

Supplement to Government Gazette.

No. 20.]

PERTH: SATURDAY, MARCH 15.

[1902.

The Health Act, 1898

E.C. ¹⁹⁰²₁₉₀₂

Order in Council.

At the Executive Council Chamber, at Perth, the
6th day of March, 1902.

Present:

His Excellency the Governor.
The Honourables—
The Commissioner of Railways,
The Colonial Treasurer,
The Minister for Mines,
The Minister for Works,
E. M. Clarke, M.L.C.

¹⁹⁰²₁₉₀₂

BY virtue of the provisions of Section 9 of "The Health Act Amendment Act, 1902," His Excellency the Governor, by and with the advice and consent of the Executive Council, hereby directs that the provisions of Section 111 of "The Health Act, 1898" (as set forth in Section 9 of "The Health Act Amendment Act, 1902"), for the prevention of epidemic, endemic, and contagious diseases, be put in force in Western Australia.

F. D. NORTH,
Clerk of the Council.

Regulations made by the Central Board of Health.

(Under Section 9 of "The Health Act Amendment Act, 1902," and of Section 111 of "The Health Act, 1898.")

PART I.

1. The occupier of any house, premises, or place wherein there is any infectious or contagious disease shall immediately notify the presence of such disease to the Secretary of the Local or District Board of the district, and if there be no Local or District Board, then to the Secretary of the Central Board, and the legally qualified medical practitioner in attendance on any case of Bubonic Plague, or Smallpox, shall immediately notify such case to the President of the Central Board.

2. The Medical Officers of and such Inspectors as may be appointed by any Local or District Board or by the Central Board for the purpose of carrying out these Regulations may at all times enter all houses, buildings, and premises for the purpose of carrying out the said Regulations, or of inquiring into and ascertaining the presence therein of any infectious or contagious disease.

3. All streets and public ways and places shall be effectually kept cleansed by those intrusted by law with the care or management thereof.

4. For the purpose of cleansing, purifying, ventilating, and disinfecting houses, schools, churches, buildings, and places of assembly or entertainment, and other buildings and premises, the owners, occupiers, or persons having the care or ordering thereof shall comply with all orders made by the Local or District Board of the district, or by the Central Board, and if such owners, occupiers, or persons having the care or ordering thereof shall neglect or refuse to carry out, within the time limited, such orders made for this purpose, then the Medical or other Officers of such Local or District Board, or of the Central Board, may so cleanse,

purify, ventilate, and disinfect such buildings, places, and premises, at the expense of the owners, occupiers, or the persons having the care or ordering thereof.

5. All goods and chattels deemed to be infected, and all night-soil and faecal or other discharges of persons suffering from any infectious or contagious disease, shall, when ordered by the Central Board, be destroyed, and if not so ordered to be destroyed shall be completely and thoroughly disinfected, and for this purpose every Inspector of the Central Board, or of any Local or District Board, shall carry out such rules for such disinfection or destruction as may from time to time be made by the Central Board.

6. A daily house-to-house visitation and inspection shall be made of all houses, warehouses, granaries, stores, stables, and other buildings and premises within any district in which rats infected with plague have been found, and within any other district which the Central Board may deem expedient.

7. All persons suffering from Bubonic Plague or Smallpox shall be removed immediately to a special isolated place set apart for that purpose and approved by the Central Board, and shall be kept in such place until they are free from all infection and contagion.

8. No person shall quit or enter any house, premises, or place which may be declared by the Central Board to be infected; and any person attempting to quit or enter such house, premises, or place without the permission of the Central Board shall be prevented from so doing. Such house, premises, or place shall be cleansed, purified, and disinfected by the officers of the Central Board, or as the Central Board may direct, and shall not be re-occupied until permission be granted by the Central Board.

9. For the prevention of the spread of Bubonic Plague, or Smallpox, the Central Board may from time to time declare any house, premises, town, or district to be infected.

10. The body of any person who shall die of Bubonic Plague shall not be buried in any cemetery, but shall be cremated as soon as possible after death, under the direction of a Medical Officer of the Central Board or a Local or District Board, and after such cremation the ashes of the body may be buried in the usual way.

11. The owners and occupiers of all houses, warehouses, granaries, stores, stables, and other buildings and premises shall remove and abate any nuisance whatever therefrom.

In the event of any nuisance whatever existing in any house, warehouse, granary, store, stable, and other building and premises, the Officer of Health of any Local or District Board, or the President of the Central Board, may notify the owners or occupiers to remove or abate such nuisance forthwith; and if such nuisance is not removed forthwith by such owner or occupier, then such nuisance shall be removed by any officer of the Local or District Board, or the Central Board, and the owner or occupier shall be charged with the cost thereof, and the owners or occupiers thereof shall be also liable to the penalties under these Regulations and "The Health Act, 1898," for allowing such nuisance to exist.

12. For the purpose of preventing the spread of Bubonic Plague, or Smallpox, all persons occupying, using, or employed in the same house, shop, factory, warehouse, premises, or place as any person suffering from or having suffered from Bubonic Plague, or Smallpox, and all other persons deemed by the Central Board, or the Medical Officer thereof, or the Officer of Health, to have been liable to infection therefrom, or from any other cause whatever, shall be removed to an isolated place approved by the Central Board for that purpose, and shall remain in quarantine for such period as the Central Board may direct.

13. For the purpose of preventing the spread of Bubonic Plague by means of rats, the owners and occupiers of all houses, warehouses, granaries, stores, stables, and other buildings and premises, shall deposit all refuse in bins or other suitable receptacles, and shall keep all such bins or receptacles so covered and secured as not to admit of any rats having access to the contents.

PART II.

14. (a.) All rats in all wharves, stores, warehouses, and other buildings and premises under the control of the Railway, Customs, and Harbour Departments at the ports of Western Australia shall be destroyed, and such methods shall be used for this purpose as shall be approved by an inspector authorised by the Central Board.

(b.) The owners and occupiers of all houses, warehouses, granaries, stores, stables, and other buildings and premises shall destroy or cause to be destroyed all rats therein.

(c.) The owners and occupiers of all houses, warehouses, granaries, stores, stables, and other buildings and premises shall use and employ such method or methods for the destruction of rats as shall be approved by an Inspector authorised by the Central Board and directed by such Central Board to be so used or employed from time to time.

15. The Local or District Board of each port and town of Western Australia and of the City of Perth shall—

(a.) Cause to be destroyed the rats in all drains, culverts, sewers, and other places under their control; and

(b.) Take steps to compel owners and occupiers of all warehouses, granaries, stores, stables, and other buildings in their district to destroy all rats therein.

(c.) In the event of such owners and occupiers refusing or neglecting to destroy the rats or to use such method or methods for the destruction of rats in accordance with the last preceding Regulation, the Local or District Board shall undertake the destruction of the rats in such houses, warehouses, granaries, stores, stables, and other buildings and premises, and charge the owner or occupier with the cost thereof, and the owner or occupier thereof shall also be liable to the penalties under these Regulations and "The Health Act, 1898."

16. Complete precautions shall be taken to prevent rats coming ashore from all ships in any port of Western Australia, coming from or having touched at any port where Bubonic Plague is known or is suspected to exist, for which purpose the following shall be carried out:—

(a.) Every rope by which every such vessel shall be made fast to any wharf or pier shall be coated with tar over a length of at least 1ft. just beyond the side of the vessel and

just above the end attached to the wharf or pier, the tar being kept in a sticky condition by repeated applications; and shall be provided with two metal funnels of approved pattern and dimensions, one being fixed above the tarred space at the shore end, and the other below the similar space at the ship end of such rope.

(b.) The fenders and fender slings shall be tarred, so as to prevent migration of rats, and the tar shall be kept in a sticky condition by repeated applications.

(c.) No net shall be used between the ship and the wharf or pier unless tarred, and the tar kept in a sticky condition by repeated applications. All such nets shall be removed when the ship is not working.

(d.) All gangways shall be drawn up when not required for discharging or receiving cargo from 7 p.m. to 6 a.m., and tar shall be applied to such gangways over a length of at least 1ft. at each end, just beyond the side of the vessel and just above the end resting on the wharf or pier, and the tar shall be kept in a sticky condition by repeated applications.

(e.) There shall be suspended over the side along the wharf or pier four sets, or more if required, of electric or other suitable lights, so distributed as to furnish complete illumination fore and aft along the whole length of the side of the vessel.

(f.) The owner, agent, or master of every such vessel shall supply three watchmen by night and one by day, and shall see that they constantly patrol the wharf or pier alongside the vessel from stem to stern, and that they take all practicable measures to prevent the passage of rats between the ship and the wharf or pier.

(g.) All pipes, ports, and other holes in the side of the vessel next to the wharf or pier shall be completely closed, and kept closed so long as the vessel is alongside, in order to prevent ingress or egress of rats.

(h.) No lighter shall be allowed alongside any such vessel unless special permission is given by an inspector or other authorised Officer of the Central Board.

17. The bodies of all rats taken alive or dead shall be destroyed by fire.

PART III.

18. The master of every ship arriving at any port in Western Australia from any place or country where Bubonic Plague is known, or suspected to exist, or having touched at or received cargo from such place or country, shall destroy the rats in such ship, and shall use such methods for this purpose as may be directed from time to time by the Central Board.

19. All cargo from all ships mentioned in the last preceding Regulation shall be disinfected or dealt with at such port in such manner as the Medical Officer may deem necessary, and all cargo consigned to Perth shall be dealt with at Fremantle in the same manner as cargo consigned to that Port: Provided always that all packages suspected to be infected or liable to carry infection shall be opened, and, if deemed necessary, disinfected or destroyed.

20. Before removing cargo from such ships—

- (a.) Every package shall be separately examined and passed by an Inspector of the Central Board before being slung.
- (b.) Every package not passed on such inspection shall be dealt with in such manner as the Inspector (subject to the instructions of the Central Board) may direct.
- (c.) No package whatsoever shall be landed from such ship or vessel without the consent of the Inspector, nor until so inspected, and passed or otherwise dealt with.

21. No cargo shall be discharged from any ship or vessel before 7 a.m. or after 6 p.m., except by permission of the Central Board.

22. All ships arriving at any port in Western Australia coming from or having touched at any port where Bubonic Plague is known or is suspected to exist, besides being subject to the Regulations of Part III., are also subject to the provisions contained in Part II. of these Regulations, and the owners, agents, and masters thereof are hereby held responsible for the whole of the Regulations being strictly carried out, and such owners, agents, and masters shall be subject to all penalties for default under "The Health Act, 1898."

23. The following articles are deemed by the Central Board liable to be infected, and shall not be landed at any port in Western Australia from any place where Bubonic Plague is known or suspected to exist, or from any ship which shall have touched at or received cargo from such place; that is to say:—

Green hides, untanned skins, fresh skins, and bones, whether whole, crushed, or in the form of bone dust.

The Central Board hereby authorises, requires, and directs all Local Boards and all District Boards, and their officers, to superintend and see to the execution of these Regulations

By Order of the Central Board of Health,

J. R. CAMPBELL,

7th March, 1902.

Secretary.

The attention of Officers of the Central Board and Local and District Boards is drawn to the following Provisions:—

HEALTH ACT, 1898.

LEGAL PROCEEDINGS.

Section 242.—Where anything is by this Act, or by any by-law, regulation, notice, order, or direction of the Central Board, or by any order, notice, direction, or by-law of any Local or District Board, made under the authority of this Act, directed to be done or forbidden to be done, or where any authority is given to the Central Board or any Local or District Board, or any officers of theirs, to direct anything to be done or to forbid anything to be done, and such act so directed to be done remains undone, or such act forbidden to be done is done, in every such case the person making default as to such direction and prohibition respectively shall be deemed guilty of an offence against this Act.

And every person guilty of an offence against this Act, not otherwise specially provided for by or under the authority hereof, shall be liable for every such offence, besides any costs or expenses which may be incurred in the taking of proceedings against such person guilty of such offence, as well as any costs or expenses which may be incurred in remedying such default, as particularly provided for in this Act, to a penalty not exceeding the sum of Twenty pounds, and to a penalty not exceeding Five pounds nor less than Twenty shillings for each day during which such offence is continued by such person, and such penalty or penalties shall be recoverable notwithstanding that the Local or District Board may not have chosen to exercise any power given to Local or District Boards by this Act to remedy such default.

Section 239.—All complaints of offences under this Act shall (save as is herein otherwise provided) be heard and determined, and all moneys, costs, and expenses made payable or recoverable hereby may be recovered in a summary way before two or more Justices of the Peace.

Section 232.—Any inspector or other officer of the Central Board, or of any Local or District Board, or any member of the police force may prosecute for any breach of or offence against any Act relating to the public health, or any by-law, regulation, or order made under the provisions of any such Act. No fee shall be payable on the issue of any summons under this section.

In addition to the above, officers carrying out the Regulations of the Central Board should refer to Sections 225 to 242 of "The Health Act, 1898."

By order of the Central Board of Health,

J. R. CAMPBELL,

7th March, 1902.

Secretary.