

The Public Health (Tuberculosis) Regulations, 1908 : dated December 18, 1908.

Contributors

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Royal College of Surgeons of England

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STATUTORY RULES AND ORDERS, 1908.

No. 1234.

PUBLIC HEALTH, ENGLAND.

Prevention of Infectious and Epidemic Diseases.

THE PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS, 1908.
DATED DECEMBER 18, 1908.

- To the Mayor, Aldermen, and Commons of the City of London in Common Council assembled;—
- To the Councils of the several Metropolitan Boroughs;—
- To the Councils of the several Municipal Boroughs and other Urban Districts in England and Wales;—
- To the Councils of the several Rural Districts in England and Wales;—
- To the Board of Guardians of every Union and of every Separate Parish in England and Wales;—
- To the Board of Management of each Asylum District formed under the Metropolitan Poor Act, 1867;—
- To the Board of Management of every District School in England and Wales;—
- And to all others whom it may concern.

Whereas We, the Local Government Board, are empowered by Section 130 of the Public Health Act, 1875, as amended by the Public Health Act, 1896, from time to time, to make, alter, and revoke Regulations for preventing the spread of endemic or infectious disease; and to provide for the enforcement and execution of the Regulations;

And whereas Tuberculosis is an endemic disease and that form of the disease which is known as Pulmonary Tuberculosis is an infectious disease;

And whereas it appears to Us to be expedient that for preventing the spread of Tuberculosis, including Pulmonary Tuberculosis, such Regulations as are herein-after set forth be made in relation to that disease:

Now therefore, We, by this Our Order and in the exercise of the powers conferred upon Us by the Public Health Act, 1875, the Public Health (London) Act, 1891, and the Public Health Act, 1896, and of every other power enabling Us in

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that behalf, do make the following Regulations, that is to say:—

Definitions.

Article I.—In these Regulations, unless the contrary intention appears:—

- (a) Words importing the masculine gender include females;
- (b) Words in the singular include the plural, and words in the plural include the singular;
- (c) Expressions referring to writing include references to printing, and to other modes of representing or reproducing words in a visible form, and references to printing include references to other mechanical modes of so representing or reproducing words;
- (d) The expression “Board of Guardians,” and the expression “Poor Law Union,” have, in each case, the meaning assigned to the expression, as respects England and Wales, by the Interpretation Act, 1889;
- (e) The expression “Joint Committee” means a Joint Committee constituted for a combination of Poor Law Unions in pursuance of Section 8 of the Poor Law Act, 1879;
- (f) The expression “Board of Managers” means, as the case may be, the Board of Management of an Asylum District formed under the Metropolitan Poor Act, 1867, or of a School District formed under the Poor Law Amendment Act, 1844;
- (g) The expression “Poor Law Institution” means a Workhouse, a Workhouse Infirmary, or other building subject to the government of a Board of Guardians, or of a Joint Committee, or an Asylum, or a School subject to the government of a Board of Managers;
- (h) The expression “Superintending Officer” means, in the case of a Workhouse, the Master; in the case of a Workhouse Infirmary, the Superintendent, or, where there is no Superintendent, the Steward; in the case of an Asylum, the Medical Superintendent, or other Head Officer; in the case of a District School, the Superintendent; and, in the case of any such Poor Law Institution where, for the time being, there is no such officer as, in relation to that Poor Law Institution, is herein-before specified, and in the case of any other Poor Law Institution, that Officer whose duties comprise the superintendence of the administration of the Poor Law Institution, or, where there is no such Officer, that

person whom We, in writing, select or appoint as a Superintending Officer for the purposes of these Regulations;

- (i) The expression "poor person" means, as the case may be, a person who is or has been in receipt of relief from the Poor Rate;
- (j) The expression "Council" means, as the case may be, the Mayor, Aldermen, and Commons of the City of London in Common Council assembled, the Council of a Metropolitan Borough, the Council of a Municipal Borough or other Urban District, or the Council of a Rural District;
- (k) The expression "area" used in relation to a Council, means the area subject to the jurisdiction of the Council for the purposes of the Public Health (London) Act, 1891, or of the Public Health Act, 1875, as the case may be; and
- (l) The expression "notification" means that part of each of the several Forms set forth in the Schedule to these Regulations in which the expression appears as a heading.

Commencement of Regulations.

Article II.—(1) These Regulations shall come into operation on the First day of January, One thousand nine hundred and nine, and, subject to the provisions of Article XII., shall then and thereafter apply and have effect throughout England and Wales, and shall be enforced and executed by every Council, every Board of Guardians, every Joint Committee, and every Board of Managers.

(2) These Regulations shall also apply to and be executed by all such officers as are mentioned therein, and where any such officer is prevented by sickness, accident, or other sufficient reason from the performance of the duties of his office these Regulations, so far as they relate to that officer, shall apply to and be executed by the person duly nominated or appointed to act as the deputy of or substitute for the said officer.

Supply of Forms of Notification and Directory.

Article III.—For the purposes of these Regulations—

- (i.) Every Board of Guardians shall provide and maintain a sufficient supply of printed copies of each of the Forms A, B, C, D, and E, set forth in the Schedule to these Regulations;
- (ii.) Every Joint Committee and every Board of Managers shall provide and maintain a sufficient supply of printed copies of each of the Forms A, C, and E, set forth in the Schedule to these Regulations;

- (iii.) Every Board of Guardians, every Joint Committee, and every Board of Managers, shall, from time to time, furnish to each of the several officers who, in pursuance of these Regulations, are required to use a form of which the Board of Guardians, Joint Committee, or Board of Managers are required to provide and maintain a supply of printed copies, a book containing a sufficient number of those copies for the requirements of the officer and so arranged that every notification may be readily detached from the counterfoil; and
- (iv.) Every Board of Guardians, every Joint Committee, and every Board of Managers shall provide and maintain in such a form, in such a manner, and subject to such arrangements as will secure and facilitate access and inspection by each of the several officers who, in pursuance of these Regulations, are required to use a form of which the Board of Guardians, Joint Committee, or Board of Managers are required to provide and maintain a supply of printed copies, a full and accurate record of the name and postal address of the Medical Officer of Health appointed by each Council, and of such other particulars as are necessary to secure or facilitate the safe and prompt delivery of a notification to any such Medical Officer of Health in the ordinary course of post.

Notifications by Medical Officers of Poor Law Institutions.

Article IV.—(1.) The Medical Officer of a Poor Law Institution, within the period of forty-eight hours after his first recognition of the symptoms of Pulmonary Tuberculosis in the case of a poor person who is an inmate of the Poor Law Institution, and who resided immediately before his admission to the Poor Law Institution at a place in the area in which the Poor Law Institution is situate, shall, in relation to the case, enter in a printed copy of Form A the particulars therein required to be set forth in the notification, shall sign the notification and shall address and, after prepaying the postage, shall post the notification to the Medical Officer of Health for the area in which the Poor Law Institution is situate.

(2.) The Medical Officer of a Poor Law Institution within the period of forty-eight hours after his first recognition of the symptoms of Pulmonary Tuberculosis in the case of a poor person who is an inmate of the Poor Law Institution and who, according to the best information in the possession of, or readily accessible by the Medical Officer, resided immediately before his admission to the Poor Law Institution at a place elsewhere than in the area in which the Poor Law Institution is situate, shall, in relation to the case, enter in a

printed copy of Form A the particulars therein required to be set forth in the notification, shall sign the notification and shall address and, after prepaying the postage, post the notification to the Medical Officer of Health for the area in which the said place is situate.

Where two or more Medical Officers act for one and the same Poor Law Institution, these Regulations, so far as they relate to the Medical Officer of a Poor Law Institution, shall apply to and be executed by such one of those Medical Officers as is selected or appointed in writing by the Board of Guardians, the Joint Committee, or the Board of Managers to whose government the Poor Law Institution is subject, or as, in default of any such selection or appointment, is selected or appointed by Us in writing.

Notifications by District Medical Officers.

Article V.—A District Medical Officer, within the period of forty-eight hours after his first recognition of the symptoms of Pulmonary Tuberculosis in the case of a poor person upon whom he is in medical attendance according to his agreement with a Board of Guardians, shall, in relation to the case, enter in a printed copy of Form B the particulars therein required to be set forth in the notification, shall sign the notification, and shall address and, after prepaying the postage, shall post the notification to the Medical Officer of Health for the area in which the residence of the poor person is situate.

Notifications by Superintending Officers of Poor Law Institutions.

Article VI.—The Superintending Officer of a Poor Law Institution within the period of forty-eight hours after the departure from the Poor Law Institution of a poor person who has been an inmate of the Poor Law Institution, and in relation to whose case the Medical Officer of the Poor Law Institution has, in pursuance of Article IV., posted a notification to a Medical Officer of Health, shall, accordingly to the best information in the possession of or readily accessible by the Superintending Officer with respect to the actual or intended place of destination of the poor person and his intended address at that place, enter in a printed copy of Form C the particulars therein required to be set forth in the notification, shall sign the notification, and shall address and, after prepaying the postage, shall post the notification to the Medical Officer of Health for the area in which the place is situate.

Notifications by Relieving Officers.

Article VII.—A Relieving Officer, within the period of forty-eight hours after he has obtained accurate information respecting a change of residence (other than a change of

residence by admission to a Poor Law Institution) by a poor person who resides or has resided within the Relief District assigned to the Relieving Officer, and in relation to whose case a District Medical Officer has, in pursuance of Article V., posted a notification to a Medical Officer of Health, shall, in relation to the case, enter in a printed copy of Form D the particulars therein required to be set forth in the notification, shall sign the notification, and shall address and, after pre-paying the postage, shall post the notification to the Medical Officer of Health for the area in which the changed residence of the poor person is situate.

Counterfoils to be filled up, and Remuneration to be allowed.

Article VIII.—(1.) Every officer who, in pursuance of these Regulations, is required to enter particulars in a notification shall, at the same time, enter the like particulars in the counterfoil from which the notification may be detached.

Every such officer shall be entitled to receive for every notification in which he has entered particulars, and which he has posted to a Medical Officer of Health in pursuance of these Regulations, remuneration from the Council for whose area the Medical Officer of Health acts.

The remuneration in the case of a Medical Officer shall be at the rate of one shilling and in the case of every other officer at the rate of threepence for every such notification, and shall in every case be deemed to cover the cost of postage, but where, in relation to one and the same case, two or more notifications have, in pursuance of these Regulations, been posted by the Medical Officer to one and the same Medical Officer of Health, the remuneration of the Medical Officer shall be at the rate of sixpence for every such notification as he has so posted subsequently to the posting of the first notification.

(2.) No remuneration shall be payable in pursuance of this Article to any officer in respect of a notification in any case in which the particulars entered in the notification have not also been entered in the counterfoil from which the notification has been detached.

(3.) Every officer to whom any remuneration is payable in pursuance of this Article shall make out quarterly according to the usual quarter days, in the Form E set forth in the Schedule to these Regulations, his account of sums claimed from a Council in pursuance of these Regulations, and shall on those days transmit the account to the Council, together with all such counterfoils as relate to the notifications in respect of which the sums entered in the Account are claimed.

The Council shall forthwith cause the accuracy of the items entered in every account made out and submitted in pursuance of this Article to be investigated and verified, and, after the completion of the investigation and verification, shall pay to the officer by whom the account has been transmitted to the

Council, such remuneration, at the rate fixed by these Regulations, as the Council have ascertained to be due to that officer.

The Council shall at the same time return to the said officer all such counterfoils as relate to the notifications in respect of which payment is made to him.

Exception and application of enactments and Special Powers of Councils.

Article IX.—(1.) Nothing in these Regulations shall have effect so as to apply, or so as to authorise or require a Medical Officer of Health or a Council, or any other person or authority, directly or indirectly, to put in force with respect to any poor person, in relation to whom a notification in pursuance of these Regulations has been posted to a Medical Officer of Health, any enactment which renders the poor person, or a person in charge of the poor person, or any other person, liable to a penalty, or subjects the poor person to any restriction, prohibition, or disability affecting himself, or his employment, occupation, means of livelihood, or residence, on the ground of his suffering from Pulmonary Tuberculosis.

(2.) Subject as aforesaid, a Council, on the advice of their Medical Officer of Health, in the case of a poor person in relation to whom a notification in pursuance of these Regulations has been posted to the Medical Officer of Health, may, for the purpose of preventing the spread of infection from Pulmonary Tuberculosis,—

- (i) take all such measures, or do all such things as are authorised, in any case of infectious disease, or of dangerous infectious disease, by any enactment relating to public health, and as have reference to the destruction and disinfection of infected articles, or the cleansing or disinfecting of premises;
- (ii) take all such measures or do all such things as are appropriate and necessary for the safe disposal or destruction of infectious material, produced and discharged, as a result of Pulmonary Tuberculosis; and otherwise for the prevention of the spread of infection from any such material;
- (iii) afford or supply all such assistance, facilities, or articles as, within such reasonable limits as the circumstances of the case require and allow, will obviate, or remove, or diminish the risk of infection arising from the conditions affecting the use or occupation of any room, when used or occupied by the poor person as a sleeping apartment; and
- (iv) furnish, for the use of the poor person, on loan, or otherwise, any appliance, apparatus, or utensil which will be of assistance for the purpose of any precaution against the spread of infection.

(3.) A Council, on the advice of their Medical Officer of Health, may provide and publish or distribute in the form of placards, handbills, or leaflets, suitable summaries of information and instruction respecting Pulmonary Tuberculosis, and the precautions to be taken against the spread of infection from that disease.

Expenses of Poor Law Authorities.

Article X.—All expenses incurred by a Board of Guardians, a Joint Committee, or a Board of Managers, in pursuance of these Regulations, shall be defrayed as part of their establishment expenses under the Acts relating to the relief of the poor, and any rules, orders, or regulations made in pursuance of those Acts and in force for the time being.

Determination of Questions.

Article XI.—If a question or difference arises in relation to any subject-matter of, or to anything done under these Regulations, the question or difference shall on the application of any of the parties affected be referred to us for determination.

The question or difference shall be determined by Us in writing and otherwise than as arbitrators, and Our determination shall be final and conclusive, and may, where the circumstances appear to Us so to require, extend to the removal of any difficulty arising out of or affecting the operation of these Regulations.

Modifications consequent upon Local Acts.

Article XII.—Nothing in these Regulations shall have effect in derogation of any power conferred, or of any obligation imposed with respect to Pulmonary Tuberculosis by a Local Act.

Subject as aforesaid and subject to the condition set forth in sub-division (1) of Article IX., these Regulations shall apply and have effect in relation to every area in which a Local Act containing provisions with respect to Pulmonary Tuberculosis is in force:

Provided that, on the application of the Council of the area, We may, by Order, direct that so much of these Regulations as relates to a notification by a Medical Officer of a Poor Law Institution or by a District Medical Officer shall cease to have effect in relation to that area, and that, after the date fixed by Our Order, these Regulations shall apply to the area with such exceptions as are required by, and are consistent with Our direction.

Short Title.

Article XIII.—These Regulations may be cited as “the Public Health (Tuberculosis) Regulations 1908.”

Schedule.

FORM A.

PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS, 1908.

<i>Counterfoil.</i>	<i>Notification.</i>
<p>No. _____</p> <p>Poor Law Institution _____</p> <p>Name of Poor Person _____</p> <p>Residence before admission } _____</p> <p>Age _____</p> <p>Sex _____</p> <p>Sanitary District to which Notification is sent } _____</p> <p>Date when sent _____</p> <p>(Signed) _____ Medical Officer.</p>	<p style="text-align: right;">No. _____</p> <p>To the Medical Officer of Health for the _____ of _____;</p> <p>I hereby give you Notice that, in my opinion, the poor person who is now an inmate of the Poor Law Institution known as the _____, belonging to the _____, and in relation to whom particulars are appended, is suffering from Pulmonary Tuberculosis.</p> <p>Name of Poor Person _____</p> <p>Residence of Poor Person prior to admission to the above-named Poor Law Institution } _____</p> <p>Age _____</p> <p>Sex _____</p> <p>Dated this _____ day of _____, 190 .</p> <p>(Signed) _____ Medical Officer for the above-named Poor Law Institution.</p>

FORM B.

PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS, 1908.

<i>Counterfoil.</i>	<i>Notification.</i>
<p>No. _____</p> <p>_____ Union.</p> <p>Name of Poor Person _____</p> <p>Residence _____</p> <p>Age _____</p> <p>Sex _____</p> <p>Sanitary District to which Notification is sent } _____</p> <p>Date when sent _____</p> <p>(Signed) _____ Medical Officer.</p>	<p style="text-align: right;">No. _____</p> <p style="text-align: right;">_____ Union.</p> <p>To the Medical Officer of Health for the _____ of _____;</p> <p>I hereby give you Notice that, in my opinion, the poor person in relation to whom particulars are appended, is suffering from Pulmonary Tuberculosis.</p> <p>Name of Poor Person _____</p> <p>Residence _____</p> <p>Age _____</p> <p>Sex _____</p> <p>Dated this _____ day of _____, 190 .</p> <p>(Signed) _____ Medical Officer for the _____ District of the _____ Union.</p>

FORM C.

PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS, 1908.

<i>Counterfoil.</i>	<i>Notification.</i>
No. _____	No. _____
Poor Law Institution _____	To the Medical Officer of Health for the _____ of _____;
Name of Poor Person _____	I hereby give you notice that the poor person in relation to whom particulars are appended has, by the Medical Officer for the Poor Law Institution known as the _____
Age _____	belonging to _____ been notified as suffering from Pulmonary Tuberculosis, and that on the _____ day of _____ the said
Sex _____	poor person left that Poor Law Institution, and that the actual or intended place of desti- nation of the poor person and his intended
Date of leaving the } Poor Law } Institution }	address at that place are those set forth in the said particulars.
Actual or intended } place of } destination. }	Name of Poor Person _____
Intended Address } at place } of destination }	Age _____
Sanitary District } to which } notification is sent }	Sex _____
Date when sent _____	Actual or intended place } of destination. }
Superintending Officer. _____	Intended address at place } of destination. }
	Dated this _____ day of _____ 190__.
	(Signed) _____,
	the Superintending Officer of
	above-mentioned Poor Law Institution.

FORM D.

PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS, 1908.

<i>Counterfoil.</i>	<i>Notification.</i>
No. _____	No. _____
_____ Union.	_____ Union.
Name of Poor Person _____	To the Medical Officer of Health for the _____ of _____;
Age _____	I hereby give you Notice that the poor person in relation to whom particulars are appended has, by the District Medical Officer for the _____ District of the _____
Sex _____	Union, been notified as suffering from Pul- monary Tuberculosis, that on the _____
District of District } Medical Officer by } whom notification } was made. }	day of _____ 190__, the poor person removed from the residence firstly specified in the said particulars and the changed residence of the poor person will be that secondly specified in those particulars.
Date of change } of Residence }	Name of Poor Person _____
Residence prior } to above date }	Age _____
New Residence _____	Sex _____
Sanitary District } to which } notification is sent }	Residence prior to the date } above-mentioned. }
Date when sent _____	New Residence _____
(Signed) _____	Dated this _____ day of _____ 190__.
Relieving Officer. _____	(Signed) _____,
	Relieving Officer for the
	_____ District of the _____ Union.

FORM E.

PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS, 1908.

Account of Fees due to _____
 _____ Officer _____
 _____ Address _____

To the _____,

I hereby claim that the undermentioned Fees are payable to me by the _____ in respect of Notifications (of which the Counterfoils are herewith transmitted) posted by me during the Quarter ended the _____ 19____, to the Medical Officer of Health for the _____ of _____, in accordance with the provisions of the Public Health (Tuberculosis) Regulations, 1908.—

No. of Notification.	Date when Notification sent.	Name of Person in respect of whom Notification was sent.	Amount of Fee.
			<i>s. d.</i>
		TOTAL	

Dated this _____ day of _____, 19____.

(Signed) _____,
 _____ Officer,

Given under the Seal of Office of the Local Government Board, this eighteenth day of December, in the year One thousand nine hundred and eight.

(L.S.)

John Burns,
 President.

S. B. Provis,
 Secretary.

Date of publication in the London Gazette,
 18th December, 1908.

Notice.—The Public Health Act, 1896, provides by sub-section 3 of Section 1 that if any person wilfully neglects or refuses to obey or carry out, or obstructs the execution of any regulation made under any of the enactments mentioned in that Act he shall be liable to a penalty not exceeding one hundred pounds, and, in the case of a continuing offence to a further penalty not exceeding fifty pounds for every day during which the offence continues.

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London County Council, 1889

Resolved, That the Council do hereby...

Table with 4 columns and 3 rows, containing financial or administrative data.

Resolved, That the Council do hereby...

Given under the Seal of the Council of the London County Council, this eighteenth day of December in the year...

John Lubbock, President

Secretary

Printed and published by the London County Council, 1889

Printed by Messrs. [Name] at the [Address]

London County Council, 1889