

Status: This is the original version (as it was originally enacted).

SCHEDULES

SCHEDULE V

PART I

ENACTMENTS WHICH HAVE BEEN ALREADY REPEALED ARE IN A FEW INSTANCES INCLUDED IN THIS REPEAL, IN ORDER TO AVOID THE NECESSITY OF REFERENCE TO PREVIOUS STATUTES.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
11 & 12 Vict. c. 63.	The Public Health Act, 1848	The whole Act.
14 & 15 Vict. c. 28.	The Common Lodging Houses Act, 1851.	The whole Act, except so far as relates to the Metropolitan Police District
16 & 17 Vict. c. 41.	The Common Lodging Houses Act, 1853.	The whole Act, except so far as relates to the Metropolitan Police District.
18 & 19 Vict. c. 116.	The Diseases Prevention Act, 1855.	The whole Act, except so far as relates to the Metropolis.
18 & 19 Vict. c. 121.	The Nuisances Removal Act for England, 1855.	The whole Act, except so far as relates to the Metropolis.
21 & 22 Vict. c. 98.	The Local Government Act, 1858.	The whole Act.
23 & 24 Vict. c. 77.	An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases.	The whole Act, except so far as relates to the Metropolis.
24 & 25 Vict. c. 61.	The Local Government Act (1858) Amendment Act, 1861.	The whole Act.
26 & 27 Vict. c. 17.	The Local Government Act Amendment Act, 1863.	The whole Act.
26 & 27 Vict. c. 117	The Nuisances Removal Act for England (Amendment) Act, 1863.	The whole Act, except so far as relates to the Metropolis.
28 & 29 Vict. c. 75.	The Sewage Utilization Act, 1865.	The whole Act, except so far as relates to Scotland and Ireland.

Of the above Acts, the following, (namely,) "The Public Health Act, 1848," and "The Local Government Act, 1858," and "The Local Government Act (1858) Amendment Act, 1861," and "The Local Government Act Amendment Act, 1863," are in this Act referred to as "The Local Government Acts."

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Session and Chapter.	Title or Short Title.	Extent of Repeal.
29 & 30 Vict. c. 41.	The Nuisances Removal (No.1) Act, 1866.	The whole Act, except so far as relates to the Metropolis.
29 & 30 Vict. c. 90.	The Sanitary Act, 1866	Parts I, II, and III, except so far as relates to the Metropolis or to Scotland or Ireland.
30 & 31 Vict. c. 113.	The Sewage Utilization Act, 1867.	The whole Act, except so far as relates to Scotland or Ireland.
31 & 32 Vict. c. 115.	The Sanitary Act, 1868	The whole Act, except so far as relates to the Metropolis.
32 & 33 Vict. c. 100.	The Sanitary Loans Act, 1869	The whole Act, except so far as relates to the Metropolis.
33 & 34 Vict. c. 53.	The Sanitary Act, 1870	The whole Act, except so far as relates to the Metropolis.
35 & 36 Vict. c. 79.	The Public Health Act, 1872	The whole Act, except so far as relates to the Metropolis.
37 & 38 Vict. c. 89	The Sanitary Law Amendment Act, 1874.	The whole Act, except so far as relates to the Metropolis or the Metropolitan Police District.

Of the above Acts, the following, (namely,) "The Public Health Act, 1818," and "The Local Government Act, 1858," and "The Local Government Act (1858) Amendment Act, 1861," and "The Local Government Act Amendment Act, 1863," are in this Act referred to as "The Local Government Acts."

PART II

Session and Chapter.	Title or Short Title.	Extent of Repeal.
12 & 13 Vict. c. 94.	The Public Health Supplemental Act, 1849.	The whole Act, except— Section 1 (Confirmation of certain provisional orders of the General Board of Health), and section 12 (short title of Act), and the schedule.
13 & 14 Vict. c. 90.	The Public Health Supplemental Act, 1850 (No. 2.)	The whole Act, except— Section 1 (certain provisional orders of General Board of Health confirmed), and section 7 (short title of Act), and the schedule.
15 & 16 Vict. c. 42.	The first Public Health Supplemental Act, 1852.	Sections 6 to 12, both inclusive (first election or first selection and election

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Session and Chapter.	Title or Short Title.	Extent of Repeal.
		of certain local boards), and section 13 (11 & 12 Vict. c. 63. ss. 68, 69, as to repair of highways), and section 14 (interpretation of year), and section 15 (Act incorporated with Public Health Act).

PART III

11 & 12 Vict. c. 63. s. 83.

As to interments within churches.

No vault or grave shall be constructed or made within the walls of or underneath any church or other place of public worship built in any urban district after the thirty-first day of August one thousand eight hundred and forty-eight ; and whosoever shall bury, or cause, permit, or suffer to be buried, any corpse or coffin in any vault or grave constructed or made contrary to this enactment, shall for every such offence be liable to a penalty not exceeding fifty pounds, which may be recovered by any person, with full costs of suit, in an action of debt.

21 & 22 Vict. c. 98. s. 49.

Local board to be burial board in certain cases.

When a vestry of any parish comprised in a local government district resolves to appoint a burial board, the local board may at the option of the vestry be the burial board for such parish, and all expenses incurred by such burial board shall be defrayed out of a rate to be levied in such parish in the same manner as a general district rate.

Provided, that if such parish has been declared a ward for the election of members of the local board, such members shall form the burial board for the parish, and shall be deemed to be a burial board elected under the Burial Acts for the time being in force.

24 & 25 Vict. c. 61. s. 21.

Urban authorities may repair fences surrounding burial grounds.

Any urban authority constituted a burial board may from time to time repair and uphold the fences surrounding any burial ground which has been discontinued as such within their jurisdiction, or take down such fences and substitute others in lieu thereof, and shall from time to time take the necessary steps for preventing the desecration of such burial ground and placing it in a proper sanitary condition; and they may from time to time pass byelaws (subject to the provisions of this Act) for the preservation and regulation of all burial grounds within their jurisdiction; and the expense of carrying this section into execution may be defrayed out of any rates authorised to be levied by any urban authority constituted a burial board.

26 & 27 Vict. c. 17. s. 6.

Local government districts to be within highway districts for purpose of highway meetings.

Where any local government district or any other place is surrounded by or adjoins a highway district constituted under the Highway Acts, such first-mentioned district or other place shall, for the purpose of any meeting of the highway board, be deemed to be within such highway district.

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29 & 30 Vict. c. 90. s. 44.

Power to burial boards in certain cases to transfer their powers to urban authority.

When the district of a burial board is included in or conterminous with the district of an urban authority, the burial board may, by resolution of the vestry, and by agreement of the burial board and urban authority, transfer to the urban authority all their estate property rights powers duties and liabilities, and from and after such transfer, the urban authority shall have all such estate property rights powers duties and liabilities as if they had been duly appointed a burial board under the Burial Acts for the time being in force.

29 & 30 Vict. c. 90. s. 51.

Power to reduce penalties imposed by 6 G. 4. c. 78.

All penalties imposed by the Act of the sixth year of King George the Fourth, chapter seventy-eight, intituled " An Act to repeal the several laws " relating to quarantine, and to make other provisions in lieu thereof," may be reduced by the justices or court having jurisdiction in respect of such penalties to such sum as the justices or court think just.

29 & 30 Vict c. 90. s. 52.

Description of vessels within provisions of 6 G. 4. c. 78.

Every vessel having on board any person affected with a dangerous or I infectious disorder shall be deemed to be within the provisions of the Act of the sixth year of King George the Fourth, chapter seventy-eight, although such vessel has not commenced her voyage, or has come from or is bound for some place in the United Kingdom.

35 & 36 Vict. c. 76. s. 34.

As to consent of Local Government Board required in certain cases.

Where in any local Acts the consent, sanction, or confirmation of one of Her Majesty's Principal Secretaries of State is required with respect to the borrowing of any money, to the giving effect to any byelaws, or to the appointment of any officer for sanitary purposes, the consent, sanction, or confirmation 1 of the Local Government Board shall be required instead of that of the Secretary of State.

The consent of the Local Government Board, and not that of the Treasury shall be required to the borrowing of money for the purposes of the Baths and Wash-houses Acts.

If any question arises as to what are sanitary purposes within the meaning of this section, the determination of the Local Government Board on such question shall be conclusive.

35 & 36 Vict. c. 79. s. 35.

Transfer of powers and duties of Board of Trade under Alkali Act, 1863, and Metropolis Water Acts, 1852 and 1871, to Local Government Board.

The powers and duties of the Board of Trade under the Alkali Act, 1863, and any Act amending the same, and under the Metropolis Water Acts, 1852 and 1871, shall be exerciseable and performed by the Local Government Board, and " the Local. Government Board shall be deemed to be substituted for "the Board of Trade" wherever the latter expression occurs in the said Acts.

35 & 36 Vict. c. 79. s. 36.

Transfer of powers and duties of Secretary of State under Highway and Turnpike Acts to Local Government Board.

All powers, duties, and acts vested in, imposed on, or required to be done by or to one of Her Majesty's Principal Secretaries of State by the several Acts of Parliament relating to highways in England and Wales, and to turnpike roads and trusts and bridges in England and Wales, shall be imposed on and be done by or to the Local Government Board, subject to the conditions, liabilities, and incidents to which such powers, duties, and acts were respectively subject immediately before the passing of the Public Health Act, 1872, or as near thereto as circumstances admit.

35 & 36 Vict. c. 79. s. 37.

Transfer of officers to Local Government Board.

All inspectors, clerks, and other officers who are by virtue of section thirty-seven of the Public Health Act, 1872, attached to and under the control of the Local Government Board, shall hold their offices and places upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed.

The Local Government Board may by order distribute the business to be performed under the Local Government Board amongst such officers and persons in such manner as the Local Government Board may think expedient.

35 & 36 Vict. c. 79. s. 38.

Salary of medical officer.

Notwithstanding anything contained in any Act of Parliament now in force, there shall be paid out of moneys to be provided by Parliament to the medical officer of the Local Government Board such salary as the Treasury may from time to time determine.

35 & 36 Vict. c. 79. s. 48.

Orders of the Local Government Board how to be published.

Every general order of the Local Government Board, made in pursuance of the Poor Law Amendment Act, 1834, and the several Acts amending the same, shall be published in the London Gazette, and when so published shall take effect in like manner, and shall be of as much force and validity as any general order of the Poor Law Board made and sent in the manner prescribed by the last-mentioned Acts, and no further proceeding shall be necessary in such behalf; and as regards any single order of the said Board, made in pursuance of the said last-mentioned Acts, it shall not be necessary henceforth to send a copy thereof to the clerk to the justices of the petty sessions.