

HEALTH.

13° Elizabeth II., No. XVIII.

No. 18 of 1964.

AN ACT to amend the Health Act, 1911-1962.

[Assented to 8th October, 1964.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation

1. (1) This Act may be cited as the *Health Act Amendment Act, 1964*.

Reprinted in
Vol. 11 of the
Reprinted
Acts.

(2) In this Act the Health Act, 1911-1962, is referred to as the principal Act.

Approved
for Reprint
5th June,
1957, and
amended by
Acts Nos.
21 of 1957,
22 of 1959,
23 of 1960,
38 of 1960,
33 of 1962
and 49 of
1962.

(3) The principal Act as amended by this Act may be cited as the Health Act, 1911-1964.

2. Section two of the principal Act is amended by deleting the words, "Boarding houses and" in line four of the item, "PART V.—DWELLINGS, ss. 135-172." S. 2
amended.

3. Section three of the principal Act is amended— S. 3
amended.

- (a) by deleting the interpretation, "Boarding-house"; and
- (b) by substituting for the interpretation, "Lodging-house", the following interpretation—

"Lodging-house" means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include—

- (a) premises licensed under a publican's general license, limited hotel license, or wayside-house license, granted under the Licensing Act, 1911;
- (b) premises used as a boarding school approved under the Education Act, 1928; or
- (c) any building comprising residential flats.

4. Section one hundred of the principal Act is amended by inserting after the word, "sewage" in line four of subsection (1), the passage, ", or to supply and install in the premises any bath, basin, sink or trough, and the pipes and fittings necessary for the proper functioning thereof, whether the supply and installation is by way of replacement or not". S. 100
amended.

S. 101
amended.

5. Section one hundred and one of the principal Act is amended—

- (a) by inserting after the word, “number” in line eight of subsection (1), the words, “and sex”; and
- (b) by deleting the passage, “, and also where persons of both sexes are employed or gathered therein, with proper separate accommodation for persons of each sex” in lines nine, ten and eleven of subsection (1).

Heading
prior to s. 146
amended.

6. The principal Act is amended by deleting the passage, “Boarding houses and” in the heading immediately preceding section one hundred and forty-six.

S. 146
amended.

7. Section one hundred and forty-six of the principal Act is amended by deleting the passage, “boarding-houses and” in line three of subsection (1).

S. 147
amended.

8. Section one hundred and forty-seven of the principal Act is amended by deleting the passage, “boarding-house or” in lines one and two of subsection (1).

S. 148
amended.

9. Section one hundred and forty-eight of the principal Act is amended by deleting the passage, “boarding-house or” in line two of subsection (2).

S. 150
amended.

10. Section one hundred and fifty of the principal Act is amended—

- (a) by deleting the passage, “boarding-house or” in line two of subsection (1); and
- (b) by deleting the words, “boarders or” in lines three and four of subsection (1).

11. Section one hundred and fifty-one of the principal Act is amended— S. 151 amended.

(a) by deleting the passage, “boarding house or” in line one; and

(b) by deleting the words, “limewash or otherwise” in line three.

12. Section one hundred and fifty-five of the principal Act is amended by deleting the passage, “boarding-house or” in line three. S. 155 amended.

13. Section one hundred and fifty-six of the principal Act is amended by deleting the passage, “boarding-house or” in lines one and two. S. 156 amended.

14. Section one hundred and fifty-seven of the principal Act is repealed and the following section substituted— S. 157 repealed and section substituted.

157. (1) The keeper of a lodging-house shall keep a register of lodgers in the form prescribed, and shall enter or cause to be entered therein the name and previous address of every lodger for the time being in the lodging-house and the date of the commencement of his lodging therein, and the register shall be signed by the lodger. Register of lodgers to be kept.

(2) The register of lodgers shall be kept in the lodging-house, and shall be open to inspection at any time on demand by any member of the police force or inspector.

(3) The keeper of a lodging-house shall from time to time, if required by the local authority, report to the local authority in the prescribed form the name of every person who resorted to the lodging-house during the preceding day or night.

(4) Any keeper of a lodging-house who—

- (a) neglects or fails to keep a register of lodgers as provided by this section;
- (b) neglects or fails to enter or cause to be entered in the register of lodgers the particulars required by this section to be entered therein;
- (c) makes or causes to be made, or retains, in the register of lodgers any false or misleading entry in respect of any of the particulars required to be entered therein; or
- (d) refuses or neglects to produce the register of lodgers when required so to do under subsection (2) of this section,

commits an offence, and is liable on conviction to a penalty not exceeding five pounds, and in addition to a penalty of two pounds for each day during which the offence continues. .

S. 158
amended.

15. Section one hundred and fifty-eight of the principal Act is amended—

- (a) by deleting the passage, “boarding-houses and” in paragraph (1);
- (b) by substituting for subparagraph (a) of paragraph (2), the following subparagraph—
 - (a) Fixing and from time to time varying the number of lodgers who may be received into a lodging-house, and for the separation of the sexes therein; ;
- (c) by deleting the passage, “limewashing, or” in line one of subparagraph (d) of paragraph (2);

(d) by substituting for paragraph (3), the following paragraph—

(3) Prescribing fees to be paid for the registration of lodging-houses, but so that the fee in respect of any one lodging-house shall not exceed one pound per annum; ; and

(e) by adding after paragraph (3), the following paragraph—

(4) Prescribing the form of register of lodgers to be kept by keepers of lodging-houses and the form of report to be made to the local authority under subsection (3) of section one hundred and fifty-seven of this Act. .

16. Section one hundred and fifty-nine of the principal Act is amended by deleting the passage, "boarding-houses or" in line three. S. 159
amended.

17. Section one hundred and seventy-eight of the principal Act is amended by deleting the passage, "boarding-houses and" in line ten of subsection (1). S. 178
amended.

18. Section one hundred and ninety-nine of the principal Act is amended by deleting the passage, "boarding-house," in lines three and four of paragraph (18). S. 199
amended.

19. Section two hundred and sixty-seven of the principal Act is amended by deleting the passage, "or boarding-house" in lines two and three of subsection (2). S. 267
amended.

S. 323B
added.

20. The principal Act is amended by adding after section three hundred and twenty-three A, the following section—

Expiration
of certain
previous
sections.

323B. Sections three hundred and sixteen A, three hundred and seventeen to three hundred and twenty-three (both inclusive), section three hundred and twenty-three A, and this section shall remain in force until the thirtieth day of June, nineteen hundred and sixty-five, and no longer. .

S. 325
amended.

21. Section three hundred and twenty-five of the principal Act is amended—

(a) by adding after paragraph (a) of subsection (1), the following paragraph—

(aa) Prescribing the fee, or different fees in respect of different hospitals, to be paid to the Commissioner for the annual registration of private hospitals; ;

(b) by repealing subsection (3) and substituting the following subsection—

(3) Until the fees to be paid to the Commissioner for the annual registration of private hospitals are prescribed pursuant to subsection (1) of this section, a fee of ten shillings shall be paid to the Commissioner for each registration. ; and

(c) by substituting for the passage, "1927-1948" in line seven of subsection (5), the figures, "1927".

S. 338B
added.

22. The principal Act is amended by adding after section three hundred and thirty-eight A, the following section—

Prohibition
of sale, etc.,
of unsafe
appliances.

338B. Where any appliance, apparatus, equipment, contrivance, article or other thing, the use of which is purported to protect, safeguard, maintain or aid the health of any person,

is found to be, or in the opinion of the Commissioner is likely to be, ineffectual, unsafe or useless to an extent that it might, if used, constitute a danger to the health or life of any person, the Commissioner may in relation to that appliance, apparatus, equipment, contrivance, article or other thing exercise either or both of the following powers—

- (a) prohibit the publication of any information, notice or advertisement relating to its purported use;
- (b) prohibit its sale, distribution or use.

23. Section three hundred and thirty-nine of the principal Act is amended— S. 339
amended.

- (a) by substituting for the word, “Affairs” in line two and in line nine, of subsection (1), the word, “Welfare” in each case;
- (b) by substituting for the passage, “aboriginal or half-caste to whom the Native Administration Act, 1905-1947” in lines four and five of subsection (1), the passage, “native to whom the Native Welfare Act, 1963”;
- (c) by substituting for the word, “aboriginal” in line six of subsection (1), the word, “native”;
- (d) by substituting for the passage, “aboriginal or half-caste” in line ten of subsection (1), line one of subsection (2) and line six of subsection (3), the word, “native” in each case;
- (e) by substituting for the passage, “an aboriginal or half-caste” in lines two and three of subsection (3), the words, “a native”; and
- (f) by substituting for the word, “aboriginal” in line two of subsection (3), the word, “native”.