



Public Health (Scotland) Act 1897

1897 CHAPTER 38 60 and 61 Vict

PART III

GENERAL PREVENTION AND MITIGATION OF DISEASE

Infectious Diseases.—Notification

^{F1}44 Notification of infectious disease.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Infectious Diseases—Prevention

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Textual Amendments

F2 S. 45 repealed by Health Services and Public Health Act 1968 (c. 46), **Sch. 4**

^{F1}46 Provision of means for disinfecting bedding, &c.

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Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 47 **Cleansing and disinfecting of premises, &c.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 48 **Disinfection of bedding. &c.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

49 **Persons engaged in washing or mangling clothes to furnish list of owners of clothes in certain cases.**

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 50 **Infectious matter thrown into ash-pits, &c. to be disinfected.**

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Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}51 Penalty on letting houses in which infected persons have been lodging.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}52 Penalty on persons letting houses making false statements as to infectious disease.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}53 Penalty on ceasing to occupy house without disinfection or notice to owner, or on making false answer.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

F154 Removal to hospital of infected persons without proper lodging.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F155 Detention of infected persons without proper lodging in hospital.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F156 Penalty on exposure of infected persons and things.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F157 Penalty on sending child to school, so as to spread infection.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

F1 58 Prohibitions on infected person carrying on business

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 59 Prohibition on conveyance, &c. of infected person in public conveyance.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

60, 61. F3

Textual Amendments

F3 Ss. 60, 61 repealed by [Milk and Dairies \(Scotland\) Act 1914 \(c. 46\)](#), s. 31, [Sch.](#)

F1 62 Prohibition of retention of dead body in certain cases.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F1 63 Body of person dying of infectious disease in hospital, &c. to be removed only for burial.

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Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 64 Disinfection of public conveyances if used for carrying corpses.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

F1 65 Byelaws as to public conveyances.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Hospitals and Ambulances

F1 66 Power of local authority to provide hospitals.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

Textual Amendments

F4 Ss. 67, 77 repealed by [National Health Service \(Scotland\) Act 1947 \(c. 27\)](#), [Sch. 11 Pt. II](#)

Mortuaries, &c.

^{F1}68 Power of local authority to provide mortuaries.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}69 Power of sheriff, &c. in certain cases to order removal of dead body to mortuary.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}70 Power of local authority to provide places for post-mortem examinations.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

^{F1}71 Power to sanitary authorities to unite for providing mortuary.

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Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Byelaws as to Houses let in Lodgings

^{F1}72 Power of local authority to make byelaws as to lodging-houses.

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Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Tents and Vans

73 Tents and vans used for human habitation.

(1) A tent, van, shed, or similar structure, used for human habitation, which is in such a state as to be a nuisance or injurious or dangerous to health, or is so overcrowded as to be injurious or dangerous to the health of the inmates, shall be a nuisance liable to be dealt with summarily under this Act.

^{F1}(2)

^{F1}(3)

^{F1}(4)

Textual Amendments

F1 Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

Modifications etc. (not altering text)

C1 [S. 73](#) extended by [S.I. 1965/1536](#), [Sch. 3](#)

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III. (See end of Document for details)

Underground Dwellings

F174 Rules as to underground dwellings.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F175 Penalty on letting underground dwellings.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

F176 Cases in which two convictions have occurred within three months.

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Textual Amendments

- F1** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

77 **F5**

Textual Amendments

- F5** [Ss. 67, 77](#) repealed by [National Health Service \(Scotland\) Act 1947 \(c. 27\)](#), [Sch. 11 Pt. II](#)

Status:

Point in time view as at 01/10/2009.

Changes to legislation:

There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part III.