) 26 Geo. 5. & 1 Edw. 8. c. 49.
(c) S.R. & O. 1935 (No. 1110) p. 1004.
(d) 52 & 53 Vict. c. 63.

(3) No steps shall be taken to appoint any person to fill any such vacancy as aforesaid except in accordance with proposals approved by the Minister for the purpose.

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

Procedure on appointment

11. 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 Articles 15 and 16 there shall be substituted the following Articles:—

"*Salary*

15. 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.

Variation of terms of appointment

16. If a local authority propose to alter the terms of appointment of the medical officer of health 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."

4. For Article 21 there shall be substituted the following Article:—

"*Procedure on appointment*

21. Article 11 of these regulations (with respect to procedure on appointment) shall apply, with the necessary modifications, to the appointment of a sanitary inspector as they apply to the appointment of a medical officer of health."

5. For Article 26 there shall be substituted the following Article:—

"*Variation of terms of appointment*

26. Article 16 of these regulations (with respect to variation of terms of appointment) shall apply, with the necessary modifications, to a sanitary inspector as they apply to a medical officer of health."

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 (Outside London) Regulations, 1935. They apply throughout England and Wales, excluding London. The amendments are designed to relax central controls by removing the obligation to which local authorities 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 of the Regulations of 1935 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, unless the vacancies are to be filled in accordance with arrangements formulated under the Local Government Act, 1929, or the Local Government Act, 1933, for securing that medical officers of health shall not engage in private practice.

MEDICAL PROFESSION

The Medical Act, 1950 (Appointed Days) Order of Council, 1951

1951 No. 658

Made - - - - 13*th April*, 1951

At the Council Chamber, Whitehall

The 13th day of April, 1951

By The Lords of His Majesty's Most Honourable Privy Council

Whereas under the Medical Act, 1950(a), the operation of the provisions of that Act specified in the first column of the Schedule hereto (which relate to the matters specified in the second column of the said Schedule) is determined by reference to the appointed day:

And Whereas under the said Act the expression "the appointed day" means such day as the Privy Council may by Order appoint, and different days may be appointed for the purposes of different provisions of the said Act or for the purposes of the application of any such provision to different classes of case:

Now, therefore, in pursuance of the said Act, Their Lordships are pleased to order, and it is hereby ordered, as follows:—

(1) The appointed day for the purposes of the following provisions of the said Act shall be April 28, 1951, namely:—Subsection (4) of section 10, subsections (1), (2), and (3) of section 11.

(2) The appointed day for the purposes of the application of subsection (1) of section 14 of the said Act to the class of case where a notice of inquiry under section 26 or section 29 of the Medical Act, 1858, has not, at the date of this Order, been sent in pursuance of the Standing

(a) 14 Geo. 6. c. 29.