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This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,  
14th November, 1907.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Fowlds.

## PUBLIC HEALTH ACT AMENDMENT.

### ANALYSIS.

Title.	
1. Short Title.	4. Apportionment of cost of maintenance, &c., of hospitals for infectious diseases.
2. District and Hospital Boards may combine to establish sanatorium for consumptives. Repeal.	5. Sites for such hospitals.
3. Maintenance of infectious diseases hospital by trustees of separate institution.	6. Power to examine children in schools.
	7. Removal of building from one district to another.

### A BILL INTITULED

AN ACT to amend the Public Health Act, 1900.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Public Health Act Amendment Act, 1907, and shall form part of and be read together with the Public Health Act, 1900 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) In this section the term "Board" means a District Board or Hospital Board under the Hospitals and Charitable Institutions Act, 1885.

District and Hospital Boards may combine to establish sanatorium for consumptives.

(2.) Two or more Boards may by agreement under their common seals combine to acquire, establish, and maintain a sanatorium for persons suffering from consumption.

(3.) The sanatorium, and all land, buildings, and other property acquired or used for the purposes thereof, shall be vested in such one of the Boards as is agreed upon by them, or, in default of such agreement, as may be directed by the Governor in Council.

(4.) The sanatorium shall be established, maintained, and managed by a joint committee of the Boards constituted in such manner and having such of the powers of Boards with respect to like institutions as may be agreed upon by the Boards, or, in default of such agreement, as may be directed by the Governor in Council:

*New proviso.*

Provided that the joint committee may make by-laws for the control of the sanatorium, such by-laws to be subject to approval by the Governor in Council.

(5.) All expenses and liabilities incurred in *acquiring*, establishing, or maintaining the sanatorium (*including the reasonable travelling-expenses actually incurred by members of the joint committee*) shall be those of the Board in which the sanatorium is vested, and all contracts made, rights acquired, and liabilities incurred by the joint committee shall be deemed to be made, acquired, and incurred by that Board. 5

(6.) The other Board or Boards shall contribute towards the expenses and liabilities so incurred by the Board in which the sanatorium is vested in such proportion and to such extent as is decided by the said committee, subject to appeal by any such Board to a *Stipendiary* Magistrate, and in the event of any such appeal being made, then in such proportion and to such extent as such Magistrate directs. If in the opinion of such Magistrate any expenditure incurred was excessive or unnecessary, he shall direct that such expenditure or a part thereof shall be paid by the Board whose representatives on the said committee caused it to be incurred. 10 15

(7.) All moneys expended or contributed and all liabilities incurred under the provisions of this section by any Board in respect of the establishment or maintenance of the sanatorium shall be deemed for all purposes to be expenses and liabilities incurred by the Board in exercise of its powers and functions under the Hospitals and Charitable Institutions Act, 1885, and shall be chargeable against and recoverable from local authorities in the same manner as moneys allocated by the Board for payment by local authorities in respect of the maintenance of institutions under that Act are recoverable. 20 25

(8.) An agreement under this section may from time to time be varied by subsequent agreement of the parties, or may at any time after the expiration of ten years from the making thereof be cancelled by any party thereto by giving to the other party or parties twelve months' notice in writing. 30

(9.) On any such agreement being cancelled, the sanatorium, and all land, buildings, and other property used for the purposes thereof, shall be disposed of in such manner as the Boards agree upon, or in default of any agreement, then as the Governor by Order in Council directs. 35

(10.) On such agreement being cancelled as aforesaid the amount of all existing liabilities incurred in respect of the sanatorium by the Board in which it is vested shall be apportioned between the Boards in manner agreed upon or, in default of agreement, as the Governor in Council directs; and the amount so apportioned to any contributory Board shall be a debt due by it to the Board in which the sanatorium is vested. 40

(11.) The Governor may by Order in Council make such regulations as he thinks necessary for giving full effect to the provisions of this section. 45

Repeal.

(12.) The Public Health Act Amendment Act, 1906, is hereby repealed.

Maintenance of infectious diseases hospital by trustees of separate institution.

3. (1.) In any case in which the Chief Health Officer, in exercise of the powers conferred upon him by section thirty-seven of the principal Act as amended by section four of the Public Health Amendment Act, 1903, and section two of the Public Health Amend- 50

ment Act, 1904, requires any District Board or Hospital Board under the Hospitals and Charitable Institutions Act, 1885, to provide a hospital for infectious diseases, it shall be lawful for the said Board, with the consent of the Chief Health Officer, to agree with the trustees of any hospital which is a separate institution within the meaning of the last-mentioned Act, and is situated within the district of such Board, that the said hospital for infectious diseases shall be provided, equipped, and maintained by the said trustees instead of by the said Board; and it shall thereupon be lawful for the said trustees to provide, equip, and maintain the said hospital accordingly on any land vested in them as such trustees.

(2.) Any such agreement shall remain in force until it is cancelled by either of the parties thereto with the consent of the Chief Health Officer.

(3.) The cost of providing, equipping, and maintaining such hospital by the said trustees shall be paid by and apportioned between local authorities in the same manner in all respects as if such hospital were provided, equipped, and maintained by the District Board or Hospital Board instead of by the said trustees, and the moneys so payable by the local authorities shall be paid by them to the District Board or Hospital Board to the use of the said trustees.

(4.) This section shall apply to any requisition made as aforesaid by the Chief Health Officer, whether before or after the passing of this Act.

4. In respect of any agreement between local authorities or any order of a Magistrate, whether made before or after the passing of this Act, for the apportionment of the cost of providing and maintaining a hospital for infectious diseases, under the provisions of section four of the Public Health Amendment Act, 1904, the following provisions shall apply:—

Apportionment of cost of maintenance, &c., of hospitals for infectious diseases.

(a.) If at any time after the making of such agreement or order the Chief Health Officer is of opinion that, owing to the establishment of new local authorities, or the increase or decrease of population, or for any other reason, the apportionment so agreed upon or made is no longer equitable, he may by notice to the contributory local authorities cancel the said apportionment, and may at the same time, if he thinks fit, increase or diminish the number of contributory local authorities.

(b.) On the said apportionment being so cancelled, a new apportionment shall be forthwith made by agreement or by the order of a Magistrate in like manner as in the case of a first apportionment, and such new apportionment shall remain in force until cancelled in manner aforesaid.

5. When a District Board or Hospital Board is required by the Chief Health Officer, in accordance with the principal Act and its amendments, to provide a hospital for infectious diseases, the said District Board or Hospital Board may acquire either by purchase or exchange, or may take under the Public Works Act, 1905, any land suitable for the purpose, or may use for the purpose of such hospital any land already vested in the said District Board or Hospital Board.

Sites for such hospitals.

mine  
schools.

6. The District Health Officer, or any medical officer appointed by the Minister of Public Health or the Education Board, may at all reasonable times enter into or upon any public school building and examine the children attending the school, and notify the parents or guardians of any such child of any disease or bodily defect from which in his opinion the child may be suffering. 5

Removal of  
building from one  
district to another.

7. (1.) It shall not be lawful to remove from the district under the jurisdiction of any local authority any building, or part of a building, or any materials of which any building was composed, and re-erect the same or use the same in the erection of any building within any other district without the consent of the local authority of such last-mentioned district. 10

(2.) Every person who commits a breach of this section is liable to a fine not exceeding one hundred pounds, and the building or part thereof erected contrary to the provisions hereof shall be deemed to be an insanitary building, and may be dealt with under section eleven of the Public Health Amendment Act, 1903, without the necessity for the certificate of the District Health Officer as therein mentioned. 15