



Western Australia.

ANNO SEXAGESIMO QUARTO

# VICTORIÆ REGINÆ.

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No. XXV.

AN ACT to amend the Health Act, 1898.

*[Assented to, 5th December, 1900.]*

**B**E it enacted by the Queen'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:—

1. THIS Act may be cited as the Health Act Amendment Act, 1900, and shall be construed as one with the Health Act, 1898, hereinafter called the principal Act. Short title.

2. THE master, or any other person except the pilot, being in charge of any ship lying in Western Australian waters shall report to the officer of health of the Local Board whose district includes or is nearest to the place where such ship is lying, or to the water police, any illness of a suspicious kind, or any infectious or contagious disease, or any complaint attended with eruption or eruptive symptoms, which may occur in the said ship, immediately on the existence of such illness, disease, or complaint coming to his knowledge, whether such ship has been previously inspected by an officer of health or not.

Eruptive diseases to be reported.  
Victorian Health Act, sec. 167.

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Validation of existing  
Central Board.

3. THE persons who, after the passing of the Health Act, 1898, have acted as members of the Central Board of Health shall be deemed to have been appointed under that Act; and the acts of the said Board are hereby validated notwithstanding any defect of appointment.

Governor may pro-  
claim district.

4. THE Governor may, by proclamation, declare any two or more districts, municipal districts, and road board districts to be one district under the principal Act, and the board of health for such combined district shall therein exercise all the powers conferred, and perform all the duties, and be subject to the control and liabilities imposed by the principal Act upon local boards, and shall be called the District Board of Health.

Each local board  
and road board to  
elect members of  
District Board.

5. (1.) IMMEDIATELY after the proclamation of a combined district, every municipal council and every non-municipal local board and every road board within such district shall meet, and each shall elect not more than three of their number to be members of the District Board of Health, and shall report to the Minister the result of such election.

Governor to appoint  
the persons elected  
and nominate con-  
vener.

(2.) The Governor shall then, by notice in the *Government Gazette*, appoint the persons so elected to be members of the District Board of Health for the combined district, and so to continue until they cease to be members of the municipal council, local board, or road board by which they were respectively elected, and shall nominate one of them to be convener of the first meeting of the District Board of Health.

Election of Chair-  
man of District  
Board, and proceed-  
ings thereof.

(3.) At the first meeting of such District Board in every year, the members present shall elect one of their number to be chairman for the current year, and, on any vacancy in the office of chairman, the members shall again so elect, and in case of the absence of the chairman from any meeting, the members present shall elect one of their number to be chairman of that meeting; and at all meetings of the Board the chairman shall have one vote, and, in case of equality of votes, a second or casting vote; and during any vacancy in the District Board, whether in the office of chairman or not, the continuing members may act as if no vacancy had occurred; and at all meetings of the District Board all questions shall be decided by a majority of the votes.

Quorum.

(4.) Any number of members, not being less than one half of the District Board, shall be a quorum for the transaction of business.

Board may regulate  
its own proceedings.

(5.) The District Board may make, alter, and rescind rules for regulating their own proceedings and the duties of their officers.

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6. A LOCAL Board may cause to be affixed distinctive numbers to every house, tent, or other dwelling not being within a municipality, and every occupier of such house, tent, or dwelling shall maintain the number, and the plate or material on which the number is painted or otherwise shown, in the place where the same has been affixed as aforesaid; and, in case of non-observance of this section, every such occupier shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than Five pounds.

Local Board may number houses, tents, etc., outside Municipality.

Offence and penalty.

7. IN case any Local Board fails to make or give notice of a public health rate within the time limited in that behalf, the Governor may, by notice published in the *Government Gazette*, appoint a further time within which such Local Board may make and give notice of such rate.

Lapse of time for making health rate.

8. SECTION three of the principal Act is hereby amended by inserting, in the fifteenth paragraph, at the end of the first line, after the word "cow," the words "or goat."

Amendment of section 3 of the principal Act.

9. SECTION twelve of the principal Act is hereby amended by inserting, in the second paragraph, after the word "Board," where it first occurs in the fourth line of that paragraph, the words "and may enter into contracts on its behalf."

Amendment of section 12.

10. SECTION seventeen of the principal Act is hereby amended by inserting, in the third line, after the word "contracted," the words "or abolished."

Amendment of section 17.

11. SECTION thirty-two of the principal Act is hereby amended by inserting, as the second paragraph thereof, as follows:—

Amendment of section 32.

"The Central Board may make—

- (a.) Model by-laws for the guidance of local boards in the execution of this Act; and
- (b.) All such by-laws for any portion of the Colony as a Local Board might make, if such portion were within the district of a Local Board.

South Australian Health Act, 1898, secs. 147 and 148.

"Every Local Board—

- (a.) May, and so far as expressly directed by the Central Board shall, adopt the model by-laws prepared by the Central Board; and
- (b.) May make, in addition, all such by-laws not repugnant thereto as it may deem necessary or convenient for properly carrying into effect the provisions of this Act within the district of the Local Board."

Model by-laws.

By-laws.

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- Amendment of section 33 of the principal Act. **12.** SECTION thirty-three of the principal Act is hereby amended by inserting, in the second line of paragraph (*d*), after the word "milk," the words "cream, butter, or cheese."
- Amendment of section 38. **13.** SECTION thirty-eight of the principal Act is hereby amended by inserting, at the end of the second paragraph, the words "unless such cesspools are so situated and of such construction as shall be required by the by-laws of the Local Board," and by striking out the word "and," in the second line of the seventeenth paragraph, and by inserting after the word "shops" the words "streets and other places."
- Amendment of section 145. **14.** SECTION one hundred and forty-five of the principal Act is hereby amended by striking out the word "eight," in the third line, and inserting instead thereof the word "nine."
- Amendment of section 146. **15.** SECTION one hundred and forty-six of the principal Act is hereby amended by omitting from the first line the words "within any city or town," and omitting from the third line the word "therein."
- Amendment of section 153. **16.** SECTION one hundred and fifty-three of the principal Act is hereby amended as follows:—  
By striking out the word "Local," in the last line of the first paragraph, and inserting instead thereof the word "Central," and  
By inserting after the second paragraph thereof the following paragraph:—  
"When such direction or order is in writing, and has been served on the owner or occupier of such public building, and has not been complied with within fourteen days after such service, the Central Board may, by order in writing, direct the owner or occupier to close such public building until such order is complied with to the satisfaction of the Central Board, and the same shall be closed accordingly, and remain closed until the Central Board otherwise, by writing, directs."
- Closing public building. **17.** SECTION one hundred and seventy-three of the principal Act is hereby amended by omitting from the second line of the fourth paragraph the word "Council," and inserting in lieu thereof the words "Local Board."
- Amendment of section 173. **18.** SECTION one hundred and eighty of the principal Act is hereby amended by omitting from the last line of the second paragraph the word "week," and inserting in lieu thereof the word "month."
- Amendment of section 180.

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### *Health Act—Amendment.*

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**19.** SECTION one hundred and eighty-eight of the principal Act is hereby amended by omitting from the fifth line of the fifth paragraph the words “Municipal Council,” and inserting in lieu thereof the words “Local Board.”

Amendment of section 188.

**20.** SECTION two hundred and thirty-three of the principal Act is hereby amended by striking out the words from “one hundred and twelve” to “one hundred and ninety” inclusive, in the third, fourth, and fifth lines, and inserting instead thereof the words “one hundred and thirteen, one hundred and twenty-five, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, and one hundred and ninety-three.”

Amendment of section 233.

**21.** SECTION two hundred and thirty-eight of the principal Act is hereby amended by substituting the word “or” for the word “and,” at the end of sub-section one thereof, and by the substitution of the word “or” for the word “and” at the commencement of the fifth line of sub-section two thereof, and by the addition to such section, at the foot or end thereof, of the following words:—“The rate book, compiled under the provisions of the Municipal Institutions Act, 1895, shall be *prima facie* evidence of the contents of such book, and of the due striking of such rate, without any evidence that the notices or any of the conditions precedent to the due striking of the rate required by the Municipal Institutions Act, 1895, or any amendment thereof, have been given or complied with.”

Amendment of section 238.

**22.** SECTION two hundred and forty-two of the principal Act is hereby amended by inserting, at the beginning of the third line, the word “regulation.”

Amendment of section 242.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.