

HEALTH.

14° Geo. VI., No. XXV.

No. 25 of 1950.

AN ACT to amend the Health Act, 1911-1948.

[Assented to 5th December, 1950.]

BE it enacted by the King'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.

1. This Act may be cited as the *Health Act Amendment Act, 1950*, and shall be read as one with the Health Act, 1911-1948 (Act No. 34 of 1911 as reprinted with amendments to and including Act No. 71 of 1948 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, and as directed by section forty-two of Act No. 38 of 1933 and as approved for reprint on 17th March, 1949, in Volume 3 of the Reprinted Acts of the Parliament of Western Australia, 1950), hereinafter referred to as the principal Act.

Citation of
the principal
Act as
amended
by this Act.

2. The principal Act as amended by this Act may be cited as the Health Act, 1911-1950.

s. 22
amended.

3. Section twenty-two of the principal Act is amended by adding after the word, "district" in line six the words, "while so placed under that jurisdiction and the Governor may remove the area of land from that jurisdiction and from that district and such adjustment and distribution of the assets and liabilities of the council as the Commissioner considers necessary as consequential to such removal shall be made as and in the manner the Commissioner directs."

4. Subsection (2) of section forty of the principal Act is amended by— s. 40 amended.

- (a) substituting for the word, "ninepence" in line one of subparagraph (i) of paragraph (a), the words, "one shilling";
- (b) substituting for the words, "one penny farthing" in line three of subparagraph (ii) of paragraph (a), the words, "three pence";
- (c) substituting for the word, "sixpence" in line one of subparagraph (i) of paragraph (b), the words, "eight pence";
- (d) substituting for the words, "three farthings" in lines two and three of subparagraph (ii) of paragraph (b), the words, "two pence".

5. Section forty-one of the principal Act is amended by— s. 41 amended.

- (a) substituting for the word, "sixpence" in line nine, the words, "eight pence";
- (b) substituting for the words, "three farthings" in lines twelve and thirteen, the words, "two pence."

6. The principal Act is amended by adding the following section:— s. 293A added.

293A. (1) The Commissioner may, by notice published in the *Gazette*, require all persons over the age of fourteen years of any class or classes specified in the notice to undergo X-ray examinations for tuberculosis at such times and places as are specified in the notice and all persons to whom the notice applies shall, subject to subsection (3) of this section undergo the examination accordingly.

Notice requiring persons to submit to X-ray examination. Cf. No. 20 of 1949, s. 5 Tas.

(2) The Commissioner shall cause a copy of the notice promulgated pursuant to the provisions of the last preceding subsection to be published once at least in not less than three newspapers circulating in the State and may in addition cause the contents of the notice to be made known to the public in such other manner as he considers desirable.

(3) The provisions of subsection (1) of this section shall not apply to a person of a class in respect of which class a notice is promulgated pursuant to those provisions, if that person is the holder of a certificate signed by a medical practitioner by whom he has been professionally attended or by an approved medical officer certifying that the person has within a period of twelve months immediately preceding the date of the publication of the notice in the *Gazette*, undergone an X-ray examination of his lungs; but the person shall if required in writing to do so by the Commissioner produce the certificate and the report of the radiologist by whom the examination was carried out to the Commissioner or to a person specified by the Commissioner.

(4) The provisions of this section are in addition to and not in derogation of those of the last preceding section.

s. 314
amended

7. Section three hundred and fourteen of the principal Act is amended by—

(a) adding after the section number, “314” the figure one in brackets thus—(1) and the words, “Subject to the provisions of the next succeeding subsection”;

(b) adding the following subsection—

(2) Where the Commissioner suspects or knows that a person of or under the age of sixteen years is suffering from venereal disease he may, if he thinks fit, communicate the suspicion or knowledge to the parents or persons standing in the place of parents of the person and the communication shall be regarded as being made in the performance of his duties under this Act.

s. 322
repealed.

8. Section three hundred and twenty-two of the principal Act is repealed.

9. Section three hundred and twenty-four of the principal Act is amended by adding after the word, "authority" in line six, the words, "or one hundred pounds, whichever is the greater." s. 324
amended.

10. Section three hundred and forty-three of the principal Act is amended by adding the following subsections:— s. 343
amended.

(5) (a) Notwithstanding the provisions of the foregoing subsections of this section the Governor may make regulations for all or any of the purposes for which by-laws may be made by a local authority pursuant to the provisions of this Act.

(b) Regulations so made shall have effect in any district or part of a district which the Governor may prescribe.

(c) Where there is conflict or inconsistency between the provisions of regulations so made and by-laws made by a local authority pursuant to the provisions of this Act, the provisions of the regulations to the extent of the conflict or inconsistency shall prevail.

(6) (a) In this subsection—

“the regulations” means the Caravans and Camp Regulations, 1949, published in the *Gazette* of the sixteenth day of December, one thousand nine hundred and forty-nine and the Argentine Ants (Health Act) Regulations, 1950, published in the *Gazette* of the twenty-fourth day of March, one thousand nine hundred and fifty.

(b) In order to resolve doubts as to the power of the Governor to make the regulations it is declared that the Governor shall be regarded as having and having had power at all times to make the regulations.