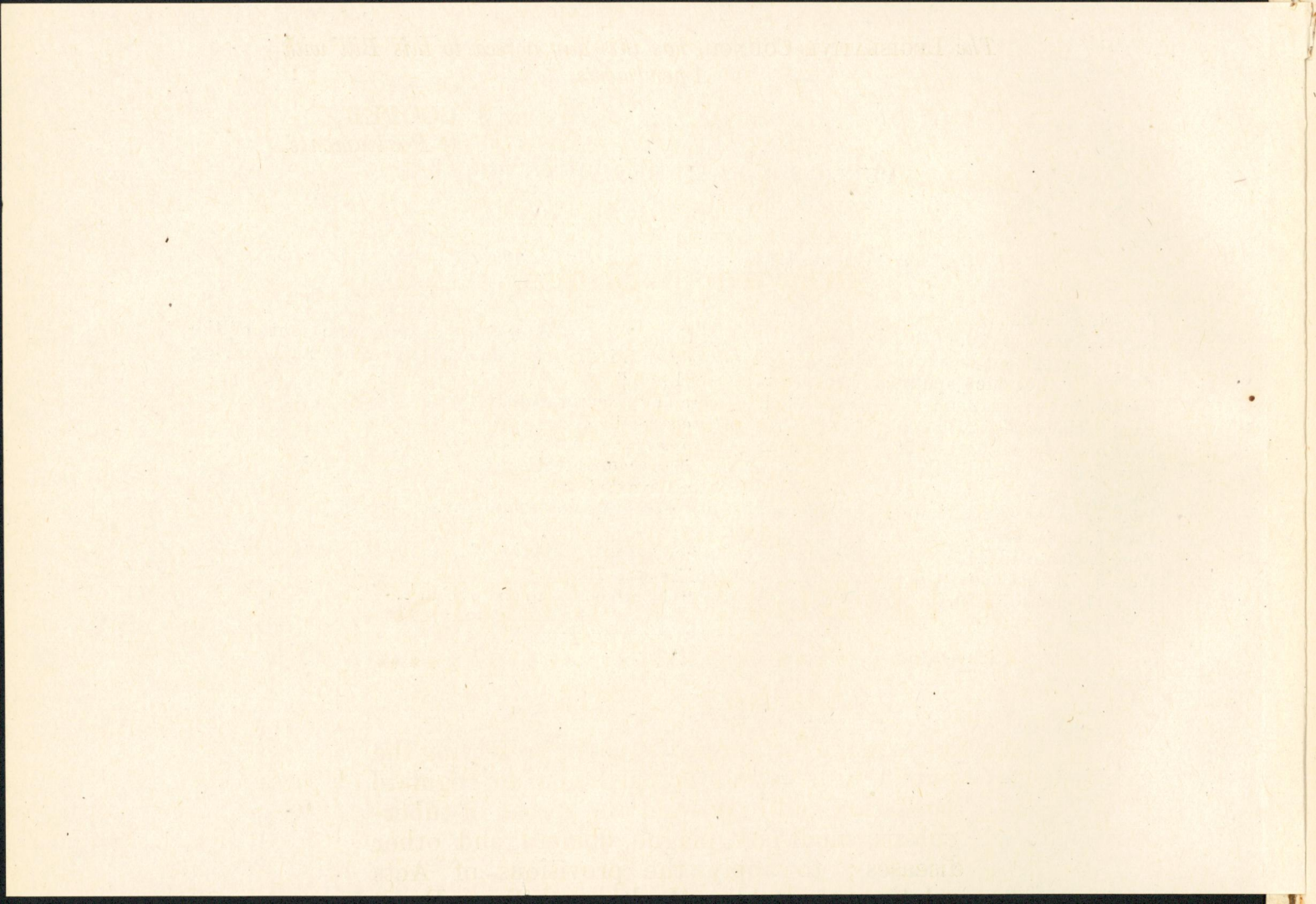


PUBLIC HEALTH (AMENDMENT) BILL.

SCHEDULE of the Amendments referred to in Message of 11th February, 1915.

- Page 4, *After* clause 7 *insert* new clause 8.
- Page 5, clause 9. 10, line 4. *Omit* "such practitioner" *insert* "he shall examine the sputa of the patient or cause them to be examined, and, if he has reasonable grounds for believing that such sputa contain tubercle bacilli, he"
- Page 6, clause 11. 12, line 26. *Omit* "shall" where first occurring *insert* "may"
- Page 6, clause 11. 12, line 26. *Omit* "shall" where secondly occurring *insert* "may"
- Page 6, clause 12. 13, line 32. *After* "contagious" *insert* "or infectious"
- Page 7, clause 12. 13, line 3. *After* "contagious" *insert* "or infectious"
- Page 7, clause 12. 13, line 8. *After* "food" *insert* "f r sale"
- Page 7, clause 12. 13, line 21. *After* "work" *insert* "in any such employment"
- Page 7, clause 12. 13. At the end of clause *add* new subclause (4).
- Page 7, clause 13. 14, line 37. *After* "contagious" *insert* "or infectious"
- Page 9. *After* clause 14 *insert* new clauses 15. 16, 17, and 18.
- Page 11, clause 15. 20, line 9, *omit* all words *after* "Government" to end of clause.
-



This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 3 February, 1915.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Acting Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 11 February, 1915.*

New South Wales.



ANNO QUINTO

GEORGII V REGIS.

Act No. , 1915.

An Act to make further provision for preserving the public health, and in particular to regulate sanitation and to prevent the spread of tuberculosis, small-pox, plague, cholera, and other diseases ; to apply the provisions of Acts relating to Public Health and Pure Food, and certain sanitary provisions enacted by or under other Acts to the Crown and the public departments ; for the above purposes to amend certain Acts ; and for purposes consequent thereon or incidental thereto.

96113

13—A

BE

NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.

Public Health (Amendment).

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

Preliminary.

1. This Act may be cited as the "Public Health Short title.
(Amendment) Act, 1915."

2. In this Act, unless the context requires another Definitions.
10 meaning—

"Board" means Board of Health.

15 "Contact" means a person who, in the opinion of
a medical officer of the board or of a medical
officer of health, has been exposed to the risk of
infection from small-pox, plague, or cholera.

20 "Food" means article used for food or drink by
man, and includes confectionery, and any
article that enters into or is used in the com-
position or preparation of food, and any spices,
flavouring substances, essences, and colouring
matter so used.

25 "Local authority" means council of a municipality
or of a shire, and with respect to any police
district outside a municipality or shire means
such member of the police force as may be
appointed by the board under the Public
Health Act, 1902, to be a local authority.

"Municipality" includes the city of Sydney.

30 "Officer" includes any medical officer of health,
assistant medical officer of health, officer of
the board or of a local authority, or any super-
intendent, inspector, sub-inspector, or sergeant
of police, or any constable specially authorised
by the Inspector-General or by any superin-
35 tendent of police.

"Schedule" means Schedule to this Act.

"Whole-time medical officer of health" means
medical officer of health, the whole of whose
time is devoted to the duties of his office.

Local

*Public Health (Amendment).**Local Government areas and the City of Sydney.*

3. The board may require the council of a municipality or shire, or its officers, to do any specified acts in relation to any of the matters mentioned in Part I of the Schedule which might lawfully be done by such council or officers in virtue of any power (except the power to make ordinances or by-laws) conferred or of any duty imposed by any statute, regulations, ordinances, or by-laws, and may in such requirement specify the time within which and the manner in which such acts shall be done.

Board may require council to do specified acts. Part I. of Schedule.

If such council or officers fail to carry out any such requirement as aforesaid, the board may do or cause to be done the said acts, and for that purpose shall have the powers of such council or officers; and thereupon the board may demand the payment to it by the council of any expenses incurred by the board in doing the said acts, or causing them to be done. If on such demand being made the council fails to make such payment, such expenses may be recovered by the board from the council.

4. Any regulations, ordinances, or by-laws which relate to any of the matters mentioned in Part I of the Schedule shall, before being made, be submitted to the board.

25 Such regulations, ordinances, or by-laws shall not be made unless the board gives its approval of such of the provisions thereof as relate to the matters aforesaid.

Regulations, &c., relating to Part I of of Schedule to be submitted to board.

This section shall apply to regulations, ordinances, and by-laws made by the Governor or by the council of a municipality or shire.

5. Where the board is of opinion that any regulations or ordinances made under Local Government Act, 1906, or any Act amending it, and which relate to matters mentioned in Part I of the Schedule, are unsuitable or inadequate for preserving the public health, it may make suggestions in writing to the Minister of the Crown who administers such Act as to any alterations of or additions to such regulations or ordinances, or as to any new regulations or ordinances, which the board considers desirable.

Regulations under Local Government Act which are unsuitable or inadequate.

6.

Public Health (Amendment).

6. The board may require the council of the city of Sydney to exercise its power to make, amend, and repeal by-laws relating to any of the matters mentioned in Part I of the Schedule. If such council neglects for 5 three months after such requirement has been made to comply with its provisions, the Governor, on the recommendation of the board, may exercise such power.

By-laws
under Sydney
Corporation
Act.

Factories and shops.

7. Where the board is of opinion that any regulations 10 which are in force under the Factories and Shops Act, 1912, and which relate to any matters mentioned in Part II of the Schedule, are unsuitable or inadequate for preserving the public health, it shall report in writing to the Minister of the Crown who administers such Act 15 as to any alterations or additions to such regulations, or as to any new regulations, which the board considers desirable.

Regulations
under Fac-
tories and
Shops Act.
Schedule
Part II.

Licensed premises.

8. A sanitary inspector of the board may at any 20 time inspect the premises of any licensed publican as defined in the Liquor Act, 1912, and if he finds that such premises or any privies, urinals, or sanitary con- veniences or appliances used in connection therewith are in an insanitary condition, or that the provisions of 25 any Acts or ordinances in respect thereof have not been complied with, he may notify such publican thereof and require him to take such steps as such inspector deems necessary in order to put the premises in a sanitary condition.

30 Any failure by the publican to put the premises in a sanitary condition shall be brought to the notice of the licensing bench by such inspector, and shall be considered by them in any application for the renewal of the license as an objection to such renewal.

Power of
sanitary
inspector to
inspect
premises
licensed
under
Liquor Act,
1912.

Objection to
renewal of
license.

Tuberculosis.

35 8. 9. The three next following sections shall apply only within such area as may be proclaimed by the Governor and notified in the Gazette. The Governor may amend or revoke any such proclamation.

Application
of three
following
sections.

Public Health (Amendment).

9. **10.** (1) If any medical practitioner attending any person becomes aware that such person (hereinafter referred to as "the patient") is suffering from pulmonary tuberculosis, ~~such practitioner~~ he shall examine the sputa of the patient or cause them to be examined, and, if he has reasonable grounds for believing that such sputa contain tubercle bacilli, he shall forthwith give notice thereof in the prescribed form. Notification of tuberculosis.

Such notice shall, where the patient is in a district to which a whole-time medical officer of health has been appointed, be addressed to such officer, and where he is in any other district or place be addressed to the secretary to the board.

(2) The board shall pay to any legally qualified medical practitioner giving a notice as aforesaid the sum of two shillings and sixpence where the patient is seen by him in private practice. Fee to be paid.

(3) The Chief Medical Officer of the Government, or any medical officer of health, or assistant medical officer of health authorised in that behalf by the board or of the said Chief Medical Officer, may enter any house or place where the patient then is, and inspect him, and may require the medical practitioner attending him to furnish particulars of the case. Powers of entry and inspection.

(4) Any such officer may also cause any rooms, premises, and articles in the house or place where the patient then is to be cleansed and disinfected to his satisfaction and, if necessary, may cause any such articles to be destroyed. The board shall give compensation for any articles destroyed in the exercise of the above powers. Cleansing and disinfection.

(5) The secretary to the board, and every medical officer of health, and every person acting in the administration of this section shall preserve and aid in preserving secrecy with regard to all matters which may come to his knowledge in his official capacity in such administration, and shall not communicate such matters to any other person, except in the performance of his duties under this section. If any such secretary, officer, or person contravenes or fails to carry out the provisions of this subsection, he shall be liable to a penalty not exceeding fifty pounds. Secrecy to be observed.

Public Health (Amendment).

10. **11.** (1) Sections thirty, thirty-four, thirty-five, and thirty-six, and subsections one and two of section thirty-seven of the Public Health Act, 1902, so far as they relate to infectious diseases, shall apply to pulmonary tuberculosis. Application of ss. 30, 34, 35, and 36 of Public Health Act to tuberculosis.

For the purpose of such application, a local authority shall include the council of a shire, and a mayor shall include the president of a shire.

10 (2) A district registrar or assistant district registrar who forwards a notification of death under section thirty of the said Act, or under this section, shall be paid the sum of one shilling for every such notification. Fees to be paid.

15 (3) Where under the said Act or this section the report referred to in subsection one of section thirty-four of the said Act is made by a whole-time medical officer of health to a local authority, it shall be the duty of such authority, and where the authority is a municipal or shire council, it shall be the duty of the mayor or president of such council, to exercise its or his powers under that section. Duties of local authority under s. 34.

11. **12.** Where a person ceases to occupy any house or part of a house in which any person has been suffering from pulmonary tuberculosis, such house or part of a house and all articles therein liable to retain infection shall may be disinfected by an officer, or such articles shall may be destroyed. The expense of carrying out the above provisions shall be borne by the local authority. House in which person has been suffering from tuberculosis.

12. **13.** (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of pulmonary tuberculosis and other contagious or infectious diseases, by persons employed in preparing or packing food for sale, and for the control and regulation of persons so employed who are or may be suspected to be suffering from any such disease, and may in such regulations impose any penalty not exceeding five pounds for any breach thereof. Persons employed in preparing or packing food for sale.

40 (2) Any person so employed shall, at the request of a medical officer of health or an assistant medical officer of health, submit himself to be examined by any such officer or by a legally qualified medical practitioner. Examination of such persons.

(3)

Public Health (Amendment).

(3) If on such examination it is found that the said person is suffering from pulmonary tuberculosis, or other contagious or infectious diseases, and the said officer or medical practitioner so reports in writing, the board
 5 may, by notice served on such person, from time to time, impose conditions to be complied with by him while working in any employment connected with the preparation or packing of food for sale, or may prohibit him from working in any such employment. Such prohibition
 10 may be removed by the board, subject to compliance with such conditions (if any) as the board may think necessary.

Where person is suffering from tuberculosis or other contagious diseases.

If such person fails to comply with any such condition, or works in any such employment in contravention of
 15 such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which he so works without complying with such condition or in contravention of such prohibition.

20 If any person knowingly employs any person to work in any such employment without complying with any such condition, or in contravention of such prohibition, he shall be liable to a penalty not exceeding five
 25 pound for every day during which such person works without complying with such condition or in contravention of such prohibition.

(4) The Governor by proclamation in the Gazette may extend the provisions of this section so
 30 far as they relate to pulmonary tuberculosis, to persons employed in any trade or calling. Such proclamation may be made so as to apply to a particular locality or a particular trade or calling, or may be otherwise limited
 35 in its application, and may be amended or repealed by like proclamation.

Power of Governor to extend provisions to persons employed in other buildings.

~~13.~~ 14. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of tuberculosis or other contagious or infectious diseases, by guests in hotels and boarding-houses, and in
 40 particular for the disinfection of rooms, furniture, and bedding of guests suffering from the said disease, and may in such regulations impose any penalty not exceeding ten pounds for any breach thereof. (2)

Regulations respecting guests in hotels and boarding-houses.

Public Health (Amendment).

- (2) For the purpose of enforcing any such regulation an officer may enter and inspect any hotel or boarding-house: Provided that where such officer is an officer of the board, or of a local authority, or is a member of the police force, he must have the authority in writing of the board, or of the local authority, or of the Inspector-General of Police, as the case may be. Such authority may be general, or may be limited to a specified place.
- 15
- Infected areas.*
14. **15.** (1) On the appearance of any case of small-pox, plague, or cholera, or of any eruptive fever or sickness which may reasonably be supposed to be any such disease, the Governor, on the recommendation of the board, may, by proclamation in the Gazette, declare that any area therein described within which such case has appeared to be an infected area, and may vary or rescind any such proclamation.
- 15
- (2) When any area has been proclaimed as aforesaid to be an infected area the board may take such steps and give such orders and directions as in its opinion are necessary to segregate or isolate the inhabitants of or the persons who are found within such area or any of them, and to disinfect any house or premises therein, or any article therein likely in the opinion of the board to convey infection, and to prevent the ingress into or the egress from such area of any person, or to permit such ingress or egress upon such conditions as it may deem proper.
- 20
- 25
- 30 Any person who disobeys or in any manner contravenes any such order or direction of the board shall be liable to a penalty not exceeding ten pounds.
- (3) The board, or the Chief Medical Officer of the Government, or any medical officer of health or assistant medical officer of health authorised for that purpose by the board or by the said Chief Medical Officer, may isolate or remove to quarantine any contact.
- 35

Entry and inspection.

Declaration of infected areas.

Powers of the board within infected areas.

Isolation or removal to quarantine of contacts

Insanitary

Public Health (Amendment).

Insanitary buildings.

16. Sections fifty-eight and fifty-nine of the Public Health Act, 1902, are repealed, and the following section is substituted for them:—

5 58. (1) Where a medical officer of health, or
assistant medical officer of health, or any officer of the
board, or of a local authority authorised in writing
in that behalf by the board, certifies in writing to
the local authority that any house or other building
10 within its area is unfit or unsafe for human habita-
tion or occupation, such local authority may by
an order in writing (hereinafter referred to as a
“closing order”) declare that such house or
15 building or such part thereof is not fit for human
habitation or occupation, and direct that such house
or building, or part thereof, shall not after a time
specified in such order be inhabited or occupied by
any person.

20 Such order may provide that such direction shall
not have effect if the specified repairs or alterations
are made in the house or building so as to render it
fit for human habitation or occupation to the satis-
faction of the local authority or of the board.

25 Such order shall be served on the owner or
occupier of the house or building, or if neither the
occupier nor the owner can be found such service
may be effected by affixing copy of such order on a
conspicuous part of such house or building.

30 (2) For the purposes of this section any
medical officer of health or assistant medical officer
of health, and any such officer as aforesaid, shall
have the powers of inspection conferred on a local
authority by the last-preceding section.

35 (3) If any person lets or occupies or knowingly
suffers to be occupied such house or building or
such part thereof in contravention of an order
made under this section, he shall be liable to a
penalty not exceeding five pounds nor less than
40 ten shillings for every day during which such
house or building or such part thereof is let or
occupied or knowingly suffered to be occupied in
contravention of such order.

Public Health (Amendment).

17. (1) Subsection one of section sixty of the same Act is amended by inserting after "local authority" the words "or the board."

(2) Subsection two of the same section is repealed, and the following substituted for it:—

(2) The local authority, or board, shall make every such tenant reasonable allowance on account of his expenses in removing; if the tenant is satisfied with the amount of such allowance he may apply to a stipendiary or police magistrate, who shall determine such amount, and such determination shall be final. The amount of such allowance shall be a civil debt owing by the owner of the house to the local authority or the board.

18. (1) Section sixty-one of the same Act is amended as follows:—

- (a) Omit "dwelling house" insert "house or building."
- (b) After "the house", wherever occurring, insert "or building."
- (c) After "human habitation", wherever occurring, insert "or occupation."
- (d) After "local authority", wherever occurring, insert "or the board."
- (e) In subsection four omit "or the magistrate or justices aforesaid."

(2) Section sixty-two of the same Act is amended by inserting after "house", wherever occurring, the words "or building," and by inserting after "local authority", wherever occurring, the words "or the board."

19. Section sixty-three of the same Act is amended by inserting after "local authority", wherever occurring, the words "or the board", and by omitting "this Part of the Act" and substituting therefor the words "section sixty-one."

The Crown and public departments.

20. The provisions of the Public Health Act, 1902, of the Pure Food Act, 1908, and of this Act and any regulations thereunder, and such of the provisions of the

Local

Public Health (Amendment).

Local Government Act, 1906, the Sydney Corporation Act, 1902, and any Act amending those Acts, and any regulations, ordinances, and by-laws made thereunder as relate to any matters mentioned in Part I of the
 5 Schedule, and such of the provisions of the Factories and Shops Act, 1912, and the regulations thereunder as relate to any matters mentioned in Part II of the Schedule shall apply to the Crown and to any department of His Majesty's Government: ~~Provided that the Gov-~~
 10 ernor may exempt any such department, or any part thereof, from all or any of the provisions above-mentioned.

Supplemental.

16- **21.** The Governor, on the recommendation of the
 15 board, may make regulations for carrying out the provisions of this Act, and in such regulations may impose any penalty not exceeding ten pounds for any breach thereof. The making of regulations.

17- **22.** (1) Regulations made in pursuance of this Act
 20 shall be published in the Gazette, and thereupon shall, if not disallowed as hereinafter provided, and if not repugnant to this Act, have the force of law. Publication of regulations.

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen
 25 days if Parliament is then sitting, and, if not sitting, then within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regu-
 30 lations have been laid before such House, disallowing any regulation, such regulation shall thereupon cease to have effect.

18- **23.** If any person contravenes or fails to comply
 with any provision of this Act he shall, where no penalty
 35 is specifically provided, be liable to a penalty not exceeding ten pounds. Penalty for contravention of Act.

19- **24.** If any person obstructs or hinders any officer
 in the exercise of any power conferred on him by this
 Act he shall be liable to a penalty not exceeding
 40 ten pounds. Penalty for obstruction of officers.

Public Health (Amendment).

20. **25.** Penalties imposed by this Act or any regulations thereunder may be recovered in a summary way before a stipendiary or police magistrate or any two justices of the peace in petty sessions. Recovery of penalties.

5

SCHEDULE.

PART I.

Municipalities and Shires.

1. Keeping premises free from offensive or unwholesome matter, and the suppression of nuisances arising therefrom.
- 10 2. Regulating the storage, sale, conveyance, disposal, and delivery of meat, fish, oysters, and crustacea.
3. Regulating cattle intended for slaughter and regulating abattoirs and slaughter-houses.
4. Sewerage and drainage.
- 15 5. The removal of nightsoil, filth, refuse, and garbage, and the destruction of garbage.
6. The construction and situation of privies, the regulation of the degree of closet accommodation.
7. Public urinals, closets, and lavatories.
- 20 8. The sanitary requirements of public baths, dressing sheds, and dressing rooms.
9. The regulation and control of common lodging-houses and seamen's boarding-houses.
10. The establishment, control, maintenance, and regulation of
- 25 infants' milk depots.
11. The regulation of the interment of the dead.

PART II.

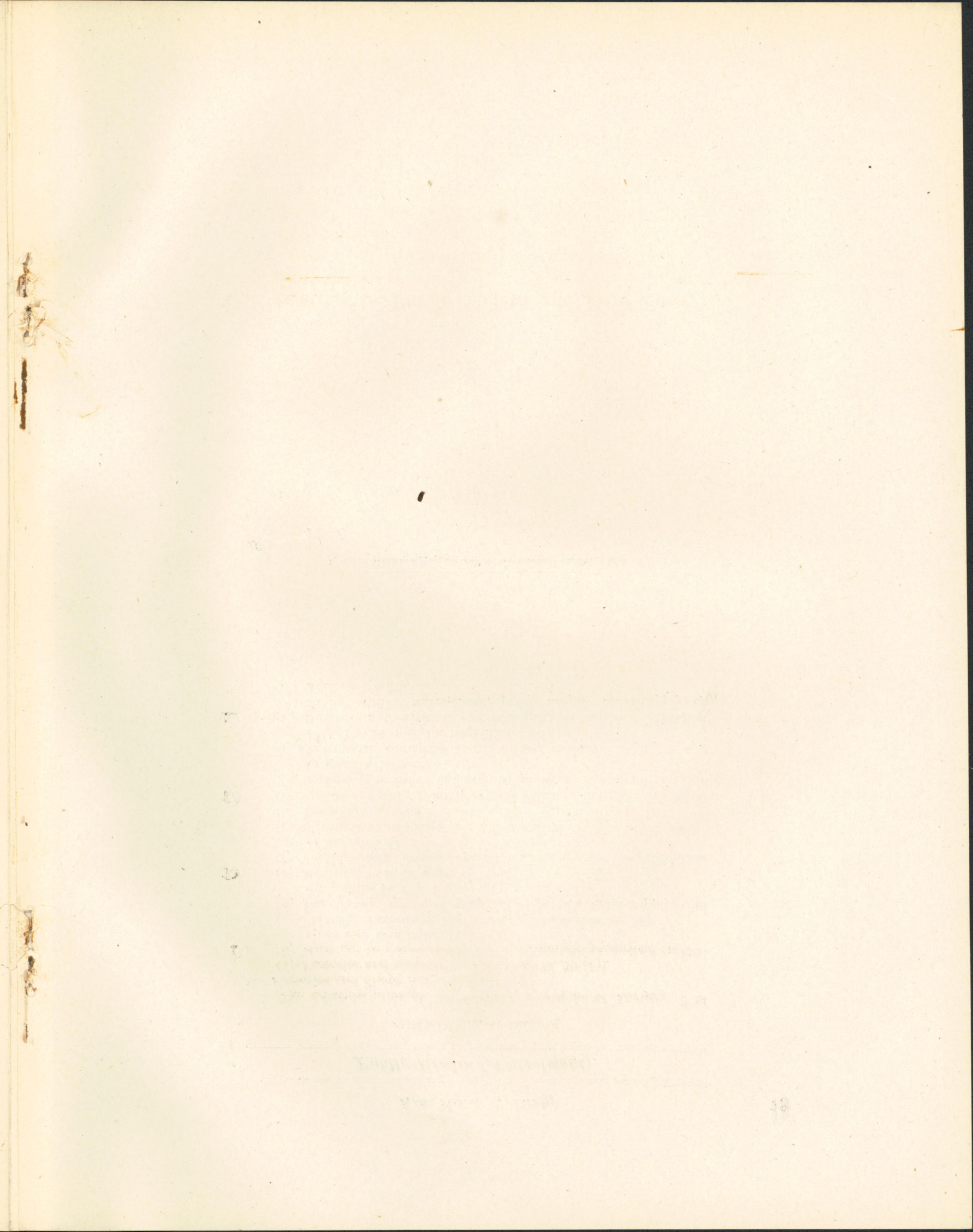
Factories and Shops.

1. Prescribing the cubical spaces and the amount of ventilation
- 30 for each person, and to prevent overcrowding.
2. Prescribing the dimensions of dressing-rooms.
3. Regulating closet accommodation.
4. Prescribing separate closet accommodation for the sexes.
5. Regulating the supply of drinking water.
6. Regulating the furnishing of accommodation for washing.

Public Health (Amendment).

SCHEDULE—*continued.*

7. The administration of the sanitary provisions of Division 3 of the Factories and Shops Act, 1912, namely :—
- (a) Factories and shops to be kept clean (s. 20 (1)).
 - 5 (b) Must not be overcrowded, and shall contain prescribed cubical space and ventilation (s. 20 (2)).
 - (c) Painting, varnishing, and washing periodically (s. 21).
 - (d) Bakehouses, as to sleeping-places, privies, water supply, and drain-pipes (s. 23).
 - 10 (e) Meals taken in factories (s. 24).
 - (f) Ventilation in cases of special trades, and for the prevention of humidity (s. 25).
 - (g) Sitting accommodation for females (s. 26).
 - (h) Dressing-rooms for females (s. 27).
 - 15 (i) Persons suffering from infectious diseases not to be employed in factory or other building where wearing apparel is made or dealt with (s. 28).
 - (j) Premises in connection with factory in which employees are lodged to be open for inspection (s. 29).
 - 20 (k) Duties of authorities in case of neglect or default in relation to any drain, water-closet, privy, ashpit, water-supply, or nuisance (s. 30).



This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 3 February, 1915.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Acting Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, February, 1915.*

New South Wales.



ANNO QUINTO

GEORGII V REGIS.

Act No. , 1915.

An Act to make further provision for preserving the public health, and in particular to regulate sanitation and to prevent the spread of tuberculosis, small-pox, plague, cholera, and other diseases; to apply the provisions of Acts relating to Public Health and Pure Food, and certain sanitary provisions enacted by or under other Acts to the Crown and the public departments; for the above purposes to amend certain Acts; and for purposes consequent thereon or incidental thereto.

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NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Public Health (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

1. This Act may be cited as the "Public Health Short title. (Amendment) Act, 1915."

2. In this Act, unless the context requires another Definitions. meaning—

"Board" means Board of Health.

"Contact" means a person who, in the opinion of a medical officer of the board or of a medical officer of health, has been exposed to the risk of infection from small-pox, plague, or cholera.

"Food" means article used for food or drink by man, and includes confectionery, and any article that enters into or is used in the composition or preparation of food, and any spices, flavouring substances, essences, and colouring matter so used.

"Local authority" means council of a municipality or of a shire, and with respect to any police district outside a municipality or shire means such member of the police force as may be appointed by the board under the Public Health Act, 1902, to be a local authority.

"Municipality" includes the city of Sydney.

"Officer" includes any medical officer of health, assistant medical officer of health, officer of the board or of a local authority, or any superintendent, inspector, sub-inspector, or sergeant of police, or any constable specially authorised by the Inspector-General or by any superintendent of police.

"Schedule" means Schedule to this Act.

"Whole-time medical officer of health" means medical officer of health, the whole of whose time is devoted to the duties of his office.

Local

Public Health (Amendment).

Local Government areas and the City of Sydney.

3. The board may require the council of a municipality or shire, or its officers, to do any specified acts in relation to any of the matters mentioned in Part I of the Schedule which might lawfully be done by such council or officers in virtue of any power (except the power to make ordinances or by-laws) conferred or of any duty imposed by any statute, regulations, ordinances, or by-laws, and may in such requirement specify the time within which and the manner in which such acts shall be done.

Board may require council to do specified acts. Part I. of Schedule.

If such council or officers fail to carry out any such requirement as aforesaid, the board may do or cause to be done the said acts, and for that purpose shall have the powers of such council or officers; and thereupon the board may demand the payment to it by the council of any expenses incurred by the board in doing the said acts, or causing them to be done. If on such demand being made the council fails to make such payment, such expenses may be recovered by the board from the council.

4. Any regulations, ordinances, or by-laws which relate to any of the matters mentioned in Part I of the Schedule shall, before being made, be submitted to the board.

25 Such regulations, ordinances, or by-laws shall not be made unless the board gives its approval of such of the provisions thereof as relate to the matters aforesaid.

Regulations, &c. relating to Part I of of Schedule to be submitted to board.

This section shall apply to regulations, ordinances, and by-laws made by the Governor or by the council of a municipality or shire.

5. Where the board is of opinion that any regulations or ordinances made under Local Government Act, 1906, or any Act amending it, and which relate to matters mentioned in Part I of the Schedule, are unsuitable or inadequate for preserving the public health, it may make suggestions in writing to the Minister of the Crown who administers such Act as to any alterations of or additions to such regulations or ordinances, or as to any new regulations or ordinances, which the board considers desirable.

Regulations under Local Government Act which are unsuitable or inadequate.

6.

Public Health (Amendment).

6. The board may require the council of the city of Sydney to exercise its power to make, amend, and repeal by-laws relating to any of the matters mentioned in Part I of the Schedule. If such council neglects for 5 three months after such requirement has been made to comply with its provisions, the Governor, on the recommendation of the board, may exercise such power.

By-laws
under Sydney
Corporation
Act.

Factories and shops.

7. Where the board is of opinion that any regulations 10 which are in force under the Factories and Shops Act, 1912, and which relate to any matters mentioned in Part II of the Schedule, are unsuitable or inadequate for preserving the public health, it shall report in writing to the Minister of the Crown who administers such Act 15 as to any alterations or additions to such regulations, or as to any new regulations, which the board considers desirable.

Regulations
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tories and
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Schedule
Part II.

Licensed premises.

8. A sanitary inspector of the board may at any 20 time inspect the premises of any licensed publican as defined in the Liquor Act, 1912, and if he finds that such premises or any privies, urinals, or sanitary conveniences or appliances used in connection therewith are in an insanitary condition, or that the provisions of 25 any Acts or ordinances in respect thereof have not been complied with, he may notify such publican thereof and require him to take such steps as such inspector deems necessary in order to put the premises in a sanitary condition.

Power of
sanitary
inspector to
inspect
premises
licensed
under
Liquor Act,
1912.

30 Any failure by the publican to put the premises in a sanitary condition shall be brought to the notice of the licensing bench by such inspector, and shall be considered by them in any application for the renewal of the license as an objection to such renewal.

Objection to
renewal of
license.

Tuberculosis.

35 8. 9. The three next following sections shall apply only within such area as may be proclaimed by the Governor and notified in the Gazette. The Governor may amend or revoke any such proclamation.

Application
of three
following
sections.

Public Health (Amendment).

9. **10.** (1) If any medical practitioner attending any person becomes aware that such person (hereinafter referred to as "the patient") is suffering from pulmonary tuberculosis, ~~such practitioner~~ he shall examine the sputa
5 of the patient or cause them to be examined, and, if he has reasonable grounds for believing that such sputa contain tubercle bacilli, he shall forthwith give notice thereof in the prescribed form.

Notification
of tuber-
culosis.

Such notice shall, where the patient is in a district to
10 which a whole-time medical officer of health has been appointed, be addressed to such officer, and where he is in any other district or place be addressed to the secretary to the board.

(2) The board shall pay to any legally qualified
15 medical practitioner giving a notice as aforesaid the sum of two shillings and sixpence where the patient is seen by him in private practice.

Fee to be
paid.

(3) The Chief Medical Officer of the Govern-
20 ment, or any medical officer of health, or assistant medical officer of health authorised in that behalf by the board or of the said Chief Medical Officer, may enter any house or place where the patient then is, and inspect him, and may require the medical practitioner attending
25 him to furnish particulars of the case.

Powers of
entry and
inspection.

(4) Any such officer may also cause any rooms,
premises, and articles in the house or place where the
patient then is to be cleansed and disinfected to his
satisfaction and, if necessary, may cause any such
30 articles to be destroyed. The board shall give compensation for any articles destroyed in the exercise of the above powers.

Cleansing and
disinfection.

(5) The secretary to the board, and every
medical officer of health, and every person acting in the
35 administration of this section shall preserve and aid in preserving secrecy with regard to all matters which may come to his knowledge in his official capacity in such administration, and shall not communicate such matters to any other person, except in the performance of his
40 duties under this section. If any such secretary, officer, or person contravenes or fails to carry out the provisions of this subsection, he shall be liable to a penalty not exceeding fifty pounds.

Secrecy to be
observed.

Public Health (Amendment).

~~10.~~ **11.** (1) Sections thirty, thirty-four, thirty-five, and thirty-six; and subsections one and two of section thirty-seven of the Public Health Act, 1902, so far as they relate to infectious diseases, shall apply to pulmonary tuberculosis.

Application of ss. 30, 34, 35, and 36 of Public Health Act to tuberculosis.

For the purpose of such application, a local authority shall include the council of a shire, and a mayor shall include the president of a shire.

10 (2) A district registrar or assistant district registrar who forwards a notification of death under section thirty of the said Act, or under this section, shall be paid the sum of one shilling for every such notification.

Fees to be paid.

15 (3) Where under the said Act or this section the report referred to in subsection one of section thirty-four of the said Act is made by a whole-time medical officer of health to a local authority, it shall be the duty of such authority, and where the authority is a municipal or shire council, it shall be the duty of the mayor 20 or president of such council, to exercise its or his powers under that section.

Duties of local authority under s. 34.

~~11.~~ **12.** Where a person ceases to occupy any house or part of a house in which any person has been suffering from pulmonary tuberculosis, such house or part of a 25 house and all articles therein liable to retain infection shall may be disinfected by an officer, or such articles shall may be destroyed. The expense of carrying out the above provisions shall be borne by the local authority.

House in which person has been suffering from tuberculosis.

~~12.~~ **13.** (1) The Governor, on the recommendation of 30 the board, may make regulations for the prevention of the spread of pulmonary tuberculosis and other contagious or infectious diseases, by persons employed in preparing or packing food for sale, and for the control and regulation 35 of persons so employed who are or may be suspected to be suffering from any such disease, and may in such regulations impose any penalty not exceeding five pounds for any breach thereof.

Persons employed in preparing or packing food for sale.

40 (2) Any person so employed shall, at the request of a medical officer of health or an assistant medical officer of health, submit himself to be examined by any such officer or by a legally qualified medical practitioner.

Examination of such persons.

(3)

Public Health (Amendment).

(3) If on such examination it is found that the said person is suffering from pulmonary tuberculosis, or other contagious or infectious diseases, and the said officer or medical practitioner so reports in writing, the board
 5 may, by notice served on such person, from time to time, impose conditions to be complied with by him while working in any employment connected with the preparation or packing of food for sale, or may prohibit him from working in any such employment. Such prohibition
 10 may be removed by the board, subject to compliance with such conditions (if any) as the board may think necessary.

Where person is suffering from tuberculosis or other contagious diseases.

If such person fails to comply with any such condition, or works in any such employment in contravention of
 15 such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which he so works without complying with such condition or in contravention of such prohibition.

20 If any person knowingly employs any person to work in any such employment without complying with any such condition, or in contravention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one
 25 pound for every day during which such person works without complying with such condition or in contravention of such prohibition.

(4) The Governor by proclamation in the Gazette may extend the provisions of this section so far
 30 as they relate to pulmonary tuberculosis to persons employed in any building or place in which four or more persons are engaged directly or indirectly in working at any handicraft, or in preparing or manufacturing articles for trade or sale.

Power of Governor to extend provisions to persons employed in other buildings.

35 ~~13.~~ 14. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of tuberculosis or other contagious or infectious diseases, by guests in hotels and boarding-houses, and in particular for the disinfection of rooms, furniture, and
 40 bedding of guests suffering from the said disease, and may in such regulations impose any penalty not exceeding ten pounds for any breach thereof. (2)

Regulations respecting guests in hotels and boarding-houses.

Public Health (Amendment).

(2) For the purpose of enforcing any such regulation an officer may enter and inspect any hotel or boarding-house: Provided that where such officer is an officer of the board, or of a local authority, or is a member of the police force, he must have the authority in writing of the board, or of the local authority, or of the Inspector-General of Police, as the case may be. Such authority may be general, or may be limited to a specified place.

Entry and inspection.

10

Infected areas.

14: **15.** (1) On the appearance of any case of small-pox, plague, or cholera, or of any eruptive fever or sickness which may reasonably be supposed to be any such disease, the Governor, on the recommendation of the board, may, by proclamation in the Gazette, declare that any area therein described within which such case has appeared to be an infected area, and may vary or rescind any such proclamation.

Declaration of infected areas.

(2) When any area has been proclaimed as aforesaid to be an infected area the board may take such steps and give such orders and directions as in its opinion are necessary to segregate or isolate the inhabitants of or the persons who are found within such area or any of them, and to disinfect any house or premises therein, or any article therein likely in the opinion of the board to convey infection, and to prevent the ingress into or the egress from such area of any person, or to permit such ingress or egress upon such conditions as it may deem proper.

Powers of the board within infected areas.

30 Any person who disobeys or in any manner contravenes any such order or direction of the board shall be liable to a penalty not exceeding ten pounds.

(3) The board, or the Chief Medical Officer of the Government, or any medical officer of health or assistant medical officer of health authorised for that purpose by the board or by the said Chief Medical Officer, may isolate or remove to quarantine any contact.

Isolation or removal to quarantine of contacts

Insanitary

*Public Health (Amendment).***Insanitary buildings.**

16. Sections fifty-eight and fifty-nine of the Public Health Act, 1902, are repealed, and the following section is substituted for them :—

5 **58.** (1) Where a medical officer of health, or assistant medical officer of health, or any officer of the board, or of a local authority authorised in writing in that behalf by the board, certifies in writing to the local authority that any house or other building within its area is unfit or unsafe for human habitation or occupation, such local authority may by an order in writing (hereinafter referred to as a "closing order") declare that such house or building or such part thereof is not fit for human habitation or occupation, and direct that such house or building, or part thereof, shall not after a time specified in such order be inhabited or occupied by any person.

Certificate of medical officer that building unfit for occupation, and power of local authority to declare building unfit.

10 Such order may provide that such direction shall not have effect if the specified repairs or alterations are made in the house or building so as to render it fit for human habitation or occupation to the satisfaction of the local authority or of the board.

15 Such order shall be served on the owner or occupier of the house or building, or if neither the occupier nor the owner can be found such service may be effected by affixing copy of such order on a conspicuous part of such house or building.

20 (2) For the purposes of this section any medical officer of health or assistant medical officer of health, and any such officer as aforesaid, shall have the powers of inspection conferred on a local authority by the last-preceding section.

Power of medical officers and assistants.

25 (3) If any person lets or occupies or knowingly suffers to be occupied such house or building or such part thereof in contravention of an order made under this section, he shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every day during which such house or building or such part thereof is let or occupied or knowingly suffered to be occupied in contravention of such order.

Penalty for letting or occupying house or building declared unfit.

Public Health (Amendment).

17. (1) Subsection one of section sixty of the same Act is amended by inserting after "local authority" the words "or the board."

(2) Subsection two of the same section is repealed, and the following substituted for it:—

(2) The local authority, or board, shall make to every such tenant reasonable allowance on account of his expenses in removing; if the tenant is dissatisfied with the amount of such allowance he may apply to a stipendiary or police magistrate, who shall determine such amount, and such determination shall be final. The amount of such allowance shall be a civil debt owing by the owner of the house to the local authority or the board.

18. (1) Section sixty-one of the same Act is amended as follows:—

(a) Omit "dwelling house" insert "house or building."

(b) After "the house", wherever occurring, insert "or building."

(c) After "human habitation", wherever occurring, insert "or occupation."

(d) After "local authority", wherever occurring, insert "or the board."

(e) In subsection four omit "or the magistrate or justices aforesaid."

(2) Section sixty-two of the same Act is amended by inserting after "house", wherever occurring, the words "or building," and by inserting after "local authority", wherever occurring, the words "or the board."

19. Section sixty-three of the same Act is amended by inserting after "local authority", wherever occurring, the words "or the board", and by omitting "this Part of the Act" and substituting therefor the words "section sixty-one."

The Crown and public departments.

20. The provisions of the Public Health Act, 1902, of the Pure Food Act, 1908, and of this Act and any regulations thereunder, and such of the provisions of the

Local

Public Health (Amendment).

Local Government Act, 1906, the Sydney Corporation Act, 1902, and any Act amending those Acts, and any regulations, ordinances, and by-laws made thereunder as relate to any matters mentioned in Part I of the
 5 Schedule, and such of the provisions of the Factories and Shops Act, 1912, and the regulations thereunder as relate to any matters mentioned in Part II of the Schedule shall apply to the Crown and to any department of His Majesty's Government: ~~Provided that the Gov-~~
 10 ernor may exempt any such department, or any part thereof, from all or any of the provisions above-mentioned.

Supplemental.

16- **21.** The Governor, on the recommendation of the
 15 board, may make regulations for carrying out the provisions of this Act, and in such regulations may impose any penalty not exceeding ten pounds for any breach thereof. The making of regulations.

17- **22.** (1) Regulations made in pursuance of this Act
 20 shall be published in the Gazette, and thereupon shall, if not disallowed as hereinafter provided, and if not repugnant to this Act, have the force of law. Publication of regulations.

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen
 25 days if Parliament is then sitting, and, if not sitting, then within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regu-
 30 lations have been laid before such House, disallowing any regulation, such regulation shall thereupon cease to have effect.

18- **23.** If any person contravenes or fails to comply
 with any provision of this Act he shall, where no penalty
 35 is specifically provided, be liable to a penalty not exceeding ten pounds. Penalty for contravention of Act.

19- **24.** If any person obstructs or hinders any officer
 in the exercise of any power conferred on him by this
 Act he shall be liable to a penalty not exceeding
 40 ten pounds. Penalty for obstruction of officers.

Public Health (Amendment).

20. **25.** Penalties imposed by this Act or any regulations thereunder may be recovered in a summary way before a stipendiary or police magistrate or any two justices of the peace in petty sessions. ^{Recovery of penalties.}

5

SCHEDULE.

PART I.

Municipalities and Shires.

1. Keeping premises free from offensive or unwholesome matter, and the suppression of nuisances arising therefrom.
- 10 2. Regulating the storage, sale, conveyance, disposal, and delivery of meat, fish, oysters, and crustacea.
3. Regulating cattle intended for slaughter and regulating abattoirs and slaughter-houses.
4. Sewerage and drainage.
- 15 5. The removal of nightsoil, filth, refuse, and garbage, and the destruction of garbage.
6. The construction and situation of privies, the regulation of the degree of closet accommodation.
7. Public urinals, closets, and lavatories.
- 20 8. The sanitary requirements of public baths, dressing sheds, and dressing rooms.
9. The regulation and control of common lodging-houses and seamen's boarding-houses.
10. The establishment, control, maintenance, and regulation of
- 25 infants' milk depots.
11. The regulation of the interment of the dead.

PART II.

Factories and Shops.

1. Prescribing the cubical spaces and the amount of ventilation
- 30 for each person, and to prevent overcrowding.
2. Prescribing the dimensions of dressing-rooms.
3. Regulating closet accommodation.
4. Prescribing separate closet accommodation for the sexes.
5. Regulating the supply of drinking water.
6. Regulating the furnishing of accommodation for washing.

7.

Public Health (Amendment).

SCHEDULE—*continued.*

7. The administration of the sanitary provisions of Division 3 of the Factories and Shops Act, 1912, namely :—
- (a) Factories and shops to be kept clean (s. 20 (1)).
 - 5 (b) Must not be overcrowded, and shall contain prescribed cubical space and ventilation (s. 20 (2)).
 - (c) Painting, varnishing, and washing periodically (s. 21).
 - (d) Bakehouses, as to sleeping-places, privies, water supply, and drain-pipes (s. 23).
 - 10 (e) Meals taken in factories (s. 24).
 - (f) Ventilation in cases of special trades, and for the prevention of humidity (s. 25).
 - (g) Sitting accommodation for females (s. 26).
 - (h) Dressing-rooms for females (s. 27).
 - 15 (i) Persons suffering from infectious diseases not to be employed in factory or other building where wearing apparel is made or dealt with (s. 28).
 - (j) Premises in connection with factory in which employees are ledged to be open for inspection (s. 29).
 - 20 (k) Duties of authorities in case of neglect or default in relation to any drain, water-closet, privy, ashpit, water-supply, or nuisance (s. 30).

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 3 February, 1915.*

New South Wales.



ANNO QUINTO

GEORGII V REGIS.

Act No. , 1915.

An Act to make further provision for preserving the public health, and in particular to regulate sanitation and to prevent the spread of tuberculosis, small-pox, plague, cholera, and other diseases ; to apply the provisions of Acts relating to Public Health and Pure Food, and certain sanitary provisions enacted by or under other Acts to the Crown and the public departments ; for the above purposes to amend certain Acts ; and for purposes consequent thereon or incidental thereto.

Public Health (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Preliminary.

1. This Act may be cited as the "Public Health Short title.
(Amendment) Act, 1915."

2. In this Act, unless the context requires another Definitions.
10 meaning—

"Board" means Board of Health.

"Contact" means a person who, in the opinion of a medical officer of the board or of a medical officer of health, has been exposed to the risk of infection from small-pox, plague, or cholera.

15 "Food" means article used for food or drink by man, and includes confectionery, and any article that enters into or is used in the composition or preparation of food, and any spices, 20 flavouring substances, essences, and colouring matter so used.

"Local authority" means council of a municipality or of a shire, and with respect to any police district outside a municipality or shire means 25 such member of the police force as may be appointed by the board under the Public Health Act, 1902, to be a local authority.

"Municipality" includes the city of Sydney.

30 "Officer" includes any medical officer of health, assistant medical officer of health, officer of the board or of a local authority, or any superintendent, inspector, sub-inspector, or sergeant of police, or any constable specially authorised by the Inspector-General or by any superintendent of police.

35 "Schedule" means Schedule to this Act.

"Whole-time medical officer of health" means medical officer of health, the whole of whose time is devoted to the duties of his office.

Local

*Public Health (Amendment).**Local Government areas and the City of Sydney.*

3. The board may require the council of a municipality or shire, or its officers, to do any specified acts in relation to any of the matters mentioned in Part I of the Schedule which might lawfully be done by such council or officers in virtue of any power (except the power to make ordinances or by-laws) conferred or of any duty imposed by any statute, regulations, ordinances, or by-laws, and may in such requirement specify the time within which and the manner in which such acts shall be done.

Board may require council to do specified acts. Part I. of Schedule.

If such council or officers fail to carry out any such requirement as aforesaid, the board may do or cause to be done the said acts, and for that purpose shall have the powers of such council or officers; and thereupon the board may demand the payment to it by the council of any expenses incurred by the board in doing the said acts, or causing them to be done. If on such demand being made the council fails to make such payment, such expenses may be recovered by the board from the council.

4. Any regulations, ordinances, or by-laws which relate to any of the matters mentioned in Part I of the Schedule shall, before being made, be submitted to the board.

25 Such regulations, ordinances, or by-laws shall not be made unless the board gives its approval of such of the provisions thereof as relate to the matters aforesaid.

Regulations, &c., relating to Part I of of Schedule to be submitted to board.

This section shall apply to regulations, ordinances, and by-laws made by the Governor or by the council of a municipality or shire.

5. Where the board is of opinion that any regulations or ordinances made under Local Government Act, 1906, or any Act amending it, and which relate to matters mentioned in Part I of the Schedule, are unsuitable or inadequate for preserving the public health, it may make suggestions in writing to the Minister of the Crown who administers such Act as to any alterations of or additions to such regulations or ordinances, or as to any new regulations or ordinances, which the board considers desirable.

Regulations under Local Government Act which are unsuitable or inadequate.

6.

Public Health (Amendment).

6. The board may require the council of the city of Sydney to exercise its power to make, amend, and repeal by-laws relating to any of the matters mentioned in Part I of the Schedule. If such council neglects for 5 three months after such requirement has been made to comply with its provisions, the Governor, on the recommendation of the board, may exercise such power.

By-laws
under Sydney
Corporation
Act.

Factories and shops.

7. Where the board is of opinion that any regulations 10 which are in force under the Factories and Shops Act, 1912, and which relate to any matters mentioned in Part II of the Schedule, are unsuitable or inadequate for preserving the public health, it shall report in writing to the Minister of the Crown who administers such Act 15 as to any alterations or additions to such regulations, or as to any new regulations, which the board considers desirable.

Regulations
under Fac-
tories and
Shops Act.
Schedule
Part II.

Tuberculosis.

8. The three next following sections shall apply only 20 within such area as may be proclaimed by the Governor and notified in the Gazette. The Governor may amend or revoke any such proclamation.

Application
of three
following
sections.

9. (1) If any medical practitioner attending any 25 person becomes aware that such person (hereinafter referred to as "the patient") is suffering from pulmonary tuberculosis, such practitioner shall forthwith give notice thereof in the prescribed form.

Notification
of tuber-
culosis.

Such notice shall, where the patient is in a district to which a whole-time medical officer of health has been 30 appointed, be addressed to such officer, and where he is in any other district or place be addressed to the secretary to the board.

(2) The board shall pay to any legally qualified 35 medical practitioner giving a notice as aforesaid the sum of two shillings and sixpence where the patient is seen by him in private practice.

Fee to be
paid.

(3) The Chief Medical Officer of the Govern-
ment, or any medical officer of health, or assistant
medical officer of health authorised in that behalf by
the

Powers of
entry and
inspection.

Public Health (Amendment).

the board or of the said Chief Medical Officer, may enter any house or place where the patient then is, and inspect him, and may require the medical practitioner attending him to furnish particulars of the case.

5 (4) Any such officer may also cause any rooms, premises, and articles in the house or place where the patient then is to be cleansed and disinfected to his satisfaction and, if necessary, may cause any such articles to be destroyed. The board shall give compensation for any articles destroyed in the exercise of the above powers.

Cleansing and
disinfection.

(5) The secretary to the board, and every medical officer of health, and every person acting in the administration of this section shall preserve and aid in preserving secrecy with regard to all matters which may come to his knowledge in his official capacity in such administration, and shall not communicate such matters to any other person, except in the performance of his duties under this section. If any such secretary, officer, or person contravenes or fails to carry out the provisions of this subsection, he shall be liable to a penalty not exceeding fifty pounds.

Secrecy to be
observed.

10. (1) Sections thirty, thirty-four, thirty-five, and thirty-six, and subsections one and two of section thirty-seven of the Public Health Act, 1902, so far as they relate to infectious diseases, shall apply to pulmonary tuberculosis.

Application
of ss. 30, 34,
35, and 36 of
Public Health
Act to tuber-
culosis.

For the purpose of such application, a local authority shall include the council of a shire, and a mayor shall include the president of a shire.

(2) A district registrar or assistant district registrar who forwards a notification of death under section thirty of the said Act, or under this section, shall be paid the sum of one shilling for every such notification.

Fees to be
paid.

(3) Where under the said Act or this section the report referred to in subsection one of section thirty-four of the said Act is made by a whole-time medical officer of health to a local authority, it shall be the duty of such authority, and where the authority is a municipal or shire council, it shall be the duty of the mayor or president of such council, to exercise its or his powers under that section.

Duties of local
authority
under s. 34.

Public Health (Amendment).

11. Where a person ceases to occupy any house or part of a house in which any person has been suffering from pulmonary tuberculosis, such house or part of a house and all articles therein liable to retain infection shall be disinfected by an officer, or such articles shall be destroyed. The expense of carrying out the above provisions shall be borne by the local authority.

House in which person has been suffering from tuberculosis.

12. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of pulmonary tuberculosis and other contagious diseases, by persons employed in preparing or packing food for sale, and for the control and regulation of persons so employed who are or may be suspected to be suffering from any such disease, and may in such regulations impose any penalty not exceeding five pounds for any breach thereof.

Persons employed in preparing or packing food for sale.

(2) Any person so employed shall, at the request of a medical officer of health or an assistant medical officer of health, submit himself to be examined by any such officer or by a legally qualified medical practitioner.

Examination of such persons.

(3) If on such examination it is found that the said person is suffering from pulmonary tuberculosis, or other contagious diseases, and the said officer or medical practitioner so reports in writing, the board may, by notice served on such person, from time to time, impose conditions to be complied with by him while working in any employment connected with the preparation or packing of food, or may prohibit him from working in any such employment. Such prohibition may be removed by the board, subject to compliance with such conditions (if any) as the board may think necessary.

Where person is suffering from tuberculosis or other contagious diseases.

If such person fails to comply with any such condition, or works in any such employment in contravention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which he so works without complying with such condition or in contravention of such prohibition.

If

Public Health (Amendment).

If any person knowingly employs any person to work without complying with any such condition, or in con-
 5 travention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which such person works without complying with such condition or in contravention of such prohibition.

10 **13.** (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of tuberculosis or other contagious diseases, by guests in hotels and boarding-houses, and in particular for the disinfection of rooms, furniture, and
 15 bedding of guests suffering from the said disease, and may in such regulations impose any penalty not exceeding ten pounds for any breach thereof.

Regulations respecting guests in hotels and boarding-houses.

(2) For the purpose of enforcing any such regulation an officer may enter and inspect any hotel or
 20 boarding-house: Provided that where such officer is an officer of the board, or of a local authority, or is a member of the police force, he must have the authority in writing of the board, or of the local authority, or of the Inspector-General of Police, as the case may be.
 25 Such authority may be general, or may be limited to a specified place.

Entry and inspection.

Infected areas.

14. (1) On the appearance of any case of small-pox, plague, or cholera, or of any eruptive fever or sickness which may reasonably be supposed to be any such disease, the Governor, on the recommendation of the board, may, by proclamation in the Gazette, declare that any area therein described within which such case
 30 has appeared to be an infected area, and may vary or rescind any such proclamation.

Declaration of infected areas.

(2) When any area has been proclaimed as aforesaid to be an infected area the board may take such steps and give such orders and directions as in its
 40 opinion are necessary to segregate or isolate the inhabitants of or the persons who are found within such area or any of them, and to disinfect any house or premises therein, or any article therein likely in the opinion

Powers of the board within infected areas.

Public Health (Amendment).

opinion of the board to convey infection, and to prevent the ingress into or the egress from such area of any person, or to permit such ingress or egress upon such conditions as it may deem proper.

- 5 Any person who disobeys or in any manner contravenes any such order or direction of the board shall be liable to a penalty not exceeding ten pounds.

(3) The board, or the Chief Medical Officer of the Government, or any medical officer of health or 10 assistant medical officer of health authorised for that purpose by the board or by the said Chief Medical Officer, may isolate or remove to quarantine any contact.

The Crown and public departments.

- 15 **15.** The provisions of the Public Health Act, 1902, of the Pure Food Act, 1908, and of this Act and any regulations thereunder, and such of the provisions of the Local Government Act, 1906, the Sydney Corporation Act, 1902, and any Act amending those Acts, and any 20 regulations, ordinances, and by-laws made thereunder as relate to any matters mentioned in Part I of the Schedule, and such of the provisions of the Factories and Shops Act, 1912, and the regulations thereunder as relate to any matters mentioned in Part II of the 25 Schedule shall apply to the Crown and to any department of His Majesty's Government: Provided that the Governor may exempt any such department, or any part thereof, from all or any of the provisions above-mentioned.

30

Supplemental.

- 16.** The Governor, on the recommendation of the board, may make regulations for carrying out the provisions of this Act, and in such regulations may impose any penalty not exceeding ten pounds for any breach 35 thereof.

17. (1) Regulations made in pursuance of this Act shall be published in the Gazette, and thereupon shall, if not disallowed as hereinafter provided, and if not repugnant to this Act, have the force of law.

(2)

Public Health (Amendment).

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen days if Parliament is then sitting, and, if not sitting, then within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House, disallowing any regulation, such regulation shall thereupon cease to have effect.

18. If any person contravenes or fails to comply with any provision of this Act he shall, where no penalty is specifically provided, be liable to a penalty not exceeding ten pounds. Penalty for contravention of Act.

19. If any person obstructs or hinders any officer in the exercise of any power conferred on him by this Act he shall be liable to a penalty not exceeding ten pounds. Penalty for obstruction of officers.

20. Penalties imposed by this Act or any regulations thereunder may be recovered in a summary way before a stipendiary or police magistrate or any two justices of the peace in petty sessions. Recovery of penalties.

SCHEDULE.

PART I.

25 *Municipalities and Shires.*

1. Keeping premises free from offensive or unwholesome matter, and the suppression of nuisances arising therefrom.
2. Regulating the storage, sale, conveyance, disposal, and delivery of meat, fish, oysters, and crustacea.
- 30 3. Regulating cattle intended for slaughter and regulating abattoirs and slaughter-houses.
4. Sewerage and drainage.
5. The removal of nightsoil, filth, refuse, and garbage, and the destruction of garbage.
- 35 6. The construction and situation of privies, the regulation of the degree of closet accommodation.
7. Public urinals, closets, and lavatories.
8. The sanitary requirements of public baths, dressing sheds, and dressing rooms.

*Public Health (Amendment).*SCHEDULE—*continued.*

9. The regulation and control of common lodging-houses and seamen's boarding-houses.
10. The establishment, control, maintenance, and regulation of infants' milk depots.
11. The regulation of the interment of the dead.

PART II.

Factories and Shops.

1. Prescribing the cubical spaces and the amount of ventilation for each person, and to prevent overcrowding.
2. Prescribing the dimensions of dressing-rooms.
3. Regulating closet accommodation.
4. Prescribing separate closet accommodation for the sexes.
5. Regulating the supply of drinking water.
- 15 6. Regulating the furnishing of accommodation for washing.
7. The administration of the sanitary provisions of Division 3 of the Factories and Shops Act, 1912, namely :—
 - (a) Factories and shops to be kept clean (s. 20 (1)).
 - 20 (b) Must not be overcrowded, and shall contain prescribed cubical space and ventilation (s. 20 (2)).
 - (c) Painting, varnishing, and washing periodically (s. 21).
 - (d) Bakehouses, as to sleeping-places, privies, water supply, and drain-pipes (s. 23).
 - (e) Meals taken in factories (s. 24).
 - 25 (f) Ventilation in cases of special trades, and for the prevention of humidity (s. 25).
 - (g) Sitting accommodation for females (s. 26).
 - (h) Dressing-rooms for females (s. 27).
 - (i) Persons suffering from infectious diseases not to be employed in factory or other building where wearing apparel is made or dealt with (s. 28).
 - 30 (j) Premises in connection with factory in which employees are lodged to be open for inspection (s. 29).
 - (k) Duties of authorities in case of neglect or default in relation to any drain, water-closet, privy, ashpit, water-supply, or nuisance (s. 30).
 - 35

New South Wales.



ANNO QUINTO

GEORGI V REGIS.

Act No. 7, 1915.

An Act to make further provision for preserving the public health, and in particular to regulate sanitation and to prevent the spread of tuberculosis, small-pox, plague, cholera, and other diseases; to apply the provisions of Acts relating to Public Health and Pure Food, and certain sanitary provisions enacted by or under other Acts to the Crown and the public departments; for the above purposes to amend certain Acts; and for purposes consequent thereon or incidental thereto. [Assented to, 17th February, 1915.]

A

BE

Public Health (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Preliminary.

Short title. **1.** This Act may be cited as the "Public Health (Amendment) Act, 1915."

Definitions. **2.** In this Act, unless the context requires another meaning—

“Board” means Board of Health.

“Contact” means a person who, in the opinion of a medical officer of the board or of a medical officer of health, has been exposed to the risk of infection from small-pox, plague, or cholera.

“Food” means article used for food or drink by man, and includes confectionery, and any article that enters into or is used in the composition or preparation of food, and any spices, flavouring substances, essences, and colouring matter so used.

“Local authority” means council of a municipality or of a shire, and with respect to any police district outside a municipality or shire means such member of the police force as may be appointed by the board under the Public Health Act, 1902, to be a local authority.

“Municipality” includes the city of Sydney.

“Officer” includes any medical officer of health, assistant medical officer of health, officer of the board or of a local authority, or any superintendent, inspector, sub-inspector, or sergeant of police, or any constable specially authorised by the Inspector-General or by any superintendent of police.

“Schedule” means Schedule to this Act.

“Whole-time medical officer of health” means medical officer of health, the whole of whose time is devoted to the duties of his office.

Local

*Public Health (Amendment).**Local Government areas and the City of Sydney.*

3. The board may require the council of a municipality or shire, or its officers, to do any specified acts in relation to any of the matters mentioned in Part I of the Schedule which might lawfully be done by such council or officers in virtue of any power (except the power to make ordinances or by-laws) conferred or of any duty imposed by any statute, regulations, ordinances, or by-laws, and may in such requirement specify the time within which and the manner in which such acts shall be done.

Board may require council to do specified acts. Part I. of Schedule.

If such council or officers fail to carry out any such requirement as aforesaid, the board may do or cause to be done the said acts, and for that purpose shall have the powers of such council or officers; and thereupon the board may demand the payment to it by the council of any expenses incurred by the board in doing the said acts, or causing them to be done. If on such demand being made the council fails to make such payment, such expenses may be recovered by the board from the council.

4. Any regulations, ordinances, or by-laws which relate to any of the matters mentioned in Part I of the Schedule shall, before being made, be submitted to the board.

Regulations, &c., relating to Part I of of Schedule to be submitted to board.

Such regulations, ordinances, or by-laws shall not be made unless the board gives its approval of such of the provisions thereof as relate to the matters aforesaid.

This section shall apply to regulations, ordinances, and by-laws made by the Governor or by the council of a municipality or shire.

5. Where the board is of opinion that any regulations or ordinances made under Local Government Act, 1906, or any Act amending it, and which relate to matters mentioned in Part I of the Schedule, are unsuitable or inadequate for preserving the public health, it may make suggestions in writing to the Minister of the Crown who administers such Act as to any alterations of or additions to such regulations or ordinances, or as to any new regulations or ordinances, which the board considers desirable.

Regulations under Local Government Act which are unsuitable or inadequate.

Public Health (Amendment).

By-laws
under Sydney
Corporation
Act.

6. The board may require the council of the city of Sydney to exercise its power to make, amend, and repeal by-laws relating to any of the matters mentioned in Part I of the Schedule. If such council neglects for three months after such requirement has been made to comply with its provisions, the Governor, on the recommendation of the board, may exercise such power.

Factories and shops.

Regulations
under Fac-
tories and
Shops Act.
Schedule
Part II.

7. Where the board is of opinion that any regulations which are in force under the Factories and Shops Act, 1912, and which relate to any matters mentioned in Part II of the Schedule, are unsuitable or inadequate for preserving the public health, it shall report in writing to the Minister of the Crown who administers such Act as to any alterations or additions to such regulations, or as to any new regulations, which the board considers desirable.

Licensed premises.

Power of
sanitary
inspector to
inspect
premises
licensed
under Liquor
Act, 1912.

8. A sanitary inspector of the board may at any time inspect the premises of any licensed publican as defined in the Liquor Act, 1912, and if he finds that such premises or any privies, urinals, or sanitary conveniences or appliances used in connection therewith are in an insanitary condition, or that the provisions of any Acts or ordinances in respect thereof have not been complied with, he may notify such publican thereof and require him to take such steps as such inspector deems necessary in order to put the premises in a sanitary condition.

Objection to
renewal of
license.

Any failure by the publican to put the premises in a sanitary condition shall be brought to the notice of the licensing bench by such inspector, and shall be considered by them in any application for the renewal of the license as an objection to such renewal.

Tuberculosis.

Application
of three
following
sections.

9. The three next following sections shall apply only within such area as may be proclaimed by the Governor and notified in the Gazette. The Governor may amend or revoke any such proclamation.

10.

Public Health (Amendment).

10. (1) If any medical practitioner attending any person becomes aware that such person (hereinafter referred to as "the patient") is suffering from pulmonary tuberculosis, he shall examine the sputa of the patient or cause them to be examined, and, if he has reasonable grounds for believing that such sputa contain tubercle bacilli, he shall forthwith give notice thereof in the prescribed form.

Notification
of tuber-
culosis.

Such notice shall, where the patient is in a district to which a whole-time medical officer of health has been appointed, be addressed to such officer, and where he is in any other district or place be addressed to the secretary to the board.

(2) The board shall pay to any legally qualified medical practitioner giving a notice as aforesaid the sum of two shillings and sixpence where the patient is seen by him in private practice.

Fee to be
paid.

(3) The Chief Medical Officer of the Government, or any medical officer of health, or assistant medical officer of health authorised in that behalf by the board or of the said Chief Medical Officer, may enter any house or place where the patient then is, and inspect him, and may require the medical practitioner attending him to furnish particulars of the case.

Powers of
entry and
inspection.

(4) Any such officer may also cause any rooms, premises, and articles in the house or place where the patient then is to be cleansed and disinfected to his satisfaction and, if necessary, may cause any such articles to be destroyed. The board shall give compensation for any articles destroyed in the exercise of the above powers.

Cleansing and
disinfection.

(5) The secretary to the board, and every medical officer of health, and every person acting in the administration of this section shall preserve and aid in preserving secrecy with regard to all matters which may come to his knowledge in his official capacity in such administration, and shall not communicate such matters to any other person, except in the performance of his duties under this section. If any such secretary, officer, or person contravenes or fails to carry out the provisions of this subsection, he shall be liable to a penalty not exceeding fifty pounds.

Secrecy to be
observed.

Public Health (Amendment).

Application of ss. 30, 34, 35, and 36 of Public Health Act to tuberculosis.

11. (1) Sections thirty, thirty-four, thirty-five, and thirty-six, and subsections one and two of section thirty-seven of the Public Health Act, 1902, so far as they relate to infectious diseases, shall apply to pulmonary tuberculosis.

For the purpose of such application, a local authority shall include the council of a shire, and a mayor shall include the president of a shire.

Fees to be paid.

(2) A district registrar or assistant district registrar who forwards a notification of death under section thirty of the said Act, or under this section, shall be paid the sum of one shilling for every such notification.

Duties of local authority under s. 34.

(3) Where under the said Act or this section the report referred to in subsection one of section thirty-four of the said Act is made by a whole-time medical officer of health to a local authority, it shall be the duty of such authority, and where the authority is a municipal or shire council, it shall be the duty of the mayor or president of such council, to exercise its or his powers under that section.

House in which person has been suffering from tuberculosis.

12. Where a person ceases to occupy any house or part of a house in which any person has been suffering from pulmonary tuberculosis, such house or part of a house and all articles therein liable to retain infection may be disinfected by an officer, or such articles may be destroyed. The expense of carrying out the above provisions shall be borne by the local authority.

Persons employed in preparing or packing food for sale.

13. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of pulmonary tuberculosis and other contagious or infectious diseases, by persons employed in preparing or packing food for sale, and for the control and regulation of persons so employed who are or may be suspected to be suffering from any such disease, and may in such regulations impose any penalty not exceeding five pounds for any breach thereof.

Examination of such persons.

(2) Any person so employed shall, at the request of a medical officer of health or an assistant medical officer of health, submit himself to be examined by any such officer or by a legally qualified medical practitioner.

(3)

Public Health (Amendment).

(3) If on such examination it is found that the said person is suffering from pulmonary tuberculosis, or other contagious or infectious diseases, and the said officer or medical practitioner so reports in writing, the board may, by notice served on such person, from time to time, impose conditions to be complied with by him while working in any employment connected with the preparation or packing of food for sale, or may prohibit him from working in any such employment. Such prohibition may be removed by the board, subject to compliance with such conditions (if any) as the board may think necessary.

Where person is suffering from tuberculosis or other contagious diseases.

If such person fails to comply with any such condition, or works in any such employment in contravention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which he so works without complying with such condition or in contravention of such prohibition.

If any person knowingly employs any person to work in any such employment without complying with any such condition, or in contravention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which such person works without complying with such condition or in contravention of such prohibition.

(4) The Governor by proclamation in the Gazette may extend the provisions of this section so far as they relate to pulmonary tuberculosis to persons employed in any trade or calling. Such proclamation may be made so as to apply to a particular locality or a particular trade or calling, or may be otherwise limited in its application, and may be amended or repealed by like proclamation.

Power of Governor to extend provisions to persons employed in any trade or calling.

14. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of tuberculosis or other contagious or infectious diseases, by guests in hotels and boarding-houses, and in particular for the disinfection of rooms, furniture, and bedding of guests suffering from the said disease, and may in such regulations impose any penalty not exceeding ten pounds for any breach thereof. (2)

Regulations respecting guests in hotels and boarding-houses.

Public Health (Amendment).

Entry and inspection.

(2) For the purpose of enforcing any such regulation an officer may enter and inspect any hotel or boarding-house: Provided that where such officer is an officer of the board, or of a local authority, or is a member of the police force, he must have the authority in writing of the board, or of the local authority, or of the Inspector-General of Police, as the case may be. Such authority may be general, or may be limited to a specified place.

Infected areas.

Declaration of infected areas.

15. (1) On the appearance of any case of small-pox, plague, or cholera, or of any eruptive fever or sickness which may reasonably be supposed to be any such disease, the Governor, on the recommendation of the board, may, by proclamation in the Gazette, declare that any area therein described within which such case has appeared to be an infected area, and may vary or rescind any such proclamation.

Powers of the board within infected areas.

(2) When any area has been proclaimed as aforesaid to be an infected area the board may take such steps and give such orders and directions as in its opinion are necessary to segregate or isolate the inhabitants of or the persons who are found within such area or any of them, and to disinfect any house or premises therein, or any article therein likely in the opinion of the board to convey infection, and to prevent the ingress into or the egress from such area of any person, or to permit such ingress or egress upon such conditions as it may deem proper.

Any person who disobeys or in any manner contravenes any such order or direction of the board shall be liable to a penalty not exceeding ten pounds.

Isolation or removal to quarantine of contacts.

(3) The board, or the Chief Medical Officer of the Government, or any medical officer of health or assistant medical officer of health authorised for that purpose by the board or by the said Chief Medical Officer, may isolate or remove to quarantine any contact.

Insanitary

*Public Health (Amendment).**Insanitary buildings.*

16. Sections fifty-eight and fifty-nine of the Public Health Act, 1902, are repealed, and the following section is substituted for them:—

58. (1) Where a medical officer of health, or assistant medical officer of health, or any officer of the board, or of a local authority authorised in writing in that behalf by the board, certifies in writing to the local authority that any house or other building within its area is unfit or unsafe for human habitation or occupation, such local authority may by an order in writing (hereinafter referred to as a "closing order") declare that such house or building or such part thereof is not fit for human habitation or occupation, and direct that such house or building, or part thereof, shall not after a time specified in such order be inhabited or occupied by any person.

Certificate of medical officer that building unfit for occupation, and power of local authority to declare building unfit.

Such order may provide that such direction shall not have effect if the specified repairs or alterations are made in the house or building so as to render it fit for human habitation or occupation to the satisfaction of the local authority or of the board.

Such order shall be served on the owner or occupier of the house or building, or if neither the occupier nor the owner can be found such service may be effected by affixing copy of such order on a conspicuous part of such house or building.

(2) For the purposes of this section any medical officer of health or assistant medical officer of health, and any such officer as aforesaid, shall have the powers of inspection conferred on a local authority by the last-preceding section.

Power of medical officers and assistants.

(3) If any person lets or occupies or knowingly suffers to be occupied such house or building or such part thereof in contravention of an order made under this section, he shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every day during which such house or building or such part thereof is let or occupied or knowingly suffered to be occupied in contravention of such order.

Penalty for letting or occupying house or building declared unfit.

Public Health (Amendment).

Amendment
of Public
Health Act,
1902, s. 60
(1) and (2).

17. (1) Subsection one of section sixty of the same Act is amended by inserting after "local authority" the words "or the board."

(2) Subsection two of the same section is repealed, and the following substituted for it:—

Local
authority
to make
allowance to
tenant for
expenses.

(2) The local authority, or board, shall make to every such tenant reasonable allowance on account of his expenses in removing; if the tenant is dissatisfied with the amount of such allowance he may apply to a stipendiary or police magistrate, who shall determine such amount, and such determination shall be final. The amount of such allowance shall be a civil debt owing by the owner of the house to the local authority or the board.

Amendment
of Public
Health Act,
1902, s. 61.

18. (1) Section sixty-one of the same Act is amended as follows:—

- (a) Omit "dwelling house" insert "house or building."
- (b) After "the house", wherever occurring, insert "or building."
- (c) After "human habitation", wherever occurring, insert "or occupation."
- (d) After "local authority", wherever occurring, insert "or the board."
- (e) In subsection four omit "or the magistrate or justices aforesaid."

Amendment
of s. 62, *ibid.*

(2) Section sixty-two of the same Act is amended by inserting after "house", wherever occurring, the words "or building," and by inserting after "local authority", wherever occurring, the words "or the board."

Amendment
of s. 63, *ibid.*

19. Section sixty-three of the same Act is amended by inserting after "local authority", wherever occurring, the words "or the board", and by omitting "this Part of the Act" and substituting therefor the words "section sixty-one."

The Crown and public departments.

Application
of certain
enactments
to the Crown.

20. The provisions of the Public Health Act, 1902, of the Pure Food Act, 1908, and of this Act and any regulations thereunder, and such of the provisions of the

Local

Public Health (Amendment).

Local Government Act, 1906, the Sydney Corporation Act, 1902, and any Act amending those Acts, and any regulations, ordinances, and by-laws made thereunder as relate to any matters mentioned in Part I of the Schedule, and such of the provisions of the Factories and Shops Act, 1912, and the regulations thereunder as relate to any matters mentioned in Part II of the Schedule shall apply to the Crown and to any department of His Majesty's Government.

Supplemental.

21. The Governor, on the recommendation of the board, may make regulations for carrying out the provisions of this Act, and in such regulations may impose any penalty not exceeding ten pounds for any breach thereof. The making of regulations.

22. (1) Regulations made in pursuance of this Act shall be published in the Gazette, and thereupon shall, if not disallowed as hereinafter provided, and if not repugnant to this Act, have the force of law. Publication of regulations.

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen days if Parliament is then sitting, and, if not sitting, then within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House, disallowing any regulation, such regulation shall thereupon cease to have effect.

23. If any person contravenes or fails to comply with any provision of this Act he shall, where no penalty is specifically provided, be liable to a penalty not exceeding ten pounds. Penalty for contravention of Act.

24. If any person obstructs or hinders any officer in the exercise of any power conferred on him by this Act he shall be liable to a penalty not exceeding ten pounds. Penalty for obstruction of officers.

25.

Public Health (Amendment).

Recovery of penalties.

25. Penalties imposed by this Act or any regulations thereunder may be recovered in a summary way before a stipendiary or police magistrate or any two justices of the peace in petty sessions.

SCHEDULE.

PART I.

Municipalities and Shires.

1. Keeping premises free from offensive or unwholesome matter, and the suppression of nuisances arising therefrom.
2. Regulating the storage, sale, conveyance, disposal, and delivery of meat, fish, oysters, and crustaceæ.
3. Regulating cattle intended for slaughter and regulating abattoirs and slaughter-houses.
4. Sewerage and drainage.
5. The removal of nightsoil, filth, refuse, and garbage, and the destruction of garbage.
6. The construction and situation of privies, the regulation of the degree of closet accommodation.
7. Public urinals, closets, and lavatories.
8. The sanitary requirements of public baths, dressing sheds, and dressing rooms.
9. The regulation and control of common lodging-houses and seamen's boarding-houses.
10. The establishment, control, maintenance, and regulation of infants' milk depots.
11. The regulation of the interment of the dead.

PART II.

Factories and Shops.

1. Prescribing the cubical spaces and the amount of ventilation for each person, and to prevent overcrowding.
2. Prescribing the dimensions of dressing-rooms.
3. Regulating closet accommodation.
4. Prescribing separate closet accommodation for the sexes.
5. Regulating the supply of drinking water.
6. Regulating the furnishing of accommodation for washing.

Public Health (Amendment).

SCHEDULE—*continued.*

7. The administration of the sanitary provisions of Division 3 of the Factories and Shops Act, 1912, namely :—

- (a) Factories and shops to be kept clean (s. 20 (1)).
- (b) Must not be overcrowded, and shall contain prescribed cubical space and ventilation (s. 20 (2)).
- (c) Painting, varnishing, and washing periodically (s. 21).
- (d) Bakehouses, as to sleeping-places, privies, water supply, and drain-pipes (s. 23).
- (e) Meals taken in factories (s. 24).
- (f) Ventilation in cases of special trades, and for the prevention of humidity (s. 25).
- (g) Sitting accommodation for females (s. 26).
- (h) Dressing-rooms for females (s. 27).
- (i) Persons suffering from infectious diseases not to be employed in factory or other building where wearing apparel is made or dealt with (s. 28).
- (j) Premises in connection with factory in which employees are lodged to be open for inspection (s. 29).
- (k) Duties of authorities in case of neglect or default in relation to any drain, water-closet, privy, ashpit, water-supply, or nuisance (s. 30).

By Authority :

WILLIAM APPLGATE GULLICK, Government Printer, Sydney, 1915.

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 12 February, 1915.*

New South Wales.



ANNO QUINTO

GEORGII V REGIS.

Act No. 7, 1915.

An Act to make further provision for preserving the public health, and in particular to regulate sanitation and to prevent the spread of tuberculosis, small-pox, plague, cholera, and other diseases; to apply the provisions of Acts relating to Public Health and Pure Food, and certain sanitary provisions enacted by or under other Acts to the Crown and the public departments; for the above purposes to amend certain Acts; and for purposes consequent thereon or incidental thereto. Assented to, 17th February, 1915.] BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

THOS. H. THROWER,
Chairman of Committees of the Legislative Assembly.

Public Health (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Preliminary.

- Short title. **1.** This Act may be cited as the "Public Health (Amendment) Act, 1915."
- Definitions. **2.** In this Act, unless the context requires another meaning—
- "Board" means Board of Health.
 - "Contact" means a person who, in the opinion of a medical officer of the board or of a medical officer of health, has been exposed to the risk of infection from small-pox, plague, or cholera.
 - "Food" means article used for food or drink by man, and includes confectionery, and any article that enters into or is used in the composition or preparation of food, and any spices, flavouring substances, essences, and colouring matter so used.
 - "Local authority" means council of a municipality or of a shire, and with respect to any police district outside a municipality or shire means such member of the police force as may be appointed by the board under the Public Health Act, 1902, to be a local authority.
 - "Municipality" includes the city of Sydney.
 - "Officer" includes any medical officer of health, assistant medical officer of health, officer of the board or of a local authority, or any superintendent, inspector, sub-inspector, or sergeant of police, or any constable specially authorised by the Inspector-General or by any superintendent of police.
 - "Schedule" means Schedule to this Act.
 - "Whole-time medical officer of health" means medical officer of health, the whole of whose time is devoted to the duties of his office.

Local

Public Health (Amendment).

Local Government areas and the City of Sydney.

3. The board may require the council of a municipality or shire, or its officers, to do any specified acts in relation to any of the matters mentioned in Part I of the Schedule which might lawfully be done by such council or officers in virtue of any power (except the power to make ordinances or by-laws) conferred or of any duty imposed by any statute, regulations, ordinances, or by-laws, and may in such requirement specify the time within which and the manner in which such acts shall be done.

Board may require council to do specified acts. Part I. of Schedule.

If such council or officers fail to carry out any such requirement as aforesaid, the board may do or cause to be done the said acts, and for that purpose shall have the powers of such council or officers; and thereupon the board may demand the payment to it by the council of any expenses incurred by the board in doing the said acts, or causing them to be done. If on such demand being made the council fails to make such payment, such expenses may be recovered by the board from the council.

4. Any regulations, ordinances, or by-laws which relate to any of the matters mentioned in Part I of the Schedule shall, before being made, be submitted to the board.

Regulations, &c., relating to Part I of Schedule to be submitted to board.

Such regulations, ordinances, or by-laws shall not be made unless the board gives its approval of such of the provisions thereof as relate to the matters aforesaid.

This section shall apply to regulations, ordinances, and by-laws made by the Governor or by the council of a municipality or shire.

5. Where the board is of opinion that any regulations or ordinances made under Local Government Act, 1906, or any Act amending it, and which relate to matters mentioned in Part I of the Schedule, are unsuitable or inadequate for preserving the public health, it may make suggestions in writing to the Minister of the Crown who administers such Act as to any alterations of or additions to such regulations or ordinances, or as to any new regulations or ordinances, which the board considers desirable.

Regulations under Local Government Act which are unsuitable or inadequate.

6.

Public Health (Amendment).

By-laws
under Sydney
Corporation
Act.

6. The board may require the council of the city of Sydney to exercise its power to make, amend, and repeal by-laws relating to any of the matters mentioned in Part I of the Schedule. If such council neglects for three months after such requirement has been made to comply with its provisions, the Governor, on the recommendation of the board, may exercise such power.

Factories and shops.

Regulations
under Fac-
tories and
Shops Act.
Schedule
Part II.

7. Where the board is of opinion that any regulations which are in force under the Factories and Shops Act, 1912, and which relate to any matters mentioned in Part II of the Schedule, are unsuitable or inadequate for preserving the public health, it shall report in writing to the Minister of the Crown who administers such Act as to any alterations or additions to such regulations, or as to any new regulations, which the board considers desirable.

Licensed premises.

Power of
sanitary
inspector to
inspect
premises
licensed
under Liquor
Act, 1912.

8. A sanitary inspector of the board may at any time inspect the premises of any licensed publican as defined in the Liquor Act, 1912, and if he finds that such premises or any privies, urinals, or sanitary conveniences or appliances used in connection therewith are in an insanitary condition, or that the provisions of any Acts or ordinances in respect thereof have not been complied with, he may notify such publican thereof and require him to take such steps as such inspector deems necessary in order to put the premises in a sanitary condition.

Objection to
renewal of
license.

Any failure by the publican to put the premises in a sanitary condition shall be brought to the notice of the licensing bench by such inspector, and shall be considered by them in any application for the renewal of the license as an objection to such renewal.

Tuberculosis.

Application
of three
following
sections.

9. The three next following sections shall apply only within such area as may be proclaimed by the Governor and notified in the Gazette. The Governor may amend or revoke any such proclamation.

10.

Public Health (Amendment).

10. (1) If any medical practitioner attending any person becomes aware that such person (hereinafter referred to as "the patient") is suffering from pulmonary tuberculosis, he shall examine the sputa of the patient or cause them to be examined, and, if he has reasonable grounds for believing that such sputa contain tubercle bacilli, he shall forthwith give notice thereof in the prescribed form.

Notification
of tuber-
culosis.

Such notice shall, where the patient is in a district to which a whole-time medical officer of health has been appointed, be addressed to such officer, and where he is in any other district or place be addressed to the secretary to the board.

(2) The board shall pay to any legally qualified medical practitioner giving a notice as aforesaid the sum of two shillings and sixpence where the patient is seen by him in private practice.

Fee to be
paid.

(3) The Chief Medical Officer of the Government, or any medical officer of health, or assistant medical officer of health authorised in that behalf by the board or of the said Chief Medical Officer, may enter any house or place where the patient then is, and inspect him, and may require the medical practitioner attending him to furnish particulars of the case.

Powers of
entry and
inspection.

(4) Any such officer may also cause any rooms, premises, and articles in the house or place where the patient then is to be cleansed and disinfected to his satisfaction and, if necessary, may cause any such articles to be destroyed. The board shall give compensation for any articles destroyed in the exercise of the above powers.

Cleansing and
disinfection.

(5) The secretary to the board, and every medical officer of health, and every person acting in the administration of this section shall preserve and aid in preserving secrecy with regard to all matters which may come to his knowledge in his official capacity in such administration, and shall not communicate such matters to any other person, except in the performance of his duties under this section. If any such secretary, officer, or person contravenes or fails to carry out the provisions of this subsection, he shall be liable to a penalty not exceeding fifty pounds.

Secrecy to be
observed.

Public Health (Amendment).

Application of ss. 30, 34, 35, and 36 of Public Health Act to tuberculosis.

11. (1) Sections thirty, thirty-four, thirty-five, and thirty-six, and subsections one and two of section thirty-seven of the Public Health Act, 1902, so far as they relate to infectious diseases, shall apply to pulmonary tuberculosis.

For the purpose of such application, a local authority shall include the council of a shire, and a mayor shall include the president of a shire.

Fees to be paid.

(2) A district registrar or assistant district registrar who forwards a notification of death under section thirty of the said Act, or under this section, shall be paid the sum of one shilling for every such notification.

Duties of local authority under s. 34.

(3) Where under the said Act or this section the report referred to in subsection one of section thirty-four of the said Act is made by a whole-time medical officer of health to a local authority, it shall be the duty of such authority, and where the authority is a municipal or shire council, it shall be the duty of the mayor or president of such council, to exercise its or his powers under that section.

House in which person has been suffering from tuberculosis.

12. Where a person ceases to occupy any house or part of a house in which any person has been suffering from pulmonary tuberculosis, such house or part of a house and all articles therein liable to retain infection may be disinfected by an officer, or such articles may be destroyed. The expense of carrying out the above provisions shall be borne by the local authority.

Persons employed in preparing or packing food for sale.

13. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of pulmonary tuberculosis and other contagious or infectious diseases, by persons employed in preparing or packing food for sale, and for the control and regulation of persons so employed who are or may be suspected to be suffering from any such disease, and may in such regulations impose any penalty not exceeding five pounds for any breach thereof.

Examination of such persons.

(2) Any person so employed shall, at the request of a medical officer of health or an assistant medical officer of health, submit himself to be examined by any such officer or by a legally qualified medical practitioner.

(3)

Public Health (Amendment).

(3) If on such examination it is found that the said person is suffering from pulmonary tuberculosis, or other contagious or infectious diseases, and the said officer or medical practitioner so reports in writing, the board may, by notice served on such person, from time to time, impose conditions to be complied with by him while working in any employment connected with the preparation or packing of food for sale, or may prohibit him from working in any such employment. Such prohibition may be removed by the board, subject to compliance with such conditions (if any) as the board may think necessary.

Where person is suffering from tuberculosis or other contagious diseases.

If such person fails to comply with any such condition, or works in any such employment in contravention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which he so works without complying with such condition or in contravention of such prohibition.

If any person knowingly employs any person to work in any such employment without complying with any such condition, or in contravention of such prohibition, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding one pound for every day during which such person works without complying with such condition or in contravention of such prohibition.

(4) The Governor by proclamation in the Gazette may extend the provisions of this section so far as they relate to pulmonary tuberculosis to persons employed in any trade or calling. Such proclamation may be made so as to apply to a particular locality or a particular trade or calling, or may be otherwise limited in its application, and may be amended or repealed by like proclamation.

Power of Governor to extend provisions to persons employed in any trade or calling.

14. (1) The Governor, on the recommendation of the board, may make regulations for the prevention of the spread of tuberculosis or other contagious or infectious diseases, by guests in hotels and boarding-houses, and in particular for the disinfection of rooms, furniture, and bedding of guests suffering from the said disease, and may in such regulations impose any penalty not exceeding ten pounds for any breach thereof.

Regulations respecting guests in hotels and boarding-houses.

(2)

Public Health (Amendment).

Entry and
inspection.

(2) For the purpose of enforcing any such regulation an officer may enter and inspect any hotel or boarding-house: Provided that where such officer is an officer of the board, or of a local authority, or is a member of the police force, he must have the authority in writing of the board, or of the local authority, or of the Inspector-General of Police, as the case may be. Such authority may be general, or may be limited to a specified place.

Infected areas.

Declaration
of infected
areas.

15. (1) On the appearance of any case of small-pox, plague, or cholera, or of any eruptive fever or sickness which may reasonably be supposed to be any such disease, the Governor, on the recommendation of the board, may, by proclamation in the Gazette, declare that any area therein described within which such case has appeared to be an infected area, and may vary or rescind any such proclamation.

Powers of the
board within
infected
areas.

(2) When any area has been proclaimed as aforesaid to be an infected area the board may take such steps and give such orders and directions as in its opinion are necessary to segregate or isolate the inhabitants of or the persons who are found within such area or any of them, and to disinfect any house or premises therein, or any article therein likely in the opinion of the board to convey infection, and to prevent the ingress into or the egress from such area of any person, or to permit such ingress or egress upon such conditions as it may deem proper.

Any person who disobeys or in any manner contravenes any such order or direction of the board shall be liable to a penalty not exceeding ten pounds.

Isolation or
removal to
quarantine
of contacts.

(3) The board, or the Chief Medical Officer of the Government, or any medical officer of health or assistant medical officer of health authorised for that purpose by the board or by the said Chief Medical Officer, may isolate or remove to quarantine any contact.

Insanitary

*Public Health (Amendment).**Insanitary buildings.*

16. Sections fifty-eight and fifty-nine of the Public Health Act, 1902, are repealed, and the following section is substituted for them:—

58. (1) Where a medical officer of health, or assistant medical officer of health, or any officer of the board, or of a local authority authorised in writing in that behalf by the board, certifies in writing to the local authority that any house or other building within its area is unfit or unsafe for human habitation or occupation, such local authority may by an order in writing (hereinafter referred to as a "closing order") declare that such house or building or such part thereof is not fit for human habitation or occupation, and direct that such house or building, or part thereof, shall not after a time specified in such order be inhabited or occupied by any person.

Certificate of medical officer that building unfit for occupation, and power of local authority to declare building unfit.

Such order may provide that such direction shall not have effect if the specified repairs or alterations are made in the house or building so as to render it fit for human habitation or occupation to the satisfaction of the local authority or of the board.

Such order shall be served on the owner or occupier of the house or building, or if neither the occupier nor the owner can be found such service may be effected by affixing copy of such order on a conspicuous part of such house or building.

(2) For the purposes of this section any medical officer of health or assistant medical officer of health, and any such officer as aforesaid, shall have the powers of inspection conferred on a local authority by the last-preceding section.

Power of medical officers and assistants.

(3) If any person lets or occupies or knowingly suffers to be occupied such house or building or such part thereof in contravention of an order made under this section, he shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every day during which such house or building or such part thereof is let or occupied or knowingly suffered to be occupied in contravention of such order.

Penalty for letting or occupying house or building declared unfit.

Public Health (Amendment).

Amendment
of Public
Health Act,
1902, s. 60
(1) and (2).

17. (1) Subsection one of section sixty of the same Act is amended by inserting after "local authority" the words "or the board."

(2) Subsection two of the same section is repealed, and the following substituted for it:—

Local
authority
to make
allowance to
tenant for
expenses.

(2) The local authority, or board, shall make to every such tenant reasonable allowance on account of his expenses in removing; if the tenant is dissatisfied with the amount of such allowance he may apply to a stipendiary or police magistrate, who shall determine such amount, and such determination shall be final. The amount of such allowance shall be a civil debt owing by the owner of the house to the local authority or the board.

Amendment
of Public
Health Act,
1902, s. 61.

18. (1) Section sixty-one of the same Act is amended as follows:—

(a) Omit "dwelling house" insert "house or building."

(b) After "the house", wherever occurring, insert "or building."

(c) After "human habitation", wherever occurring, insert "or occupation."

(d) After "local authority", wherever occurring, insert "or the board."

(e) In subsection four omit "or the magistrate or justices aforesaid."

Amendment
of s. 62, *ibid.*

(2) Section sixty-two of the same Act is amended by inserting after "house", wherever occurring, the words "or building," and by inserting after "local authority", wherever occurring, the words "or the board."

Amendment
of s. 63, *ibid.*

19. Section sixty-three of the same Act is amended by inserting after "local authority", wherever occurring, the words "or the board", and by omitting "this Part of the Act" and substituting therefor the words "section sixty-one."

The Crown and public departments.

Application
of certain
enactments
to the Crown.

20. The provisions of the Public Health Act, 1902, of the Pure Food Act, 1908, and of this Act and any regulations thereunder, and such of the provisions of the

Local

Public Health (Amendment).

Local Government Act, 1906, the Sydney Corporation Act, 1902, and any Act amending those Acts, and any regulations, ordinances, and by-laws made thereunder as relate to any matters mentioned in Part I of the Schedule, and such of the provisions of the Factories and Shops Act, 1912, and the regulations thereunder as relate to any matters mentioned in Part II of the Schedule shall apply to the Crown and to any department of His Majesty's Government.

Supplemental.

21. The Governor, on the recommendation of the board, may make regulations for carrying out the provisions of this Act, and in such regulations may impose any penalty not exceeding ten pounds for any breach thereof. The making of regulations.

22. (1) Regulations made in pursuance of this Act shall be published in the Gazette, and thereupon shall, if not disallowed as hereinafter provided, and if not repugnant to this Act, have the force of law. Publication of regulations.

(2) All such regulations on being gazetted shall be laid before both Houses of Parliament within fourteen days if Parliament is then sitting, and, if not sitting, then within fourteen days after the next meeting of Parliament. But if either House of the Parliament passes a resolution, of which notice has been given, at any time within fifteen sitting days after such regulations have been laid before such House, disallowing any regulation, such regulation shall thereupon cease to have effect.

23. If any person contravenes or fails to comply with any provision of this Act he shall, where no penalty is specifically provided, be liable to a penalty not exceeding ten pounds. Penalty for contravention of Act.

24. If any person obstructs or hinders any officer in the exercise of any power conferred on him by this Act he shall be liable to a penalty not exceeding ten pounds. Penalty for obstruction of officers.

25.

Public Health (Amendment).

Recovery of
penalties.

25. Penalties imposed by this Act or any regulations thereunder may be recovered in a summary way before a stipendiary or police magistrate or any two justices of the peace in petty sessions.

SCHEDULE.

PART I.

Municipalities and Shires.

1. Keeping premises free from offensive or unwholesome matter, and the suppression of nuisances arising therefrom.
2. Regulating the storage, sale, conveyance, disposal, and delivery of meat, fish, oysters, and crustaceæ.
3. Regulating cattle intended for slaughter and regulating abattoirs and slaughter-houses.
4. Sewerage and drainage.
5. The removal of nightsoil, filth, refuse, and garbage, and the destruction of garbage.
6. The construction and situation of privies, the regulation of the degree of closet accommodation.
7. Public urinals, closets, and lavatories.
8. The sanitary requirements of public baths, dressing sheds, and dressing rooms.
9. The regulation and control of common lodging-houses and seamen's boarding-houses.
10. The establishment, control, maintenance, and regulation of infants' milk depots.
11. The regulation of the interment of the dead.

PART II.

Factories and Shops.

1. Prescribing the cubical spaces and the amount of ventilation for each person, and to prevent overcrowding.
2. Prescribing the dimensions of dressing-rooms.
3. Regulating closet accommodation.
4. Prescribing separate closet accommodation for the sexes.
5. Regulating the supply of drinking water.
6. Regulating the furnishing of accommodation for washing.

Public Health (Amendment).

SCHEDULE—*continued.*

7. The administration of the sanitary provisions of Division 3 of the Factories and Shops Act, 1912, namely :—
- (a) Factories and shops to be kept clean (s. 20 (1)).
 - (b) Must not be overcrowded, and shall contain prescribed cubical space and ventilation (s. 20 (2)).
 - (c) Painting, varnishing, and washing periodically (s. 21).
 - (d) Bakehouses, as to sleeping-places, privies, water supply, and drain-pipes (s. 23).
 - (e) Meals taken in factories (s. 24).
 - (f) Ventilation in cases of special trades, and for the prevention of humidity (s. 25).
 - (g) Sitting accommodation for females (s. 26).
 - (h) Dressing-rooms for females (s. 27).
 - (i) Persons suffering from infectious diseases not to be employed in factory or other building where wearing apparel is made or dealt with (s. 28).
 - (j) Premises in connection with factory in which employees are lodged to be open for inspection (s. 29).
 - (k) Duties of authorities in case of neglect or default in relation to any drain, water-closet, privy, ashpit, water-supply, or nuisance (s. 30).

In the name and on behalf of His Majesty I assent to this Act.

State Government House,
Sydney, 17th February, 1915.

G. STRICKLAND,
Governor.

