

HEALTH.

17° GEO. V., No. L.

No. 50 of 1926.

AN ACT to amend the Health Act, 1911-1919.

[Assented to 24th December, 1926.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and 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, 1926.*

2. In this Act the expression "Health Act" means the Health Act, 1911-1919, as reprinted in the 1919 Sessional Volume of the Statutes.

Amendment of sec. 3.

3. Section three of the Health Act is hereby amended—

(1) by the insertion after the definition of "Analyst" of a definition as follows:—

“‘Apparatus for the bacteriolytic treatment of sewage’ includes any buildings, fittings, works, or appliances used or required in connection with the bacteriolytic treatment of sewage or the disposal of the effluent”;

(2) by the insertion in the definition of "Sanitary convenience," after the word "privies," of the words "apparatus for the bacteriolytic treatment of sewage"; and

(3) by the insertion after the definition of "School" of a definition as follows:—

“‘Sewage’ includes any kind of sewage and faecal matter, urine, and liquid wastes.”

4. Section forty-three of the Health Act is hereby amended by the addition of words as follows:— Amendment of
sec. 43.

“The power given by this section shall extend to the raising of money for the purpose of installing and providing, pursuant to this Act, apparatus for the bacteriolytic treatment of sewage; provided that the period for the repayment of any such loan shall not exceed fifteen years, and that the proceeds of such loan shall be kept in a separate banking account and shall not be applied to any purpose other than the purpose aforesaid.”

5. Section eighty-one of the Health Act is hereby amended— Amendment of
sec. 81.

(i) by the insertion in subsection one, after the word “rebuild,” of the words “or maintain or use”; and by the addition of the words “or unless such house has been and is provided with such conveniences”;

(ii) by the insertion in subsection two, after the word “rebuilt,” of the words “or maintained or used”;

(iii) by the insertion after subsection three of a subsection as follows:—

(3a) If it appears to the local authority to be advisable that any house in the district should be provided with an apparatus for the bacteriolytic treatment of sewage, it may cause written notice to be served on the owner of the house requiring him, within a time limited in the notice, to provide and instal such apparatus for and in connection with such house, and such owner shall comply with such notice and shall observe, in connection with the provision and installation of the apparatus, the provisions of section eighty-eight of this Act and of the relative by-laws;

(iv) by the insertion in subsection four, after the word “notice,” of the words “as is mentioned in subsection (3) or (3a) of this section,” and after the word “done” of the words “and provide the material required to be provided.”

Insertion of a new section after sec. 81.

6. A section is hereby inserted after section eighty-one of the Health Act as follows:—

Provision of apparatus for the bacteriolytic treatment of sewage.

81a. (1.) Whenever the local authority has been requested in writing by the owner of any premises to provide and instal thereon an apparatus for the bacteriolytic treatment of sewage, the local authority may do the work and provide the material required to be done and provided, and recover from the owner the expenses incurred by it in so doing.

(2.) When any owner is liable to the local authority in respect of the provision and installation of any such apparatus as aforesaid in connection with any house the erection of which was completed or commenced before the end of the year nineteen hundred and twenty-six, then the local authority may, at the request of the owner, enter into an agreement with him for the payment of the amount due by instalments extending over such period as the local authority shall deem reasonable, with interest at the rate indicated in the proviso hereto, or, in cases in which the proviso is not applicable, at a rate determined by the local authority with the approval of the Minister: Provided that if the local authority has paid the expenses out of any loan the period aforesaid shall not extend beyond the period within which the loan is repayable, and the rate of interest shall be that payable on the loan.

Amendment of sec. 88.

7. Section eighty-eight of the Health Act is hereby amended by the addition of new subsections as follows:—

Installation of apparatus for bacteriolytic treatment of sewage to be subject to Commissioner's approval.

(2.) Whenever it is intended to construct and instal any apparatus for the bacteriolytic treatment of sewage, the owner, or other person by whose authority such apparatus is to be constructed and installed, shall give notice to the Commissioner in such manner and accompanied by such plans and specifications as may be prescribed by regulation.

(3.) No person shall construct or instal, or permit, authorise, or commence the construction or installation of any apparatus for the bacteriolytic treatment of sewage, except with the approval of the Commissioner and in accordance with plans and specifications approved by the Commissioner.

(4.) No person shall use or authorise or permit to be used any apparatus for the bacteriolytic treatment of sewage unless such apparatus has been constructed and installed in accordance with plans and specifications approved by the Commissioner, and has been inspected by or on behalf of the local authority, and certified by such authority or by some person authorised in this behalf by such authority as having been duly constructed and installed in accordance with such plans and specifications.

Penalty: Fifty pounds.

(5.) The Commissioner may refuse to approve of the installation of any apparatus for the bacteriolytic treatment of sewage in any place which he considers unsuitable.

(6.) The provisions of this section shall apply, so far as capable of application, to contractors, officers, and others acting on behalf of or under contract with a local authority in or about the construction, installation, or provision of apparatus for the bacteriolytic treatment of sewage.

(7.) The Governor may make regulations for the purpose of carrying this section into effect, and may thereby prescribe such rules as may be necessary or convenient for achieving its objects. A regulation made under this power may fix the fee, not exceeding two pounds and not less than ten shillings, which shall be paid on the submission of any plans and specifications, and may provide that half of such fee shall be paid to the local authority.

8. Section one hundred and fifteen of the Health Act is hereby amended by the insertion of the word "provision" before the word "construction" in paragraph (1) and also in paragraph (14).

Amendment of
sec. 115.