



Public Health Act (Northern Ireland) 1967

1967 CHAPTER 36

An Act to consolidate with amendments the enactments relating to the notification and prevention of certain infectious diseases and to amend certain enactments relating to public health. [14th December 1967]

PART I

INFECTIOUS DISEASES

1 Notifiable diseases.

- (1) Subject to subsection (2), in this Part “notifiable disease” means a disease specified in Schedule 1.
- (2) The Ministry may by order amend Schedule 1 so as to—
 - (a) extend the application of the provisions of this Part which relate to notifiable diseases by adding, for the purpose of all or any of those provisions, any other infectious disease,
 - (b) restrict the application of all or any of those provisions by excluding, for all or any of the purposes thereof, any disease so specified.

2 Duty of medical practitioner on diagnosis of notifiable disease.

- (1) Every medical practitioner attending on a person shall as soon as he becomes aware, or has reasonable grounds for suspecting, that that person is suffering from a notifiable disease, send to [^{F1}the Director of Public Health]^{F2} . . . a certificate stating—
 - (a) the name, age, sex and address of the patient,
 - (b) the address of the building in which the examination took place, and
 - (c) the notifiable disease from which, in the opinion of the medical practitioner, the patient is, or may be, suffering.
- (2) The provisions of subsection (1) shall not apply where a medical practitioner diagnoses or suspects the occurrence of a notifiable disease in the Northern Ireland Fever

Changes to legislation: There are currently no known outstanding effects for the Public Health Act (Northern Ireland) 1967. (See end of Document for details)

Hospital or in any other hospital which the Ministry may designate for the purpose of this subsection.

- (3) Each^{F3}Regional Agency] shall supply a sufficient quantity of forms for the purposes of subsection (1) to every medical practitioner^{F4}
- (4) [^{F5}The Regional Agency] shall pay to a medical practitioner for each certificate duly sent by him under subsection (1) such fee as may be^{F6} determined by the Department, subject to such exceptions and conditions as may be so determined.]

F1	Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(1) ; S.R. 2009/114, art. 2
F2	Words in s. 2(1) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), Sch. 7 ; S.R. 2009/114, art. 2
F3	Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2) ; S.R. 2009/114, art. 2
F4	Words in s. 2(3) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), Sch. 7 ; S.R. 2009/114, art. 2
F5	Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2) ; S.R. 2009/114, art. 2
F6	1986 NI 24

[^{F7}2A **Regulations for control of certain diseases.**

- (1) Subject to the provisions of this section, the Department may, as respects the whole or part of Northern Ireland, including coastal waters, make regulations—
- with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases,^{F8} . . .
 - for preventing danger to public health from vessels or aircraft arriving at any place,^{F9} and
 - for preventing the spread of infection or contamination by means of any vessel or aircraft leaving any place, so far as may be necessary or expedient for the purpose of carrying out any treaty, convention, arrangement or engagement with any other country,]

so, however, that before making regulations under sub-paragraph (b) [^{F10}or (c)] the Department shall consult, in the case of vessels, the Secretary of State.

[For the purposes of subsection (1)(c) “contamination” means the presence of an^{F11}(1A) infectious or toxic agent or matter on a human or animal body surface, in or on a product prepared for consumption or on other inanimate objects, including conveyances, that may constitute a public health risk.]

- (2) Without prejudice to the generality of subsection (1), the Department may by any such regulations apply, with or without modifications, to any disease to which the regulations relate any enactment relating to the notification of disease or to notifiable or infectious diseases.
- (3) Regulations made under this section may provide for—
- the signals to be displayed by vessels or aircraft having on board any case of epidemic, endemic or infectious disease,

Changes to legislation: There are currently no known outstanding effects for the Public Health Act (Northern Ireland) 1967. (See end of Document for details)

- (b) the questions to be answered by masters, pilots and other persons on board any vessel or aircraft as to cases of such disease on board during the voyage or on arrival,
 - (c) requiring persons alighting from aircraft to answer questions pertaining to their state of health or their contact with infection,
 - (d) the detention of vessels or aircraft and of persons on board them,
 - (e) the duties to be performed in cases of such diseases by masters, pilots and other persons on board vessels or aircraft,
- and may authorise the making of charges and provide for the recovery of such charges and of any expenses incurred in disinfection.
- (4) Subject to section 2B, regulations made under this section—
- (a) shall provide for their enforcement and execution by [^{F12}the Regional Agency], and
 - (b) may also provide for their enforcement and execution by officers of customs and excise,
- but regulations so made shall require—
- (i) so far as they apply to officers of customs and excise, the consent of the Commissioners of Customs and Excise;
 - (ii) so far as they apply to signals, in the case of vessels, the consent of the Secretary of State.
- (5) Subject to section 2B, the following persons, that is to say—
- (a) authorised officers of [^{F12}the Regional Agency] as is specified by the regulations in accordance with subsection (4)(a), and
 - (b) officers of customs and excise,
- may enter any premises for the purpose of executing, or superintending the execution of, regulations under this section.
- (6) Any person who wilfully neglects or refuses to obey or carry out, or obstructs the execution of, any regulations made under this section shall be guilty of an offence and, in a case where no provision is made in the regulations for his punishment, be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (7) Where a person is convicted of an offence under subsection (6) and where that subsection is again contravened within one year after the conviction he shall be liable on summary conviction to a further fine not exceeding £50 for every day subsequent to the day on which he is first convicted of an offence under subsection (6) on which it is so contravened.

F7 1986 NI 24

F8 Word in s. 2A(1)(a) omitted (6.5.2008) by virtue of Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(2)(a)

F9 S. 2A(1)(c) and preceding word inserted (6.5.2008) by Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(2)(b)

F10 Words in s. 2A(1) inserted (6.5.2008) by Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(2)(c)

F11 S. 2A(1A) inserted (6.5.2008) by Public Health (Amendment) Act (Northern Ireland) 2008 (c. 5), s. 1(3)

F12 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 2(2); S.R. 2009/114, art. 2

Changes to legislation: There are currently no known outstanding effects for the Public Health Act (Northern Ireland) 1967. (See end of Document for details)

2B Application of section 2A to certain aerodromes.

- (1) In relation to aerodromes for the time being vested in or under the control of the Secretary of State and in relation to persons and aircraft arriving at any such aerodromes—
- (a) subsection (4) of section 2A shall have effect as if, for paragraph (a) of that subsection, there were substituted—
 - “(a) may provide for their enforcement and execution by officers designated for that purpose by the Secretary of State, and,”
 - (b) so much of that subsection as requires the consent of the Commissioners of Customs and Excise shall not apply, and
 - (c) subsection (5) of that section shall have effect as if, for paragraph (a) of that subsection, there were substituted—
 - “(a) officers designated in accordance with subsection (4)(a) (as modified by section 2B(1)(a)), and.”
- (2) In this section “aerodrome” has the meaning given by section 105(1) of the Civil Aviation Act 1982.]

F7 1986 NI 24

3 Power of resident magistrate to order medical investigation.

- (1) If a resident magistrate is satisfied, on the evidence of [F13the Director of Public Health]^{F14} . . . , that—
- (a) there is reason to believe that some person ^{F15} . . . is, or has been, suffering from, or is a carrier of, a notifiable disease, and
 - (b) in the interest of that person, or in the interest of his family, or in the public interest, it is expedient that he should undergo a medical investigation, and
 - (c) that person is not under the treatment of a medical practitioner or that the medical practitioner who is treating him consents to the making of an order under this section,
- the magistrate may order that person to undergo a medical investigation by [F13the Director of Public Health], or by a medical practitioner nominated by [F13the Director of Public Health] and approved by the magistrate.
- (2) Any person who fails to comply with an order made under subsection (1) shall be guilty of an offence under this Part and shall, until such time as [F13the Director of Public Health] is satisfied that he is not suffering from a notifiable disease, or, as the case may be, is not a carrier of such a disease, be deemed—
- (a) for the purposes of sections 4 and 10, to be suffering, and to know that he is suffering, from a notifiable disease, and
 - (b) for the purposes of sections 4 to 15, to be a carrier of an infectious disease.

F13 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 2(1)**; S.R. 2009/114, **art. 2**

F14 Words in s. 3(1) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), **Sch. 7**; S.R. 2009/114, **art. 2**

F15 Words in s. 3(1)(a) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), **Sch. 7**; S.R. 2009/114, **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Public Health Act (Northern Ireland) 1967. (See end of Document for details)

[^{F7}3A Removal to hospital of person with notifiable disease.

- (1) Where a resident magistrate is satisfied, on the application of [^{F16}the Regional Agency] that a person is suffering from a notifiable disease and that serious risk of infection is thereby caused to other persons, the magistrate may order him to be removed to a hospital.
- (2) An order under this section may be addressed to an authorised officer and that officer and any other authorised officer may do all acts necessary for giving effect to the order.

F7 1986 NI 24

F16 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

3B Detention in hospital of person with notifiable disease.

- (1) Where a resident magistrate is satisfied, on the application of [^{F17}the Regional Agency], that serious risk of infection would be caused to persons if an in-patient of a hospital who is suffering from a notifiable disease were to leave the hospital, the magistrate may order the in-patient to be detained in the hospital.
- (2) An order under subsection (1) may direct detention for a period specified in the order, but any resident magistrate may extend a period so specified as often as it appears to him to be necessary to do so.
- (3) Any person who leaves a hospital contrary to an order made under this section for his detention there shall be guilty of an offence under this Part and the court may order him to be taken back to hospital.
- (4) An order under this section may be addressed to an authorised officer and that officer and any other authorised officer may do all acts necessary for giving effect to the order.]

F7 1986 NI 24

F17 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 2\(2\)](#); S.R. 2009/114, [art. 2](#)

4 Person suffering from, or carrier of, notifiable disease not to carry on occupation to danger of others.

Any person who, knowing that he is suffering from, or that he is a carrier of, a notifiable disease, engages in, carries on or participates to any extent whatever in any trade, business or occupation which he cannot engage in, carry on or participate in without risk of spreading the disease shall be guilty of an offence under this Part.

5 Power to order child likely to convey notifiable disease not to attend school.

- (1) Where a child is or has been suffering from, or is or has been exposed to the infection of, a notifiable disease, [^{F18}the Director of Public Health] for the area in which the child resides or attends school may, for the purpose of preventing the spread of the disease, serve a notice on the person having the care of that child directing that, for such period as may be specified in the notice, the child shall not attend school.