

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Public Health Ordinance, 1936, Amendment Ordinance, 1950 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome X, p. 61; as amended by the Public Health (Amendment) Ordinance, 1963 (Recueil d'Ordonnances Tome XIII, p. 264). This Ordinance is applied to the Island of Alderney by the Alderney (Application of Legislation) (Public Health) Ordinance, 1963 (Recueil d'Ordonnances Tome XIII, p. 264).

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ARRANGEMENT OF SECTIONS

1. Amendment of Art. III.
2. Amendment of Table of Contents.
3. Amendment of First Schedule.
4. Amendment of s. 6 of Art. III.
5. ...
6. Citation.
7. Commencement.

(Made on the 19th April, 1950.)

The Public Health Ordinance, 1936, Amendment Ordinance, 1950

THE STATES, on the representations of the States Board of Health and by virtue of the provisions of Article four of the Loi relative à la Santé Publique, 1934, hereby order: –

Amendment of Art. III.

1. Sections 4 and 5 of Article III of the Public Health Ordinance, 1936 (hereinafter referred to as the "**principal Ordinance**") are hereby repealed and the following section substituted therefor –

"Service of notice by M.O.H.

4. Where the Medical Officer of Health has ascertained that a nuisance calling for abatement exists on any premises, he shall, unless a requisition has been made under the provisions of the last preceding section, cause to be served a notice in writing signed by him (in the form set out in the First Schedule to this Ordinance) on the owner or occupier of the premises on which the nuisance exists, requiring him to abate the nuisance within a time to be specified in the notice and to execute all such works and to do all such acts as may be specified in the said notice:

PROVIDED that where the nuisance arises from the want or defective construction of any structure or structural convenience or where there is no occupier of the premises, a notice under this section shall be served on the owner."¹

NOTES

In accordance with the provisions of the Alderney (Application of Legislation) (Public Health) Ordinance, 1963, this Ordinance shall have effect in the Island of Alderney as it has effect in the Island of Guernsey, with effect from 27th March, 1963.

In accordance with the provisions of the Public Health (Amendment) Ordinance, 1963, section 3, it is hereby declared for the avoidance of doubt that this Ordinance has effect, and has always had effect, in the Island of Guernsey.

Amendment of Table of Contents.

2. In the Table of Contents to the principal Ordinance for the figures and words "4.—Certificate of M.O.H. to Constables." and "5.—Notice to be served by Constables." which occur under the heading "Article III.—Abatement of Nuisances", there shall be substituted the figure and words "4.—Service of notice by M.O.H.". ²

Amendment of First Schedule.

3. (1) In the first Schedule to the principal Ordinance immediately below the word "Signature" for the words "Constable of the parish of Guernsey" there shall be substituted the words "Medical Officer of Health".

(2) In the first proviso to paragraph (a) of the said First Schedule the words "to me, or" shall be deleted.

Amendment of s. 6 of Art. III.

4. In paragraph (a) of section 6 of Article III of the principal Ordinance the words "or to the Sanitary Authority by whom the notice was served", and the last paragraph of the said section beginning with the words "It shall be the duty of

any Sanitary Authority" and ending with the words "to the Medical Officer of Health" shall be deleted.

Alderney and Herm.

5. ...

NOTE

Section 5 was repealed by the Public Health (Amendment) Ordinance, 1963, section 4, with effect from 27th March, 1963.

Citation.

6. The principal Ordinance, the Public Health Amendment Ordinance, 1949, and this Ordinance may be cited together as the "Public Health Ordinances, 1936 to 1950".

Commencement.

7. This Ordinance shall come into force on the first day of March, 1950.

¹ For subsequent amendments, see the consolidated text of the Public Health Ordinance, 1936.

² For subsequent amendments, see the consolidated text of the Public Health Ordinance, 1936.