

Hon. Mr. Russell.

PUBLIC HEALTH AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p style="padding-left: 40px;"><i>Public Health Board.</i></p> <p>2. Public Health Board.</p> <p>3. Duties of the Board.</p> <p>4. Payment of members.</p> <p>5. District Advisory Committees.</p> <p style="padding-left: 40px;"><i>Lodginghouses.</i></p> <p>6. Lodginghouses.</p> <p style="padding-left: 40px;"><i>Housing.</i></p> <p>7. Workers' dwellings.</p> <p style="padding-left: 40px;"><i>Unhealthy Buildings.</i></p> <p>8. Unhealthy buildings. Repeal.</p> <p>9. Dwellinghouses unfit for occupation.</p> <p>10. Inspection of buildings.</p> <p>11. Inspector of Buildings. Repeal.</p> <p style="padding-left: 40px;"><i>Improvement of Insanitary Areas.</i></p> <p>12. Insanitary areas.</p> <p style="padding-left: 40px;"><i>Preventing Overcrowding.</i></p> <p>13. Preventing overcrowding. Repeal.</p> <p style="padding-left: 40px;"><i>Sanitation Committees.</i></p> <p>14. Sanitation committees.</p>	<p style="padding-left: 40px;"><i>Medical Services.</i></p> <p>15. Appointment and duties, &c., of Medical Officers.</p> <p style="padding-left: 40px;"><i>Miscellaneous.</i></p> <p>16. Section 13 of Public Health Act, 1908, amended.</p> <p>17. Section 14 of Public Health Act, 1908, amended.</p> <p>18. Section 54 of Public Health Act, 1908, amended.</p> <p>19. Section 57 of Public Health Act, 1908, amended.</p> <p>20. Section 81 of Public Health Act, 1908, amended.</p> <p>21. Appointment of Health Officer and Sanitary Inspectors in boroughs having a population of over five thousand.</p> <p>22. Section 109 of Public Health Act, 1908, amended.</p> <p>23. House not to be used as a dwelling-place unless approved by District Health Officer.</p> <p>24. Inspector to report as to sanitary conditions of properties inspected by him.</p> <p>25. Restriction as to picture-theatres.</p> <p>26. Establishment, &c., of lecturers, gymnasias, &c.</p> <p>27. Assistance to public-health organizations.</p> <p>28. Removals to institutions.</p> <p>29. Prohibiting use of houses. Repeal.</p>
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A BILL INTITULED

AN ACT to make Better Provision for the Preservation of the Title.
Public Health.

5 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 Amendment Act, Short Title.
1918, and shall form part of and be read together with the Public Health Act, 1908 (hereinafter referred to as the principal Act).

10 *Public Health Board.*

2. (1.) There is hereby constituted a Board of Public Health, Public Health Board.
consisting of ten members, of whom—
The Minister of Public Health (who shall be Chairman);
The Chief Health Officer;

The President of the British Medical Association for New Zealand ;

The Professor of Hygiene in the Otago University ; and
The officer in charge of local government in the Department of Internal Affairs—

shall be *ex officio* members. The remaining five members shall be appointed from time to time by the Governor-General in Council.

(2.) The term of office of every appointed member shall be three years, provided that a member appointed to fill a casual vacancy shall hold office only for the remainder of the term for which the retiring member was appointed.

(3.) In the event of any appointed member absenting himself without the leave of the Board from three consecutive meetings of the Board his seat shall be declared vacant.

Duties of the Board.

3. It shall be the duty of the Board to report to the Minister—

(a.) Upon methods or developments in national health which in the opinion of the Board it is desirable to introduce into New Zealand ;

(b.) Upon any matters concerning the medical services, on instruction in health matters, suggested amendments in the law, the relation of the Public Health Department to local-government authorities, the training of medical practitioners, dentists, nurses, and masseurs ; and

(c.) Upon any other matters in connection with Public Health referred to it by the Minister.

Payment of members.

4. (1.) The members of the Board of Public Health, not being officers of the Public Service, shall be paid, in accordance with regulations, all travelling-expenses reasonably incurred by them in attending meetings of the Board and in transacting the business thereof and such sum for attendance at such meetings as may be prescribed.

(2.) All such amounts shall be paid out of any moneys appropriated by Parliament for the purpose.

(3.) The members of the Board who are officers of the Public Service shall be paid such allowances as are in accordance with law.

District Advisory Committees.

5. (1.) The Minister may at any time, and for such period as he thinks fit, constitute in any Health District, a District Advisory Committee, to report on such matters relating to public health in the district as he may refer to it.

(2.) A District Advisory Committee shall consist of five or more members of whom—

The District Health Officer (who shall be Chairman) and

The President of the British Medical Association for the district—

shall be *ex officio* members. The remaining members of the Committee shall be appointed by the Minister.

Lodginghouses.

Lodginghouses.

6. (1.) Any local authority may establish lodginghouses either within the area of the local authority or contiguous thereto.

(2.) Such lodginghouses shall be contiguous to the working population for whom the same are required, or to any tramway where such exists within a borough.

(3.) The land required for the purpose of such lodginghouses may be taken under the Public Works Act, 1908, and the money required for the purchase of the land and the erection and furnishing of the buildings thereon may be raised under the Local Bodies' Loans Act, 1913, by special order without taking the steps prescribed by sections 5 eight to thirteen of the last-mentioned Act.

(4.) The local authority may either let the lodginghouses or itself maintain and administer them.

(5.) The local authority may, with the approval of the Minister, 10 make by-laws for the conduct of all such lodginghouses.

Housing.

7. (1.) Any local authority may establish, on plans approved by the Board of Public Health, colonies of workers' dwellings, consisting of such number of rooms as may be determined by the local authority. Workers' dwellings.

15 (2.) The provisions of the *last preceding* section, with regard to the taking of land and the raising of loans, shall extend and apply to the present case.

(3.) For each colony of not less than fifty dwellings there shall be a communal laundry, library, and meeting-house, and also a hot- 20 water system, which shall be reticulated to each house from the point of supply.

(4.) The rent to be charged by the local authority for any such dwelling-house shall not exceed the amount necessary to pay interest, insurance, maintenance, sinking fund, and administration charges.

25 (5.) There shall be a central domain of not less than three acres within each colony.

(6.) The provisions of section three hundred and twenty-five of the Municipal Corporations Act, 1908, and section fifty-two of the Municipal Corporations Amendment Act, 1913, shall, *mutatis* 30 *mutandis*, apply to lodginghouses and workers' dwellings established by any local authority under this Act.

Unhealthy Buildings.

8. (1.) Upon the certificate of the District Health Officer that any building or part of a building is in a condition unfit for occu- Unhealthy buildings.
35 pation or dangerous to public health, the local authority shall give notice to the owner thereof to pull down the same within the time named in the notice, not exceeding eight weeks.

(2.) In lieu of requiring the owner to pull down any insanitary building the District Health Officer may by a like notice require the 40 owner to make structural alterations or additions to the building or improvements to the sanitary conditions.

(3.) The owner of the building may appeal to a Magistrate in the form prescribed by regulations, and such appeal shall be heard within fourteen days after the deposit thereof with the Clerk to the 45 local authority.

(4.) The decision of the Magistrate on every such appeal shall be final, and he shall make such order as to costs as he thinks fit.

(5.) If any such appeal is not allowed or if there is no such appeal, and the owner fails to pull down the building within the time 50 named in the notice, the local authority shall cause the building to

be forthwith pulled down, and may recover from the owner all expenses incurred under this section.

(6.) If the local authority fails within two months after notice to take action in accordance with this section has been delivered by the District Health Officer to the Clerk to the local authority, the District Health Officer shall proceed to exercise all the powers conferred on the local authority in this behalf. 5

Repeal.

(7.) Section two hundred and ninety-one of the Municipal Corporations Act, 1908, and section ninety of the Public Health Act, 1908, are hereby repealed. 10

Dwellinghouses unfit for occupation.

9. Notwithstanding the provisions of section two hundred and ninety-four of the Municipal Corporations Act, 1908, and section twenty-nine of the Municipal Corporations Amendment Act, 1910, every dwellinghouse in any district as defined by section two of the Public Health Act, 1908, which is not in accordance with the provisions of section two hundred and ninety-four aforesaid shall be deemed to be unfit for occupation, and shall be dealt with under the last preceding section of this Act. 15

Inspector of buildings.

10. Any local authority may make by-laws providing for the inspection of any building before being occupied by a new owner or tenant. 20

Inspector of Buildings.

11. (1.) The local authority shall appoint a competent person or persons (hereinafter called the Inspector of Buildings) whose duty it shall be to inspect every building in the district ~~erected or used for residential purposes, or which being over one story in height is erected or used for other purposes.~~ The said Inspector shall report to the local authority as to the condition of every ~~inhabited or occupied~~ such building in the district and in particular as to— 25

- (a.) Area of land occupied and air-space ;
- (b.) Water-supply ; 30
- (c.) Baths ;
- (d.) Lavatories ;
- (e.) Sanitary and hygienic conditions ;
- (f.) The name of the owner ;
- (g.) The name and occupation of the occupier ; 35
- (h.) The number and description of the rooms ;
- (i.) The number of persons living in the building ;
- (j.) If rented, the rental payable ; and
- (k.) Such other information as may be ordered by the local authority. 40

(2.) Any person who gives false information to the Inspector shall commit an offence and be liable to a penalty of *twenty* pounds or *one* month's imprisonment. Any Inspector who wilfully forwards a false report to the local authority in respect of any of the matters set out above commits an offence, and shall be liable to a penalty of *one hundred* pounds or *three* months' imprisonment. 45

(3.) All reports of the Inspector of Buildings shall be open to public inspection without fee during office hours. Copies shall be forwarded by the Inspector of Buildings to the District Health Officer for the district in which the buildings are situated. 50

(4.) The District Health Officer may require the Inspector of Buildings to report regarding any special area.

(5.) The Inspector of Buildings shall decide what fire-escapes or means of escape in case of fire are necessary in the case of each such building; and if, after notice served upon the owner, the requirements of the said Inspector are not complied with, the local authority shall, unless the same are executed within four weeks, proceed to provide such fire-escapes or means of escape in case of fire as are ordered by the Inspector, and the cost thereof shall be a debt due by the owner to the local authority.

(6.) Section thirty of the Municipal Corporations Amendment Act, 1913, is hereby repealed. Repeal.

Improvement of Insanitary Areas.

12. (1.) The District Health Officer may report to the local authority and Board of Health upon the necessity for improving any part of a district under the provisions of section two hundred and ninety-three of the Municipal Corporations Act, 1908. If the local authority neglects or refuses to take action within three months the Board of Health shall hold a public inquiry into the matter. The report of the Board of Health shall be transmitted to the Minister, who shall forward a copy of it to the local authority. The local authority shall consider the report of the Board of Health and forward to the Minister its decision thereupon. If the local authority approves the recommendations of the Board of Health, it shall proceed with all reasonable speed to give effect thereto. If the local authority still refuses or neglects for the period of one year to proceed continuously thereunder, the Minister may request the Minister of Public Works to carry out the report of the Board of Health at the cost of the local authority. Insanitary areas.

(2.) To give effect to this clause it shall not be necessary for the local authority to take a poll of the ratepayers in connection with any loan that may be required.

Preventing Overcrowding.

13. (1.) On and after the first day of February, nineteen hundred and *nineteen*, it shall not be lawful for any person— Preventing overcrowding.

(a.) To take in more than five lodgers at any one time for board and residence, either temporary or permanent, unless the premises have been licensed by the local authority in accordance with regulations to be made hereunder; or

(b.) To take in a greater number of lodgers as aforesaid than is specified in any such license; or

(c.) To let any house or tenement in which more than one family is to reside, or any room for the occupation of more than two persons, without the previous approval of the local authority in accordance with regulations to be made hereunder.

(2.) Any person committing a breach of this section is liable to a fine not exceeding *five* pounds for every day during which the breach exists.

(3.) Sections two hundred and ninety-five and two hundred and ninety-six of the Municipal Corporations Act, 1908, are hereby repealed. Repeal.

(4.) The provisions of this clause shall apply to any building in which factory employees or milkers are lodged.

Sanitation Committees.

Sanitation committees.

14. (1.) For the improvement of the sanitary condition of any district the local authority may if and so long as it thinks fit establish and maintain a committee. Any such committee may include persons who are not members of the local authority. 5

(2.) Every such committee shall, subject to the control of the local authority, have power to make inquiries with regard to the sanitation of the whole district or any part thereof, and may report thereon and make recommendations to the local authority upon any matter connected with the health, sanitation, and hygienic conditions of the district, either at or without the request of the local authority. 10

(3.) All the acts and proceedings of the committee shall be reported to the local authority, and shall not, except so far as the local authority by regulations otherwise provides, have any operation or effect until approved by resolution of the local authority. 15

(4.) The proceedings and powers of every committee shall be determined by regulations made from time to time by the local authority. 20

Medical Services.

Appointment and duties, &c., of Medical Officers.

15. (1.) On the application by special resolution of any local authority the Minister may provide a resident medical practitioner for the district of such local authority. 25

(2.) The Minister shall fix the salary and emoluments of the medical officer, who may hold Government appointments connected with public health in the district for which he is appointed. 25

(3.) Such medical officer shall charge the patient for his services such fees as may be prescribed :

Provided that in necessitous cases his services shall be free to the patient. 30

(4.) All fees paid for services rendered by the Medical Officer shall be payable into the district fund of the local authority.

(5.) The local authority shall pay the salary of the Medical Officer either out of the general rate of the district or it may levy a separate rate for the purpose. 35

(6.) Any two or more local authorities whose districts are adjacent may combine for the purposes of this section in such manner as they think fit, and thereupon the provisions of this section shall apply to the districts of all such local authorities. 40

(7.) The services of the Medical Officer shall be available to all friendly societies and other organizations approved by the Minister on such terms as he may determine.

Miscellaneous.

Section 13 of Public Health Act, 1908, amended.

16. Section thirteen of the Public Health Act, 1908, is hereby amended by omitting the commencing words "For the purpose of preventing or checking the spread of infectious disease." 45

Section 14 of Public Health Act, 1908, amended.

17. Section fourteen of the Public Health Act, 1908, is hereby amended by adding at the end of paragraph (c) the words "and it shall be the duty of the local authorities of any district in which the 50

regulations have force and effect to see that the same are strictly observed, and to prosecute any person who commits a breach thereof."

5 18. Section fifty-four of the Public Health Act, 1908, is hereby amended by inserting, after the word "may," the words "and shall when so required by the District Health Officer."

Section 54 of Public Health Act, 1908, amended.

19. Section fifty-seven of the Public Health Act, 1908, is hereby amended by omitting ~~all words after the words "rubbish and nightsoil" in paragraph (g) the first proviso thereto.~~

Section 57 of Public Health Act, 1908, amended.

10 20. Section eighty-one of the Public Health Act, 1908, is hereby amended by omitting from paragraph (b) the word "room," and substituting the word "bedroom."

Section 81 of Public Health Act, 1908, amended.

21. (1.) The Minister may require the Council of any borough having a population of more than five thousand to appoint a duly registered medical practitioner as Medical Officer and also such Sanitary Inspectors as may be deemed necessary.

Appointment of Health Officer and Sanitary Inspectors in boroughs having a population of over five thousand.

(2.) No such officer shall be appointed without the approval of the Minister.

22. Section one hundred and nine of the Public Health Act, 1908, is hereby amended by omitting the words "District Health Officer," and substituting the words "Chief Health Officer."

Section 109 of Public Health Act, 1908, amended.

23. No house shall be erected or occupied as a dwelling-place unless approved by the local authority on the recommendation of the Inspector under this Act, who shall certify to the water-supply, baths, and sanitary conditions of the property.

House not to be used as a dwelling-place unless approved by District Health Officer.

24. Every Inspector appointed under this Act shall from time report to the local authority and the District Health Officer any conditions regarding sanitation discovered by him in connection with any property inspected by him, which is or may be a menace to public health.

Inspector to report as to sanitary conditions of properties inspected by him.

25. No picture-theatre shall be opened before the hour of two o'clock in the afternoon or between the hours of five and seven in the evening of any day.

Restriction as to picture-theatres.

26. The Minister may, on the recommendation of the Board of Public Health, establish and maintain lecturers, instructors, training classes, gymnasia, and any other methods in the interests of public health, and the cost of such establishment and maintenance shall be paid out of moneys appropriated for the purpose by Parliament.

Establishment, &c., of lecturers, gymnasia, &c.

27. Any local authority may, subject to the approval of the Minister in charge of Hospitals and Charitable Aid, pay out of its ~~district ordinary~~ funds such moneys as it thinks fit to such persons as it thinks fit for the assistance and development of any society, organization, or institution not established for purposes of profit, and whose object is to promote public health, or for the

Assistance to public health organizations.

45 *New.*
establishment and maintenance of bursaries to medical and dental students at any college affiliated to the New Zealand University.

28. If any person is found by an Inspector appointed under this Act to be living in insanitary conditions and without proper and adequate regard to health, food, and clothing, such person may be ordered by the District Health Officer to remove to an institution

Removals to institutions.

under the control of a Hospital and Charitable Aid Board ; and in the event of such person neglecting or refusing to become an inmate of the institution aforesaid, he shall be summoned before a Justice of the Peace, who shall make such order as he shall deem fit.

Prohibiting use of houses.

29. (1.) Any local authority may, and shall when ordered by the District Health Officer, make by-laws prohibiting the use of houses or any class of rooms therein for human habitation that in the opinion of the District Health Officer are unfit for such habitation. 5

Repeal.

(2.) The Public Health Amendment Act, 1915, is hereby repealed. 10

New.

Section 79 of principal Act amended.

29A. Section seventy-nine of the Public Health Act, 1908, is hereby amended by inserting the following proviso :—

“ Provided that in any district where the Minister is satisfied the local authority is satisfactorily enforcing the provisions of the principal Act and safeguarding the public health, he may, for such period as he thinks fit, delegate to such local authority such or all of the powers conferred by the principal Act on the District Health Officer as he thinks fit. 15 20