



# Public Health (Scotland) Act 1897

## 1897 CHAPTER 38

### PART I

#### AUTHORITIES FOR EXECUTION OF ACT.

##### *Central Authority.*

**5 Local Government Board to be central authority.**

The Local Government Board for Scotland (in this Act referred to as the Board) shall be the central authority for the execution of this Act. In addition to the powers conferred on or transferred to it by the Local Government (Scotland) Act, 1894, the Board shall have the powers herein-after mentioned.

**6 Powers of Board to inquire into sanitary conditions of district.**

It shall be lawful for the Board, upon written application by a parish council, or ten ratepayers, or upon the report of any of the inspecting officers of the Board, to inquire into the sanitary condition of any district or part of a district, and for this purpose the Board are hereby empowered to make inquiries, and require answers or returns to be made to the Board upon any question or matter connected with or relating to the purposes of this Act, and also by a summons, signed by one of their number or by the secretary, to require the attendance of all such persons as they may think fit to call before them upon any such question or matter, and to administer oaths to and examine upon oath all such persons, and to require and enforce the production upon oath of all books, contracts, agreements, accounts, and writings, or copies thereof respectively, in anywise relating to any such question or matter.

**7 Power to Board to authorise special inquiries.**

It shall be lawful for the Board, whenever it may seem fitting to them, to authorise and empower for a limited time one of the members thereof to conduct any special inquiry in any part of Scotland, and to report thereon to the Board; and such member so

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*Status: This is the original version (as it was originally enacted).*

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authorised and empowered shall be entitled to summon and examine on oath witnesses and havers, and to exercise all such other of the powers by this Act given to the Board as may be necessary for conducting such inquiry, and such member shall be reimbursed by the Board of all expenses necessarily incurred by him in conducting such inquiry, and such expenses shall be deemed part of the expenses attending the execution of this Act, and be defrayed in the same manner as the general expenses of the Board are now defrayed.

**8 Power to Board to appoint commissioners for conducting special inquiries.**

It shall be lawful for the Board, whenever it may seem fitting to them, to appoint some person or persons, not being a member or members of the Board, to act as a commissioner or commissioners for the purpose of conducting any special inquiry for a limited period, and to report thereon ; and the Board shall delegate to every person so appointed for the purpose of conducting such inquiry such of the powers of the Board as they may deem necessary or expedient for summoning or examining on oath witnesses and havers, and otherwise conducting such inquiry ; and it shall not be necessary to notify the appointment of any such commissioner otherwise than by intimating the same by letter under the hand of the secretary or of any member of the Board to the sheriff of the county within which the inquiry in question is to be made; and every such commissioner shall be reimbursed by the Board for all expenses necessarily incurred by him in conducting such inquiry, and shall also receive such reasonable remuneration for his time and trouble as may have been agreed upon between him and the said Board, and approved of by the Treasury.

**9 Power to Board to allow expenses of witnesses. &c.**

It shall be lawful for the Board, in any case where they see fit, to order and allow such expenses of witnesses, and such expenses of or concerning the production of any books, contracts, agreements accounts, or writings, or copies thereof, to or before the said Board, or member thereof, or commissioner or commissioners, as such Board may deem reasonable; and such expenses so ordered and allowed shall be deemed part of the expenses attending the execution of this Act, and be defrayed in the same manner as the general expenses of the Board are now defrayed.

**10 Penalties on persons giving false evidence or refusing to obey summons of Board.**

If any person, upon any examination on oath under the authority of this Act, shall wilfully give false evidence, he shall be deemed guilty of perjury, and shall be liable to the pains and penalties thereof; and in case any person shall wilfully refuse to attend in obedience to any summons of the Board, or member or commissioner authorised or appointed by the Board as aforesaid, or to give evidence, or shall wilfully refuse to produce any books, contracts, agreements, accounts, and writings, or copies of the same, which may be required to be produced before the Board, or member thereof, or commissioner or commissioners, or shall wilfully neglect or disobey any of the orders of the Board or member or commissioner, or be guilty of any contempt of the Board or member or commissioner, such person being thereof lawfully convicted, shall forfeit and pay for the first offence any sum not exceeding five pounds, and for the second and every subsequent offence any sum not exceeding twenty pounds nor less than five pounds.

## **11 Power to Board to appoint clerks, &c.**

The Board are hereby empowered from time to time to appoint all such officers and clerks as they shall deem necessary, and from time to time, at the discretion of the Board, to remove such officers and clerks, or any of them, and to appoint others in their stead ; provided that the amount of the salaries of such officers and clerks shall from time to time be regulated by the Treasury.