

Hon. Sir J. G. Ward.

PUBLIC HEALTH AMENDMENT.

ANALYSIS.

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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. The Short Title of this Act is "The Public Health Amendment Act, 1903"; and it shall form part of and be read together with "The Public Health Act, 1900" (hereinafter referred to as "the principal Act").
2. Where compensation is claimed under section twenty-eight of the principal Act, it shall be payable subject to the same conditions as are prescribed by section twenty-five of the same Act, and the last-mentioned section shall, *mutatis mutandis*, apply to the payment of compensation under the said section twenty-eight.
3. (1.) Where a local authority fails within a reasonable time to carry out any work mentioned in sections twenty-eight or twenty-nine of the principal Act that is required by the District Health Officer to be done, or to carry out any such work to the satisfaction of the District Health Officer, he shall report such failure to the Minister, whereupon the following provisions shall apply:—
- (a.) If the estimated cost of the work does not exceed five hundred pounds, the Minister may cause the work to be done at the cost of the local authority; and

Short Title.

Conditions under which compensation is payable.

District Health Officer may, on failure of local authority, carry out certain works.

- (b.) If such estimated cost exceeds *five* hundred pounds, the Governor in Council may direct the work to be done at the cost of the local authority.
- Repeal. (2.) This section is in substitution for section thirty of the principal Act, which section is hereby accordingly repealed. 5
- Infectious hospitals. 4. (1.) The duty of providing and maintaining hospitals for the reception and treatment of infectious cases imposed by section thirty-seven of the principal Act on local authorities, and of maintaining hospitals already provided under that section, shall hereafter devolve on Hospital Boards, and sections thirty-seven to forty-one of that Act shall, from the passing of this Act, apply to such Boards and not to local authorities. 10
- (2.) The cost of providing and maintaining any such hospital shall be apportioned among such local authorities as the Chief Health Officer directs, in such shares as those local authorities agree on, or as, in the absence of agreement, a Stipendiary Magistrate by order, after hearing the District Health Officer and the local authorities, directs. 15
- Repeal. (3.) Subsections eight and nine of section thirty-eight of the principal Act are hereby repealed. 20
- Duty to admit infectious cases. 5. (1.) It shall be the duty of the Board to receive into any such hospital any person suffering from any infectious disease when so directed by the District Health Officer.
- (2.) Where such person is resident in a district whose local authority does not contribute under subsection *two* of the *last preceding* section towards the cost of the hospital, the Board may charge such local authority with the cost of the maintenance of and attendance on such person at such rate, not exceeding *two* pounds a week, as the Board deems reasonable, and may recover from the local authority as a debt the amount so charged. 25
- On default of Board, Chief Health Officer may provide hospital. 6. Where any Hospital Board fails within a reasonable time to provide, equip, or maintain any such hospital that is certified by the Chief Health Officer to be necessary, the Chief Health Officer may himself cause to be done such things as are necessary in order to carry the provisions of sections thirty-seven and thirty-eight of the principal Act into effect, and the cost of so doing may be recovered by him from the Hospital Board as a debt due to the Crown, and failing recovery from such Board may in like manner be recovered from the contributory local authorities. 30
- Annexes for consumptives. 7. (1.) Where, in the opinion of the Chief Health Officer, it is expedient so to do, he may require the Hospital Board, in lieu of erecting a sanatorium for persons suffering from consumption, to erect an annexe to any hospital in the district for the reception and treatment of such persons: 35
- Provided that when the estimated cost of such erection exceeds *two* hundred pounds such requisition shall be made only with the previous consent of the Minister. 45
- (2.) Section thirty-eight of the principal Act and sections four to six of this Act shall apply to such annexe as if it were a hospital erected under the said section thirty-eight. 50
- Immediate action for suppressing nuisances. 8. Section seventy-three of the principal Act (providing for immediate action in certain cases for the suppression of nuisances) shall extend to all cases where the District Health Officer is satisfied that immediate action is necessary to prevent the outbreak of infectious disease. 55

9. The trades of scavenging and removing nightsoil are hereby declared to be offensive trades within the meaning of the Act.

Scavenging and removing nightsoil offensive trades. Offering for sale food unfit for consumption.

10. (1.) Every person who sells or offers or exposes for sale for human consumption any article of food that is unfit for human consumption is liable to a penalty not exceeding *twenty* pounds.

(2.) Where a District Health Officer, in pursuance of paragraph one of section eighty-seven of the principal Act, orders the destruction of any animal or thing offered for sale for human consumption, he may take summary proceedings before a Stipendiary Magistrate against the person in whose possession or on whose premises such animal or article was when seized, and on conviction such person shall be liable to a penalty as aforesaid.

15. (1.) Upon the certificate of the District Health Officer that any building or part of a building is, by reason of its insanitary condition, dangerous to public health, the local authority shall give notice to the owner thereof requiring him to pull down the same within a time named in the notice.

Power to pull down insanitary buildings.

(2.) If the local authority fails to give such notice the District Health Officer may himself give notice to the owner.

20. (3.) In lieu of requiring the owner to pull down any insanitary building, the local authority or the District Health Officer, as the case may be, may by a like notice require the owner to make such structural alterations or additions to the building as the District Health Officer directs.

25. (4.) If the owner fails to comply with any such requisition within the time named in the notice, any two Justices may, on the application of the local authority or the District Health Officer, as the case may be, and after notice to the owner, order such building or any part thereof to be pulled down, at the expense in all things of the owner.

30. 12. Every District Health Officer shall, in respect of every hospital established under the principal Act, be *ex officio* an Inspector under "The Hospitals and Charitable Institutions Act, 1885."

District Health Officers to be Inspectors of Hospitals.

35. 13. The Governor may from time to time, by Order in Council gazetted, make regulations for the inspection, good management, and sanitary condition of all hospitals in receipt of Government subsidy, whether established under the principal Act or under "The Hospitals and Charitable Institutions Act, 1885."

Regulations as to inspection.

40. 14. All expenses incurred by or on behalf of a local authority in carrying out any of the provisions of the principal Act may be paid by the local authority out of its general funds, and, in order to meet any such expenses, it shall be lawful for the local authority, in addition to its other rating powers, to raise the amount required by a separate rate, not exceeding one halfpenny in the pound on the capital value of the rateable property of the district, or its equivalent on the unimproved value or annual value, according to the system of rating adopted in the district.

Expenses of local authorities.

50. 15. (1.) Any local authority may, in lieu of itself appointing an inspector of nuisances, out of its ordinary funds contribute towards the salary of an Inspector appointed under the principal Act.

Local authority may contribute towards salary of Inspector.

(2.) This section shall be deemed to have been in force from the passing of the principal Act.

Expense of disinfection when ship liable to quarantine.

16. All expenses incurred by or on behalf of the Minister in connection with the disinfection or destruction of any goods in consequence of the presence of infectious disease on any ship, or the replacing of any goods so destroyed, shall be borne by the owners of the ship, and may be recovered as a debt due to the Crown. 5

Outbreak of small-pox.

17. (1.) It shall be lawful for the Governor, on the occurrence of any case of small-pox in New Zealand, or on board any ship arriving at any port or place in New Zealand, by Proclamation, to suspend the operation of section eleven of "The Public Health Amendment Act, 1901 (No. 2)," for a specified time, and either as to the whole of New Zealand or any part thereof, and to order that all persons who have come in contact with, or are likely to come in contact with, any person suffering from small-pox shall be vaccinated or revaccinated within a specified time. 10 15

(2.) Every person who commits a breach of any such Proclamation is liable to a fine not exceeding *fifty* pounds.

Amendments of principal Act.

18. The principal Act is hereby further amended as follows:—

(a.) As to section one hundred and fifty-six thereof: By repealing the words "Registrar-General," and substituting in lieu thereof the words "Chief Health Officer." 20

(b.) As to section one hundred and seventy-two thereof: By repealing the words "Colonial Secretary," and substituting in lieu thereof the words "Minister of Public Health." 25