

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ

No. 7

An Act to amend the Law respecting Quarantine.
[Assented to 26th November, 1888.]

WHEREAS it is expedient to determine questions that have arisen in respect of Quarantine: Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Liability of ship-
owner as to ser-

1. In case it shall be deemed necessary by the Governor, he may appoint a medical officer to take charge of the crew and

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passengers of a vessel placed in quarantine, and he may fix the amount of remuneration to be paid to such medical officer for his services, and cause the same to be paid by the Colonial Treasurer; and the amount so paid shall, to the extent of two guineas per diem, be repaid to the Colonial Treasurer by the owners or agents of such vessel before she shall be permitted to clear out and leave the port in which she shall then be.

VICES of Medical Officer for quarantined persons

2. It shall be the duty of the owners and agents of any vessel placed in quarantine to supply the crew and passengers thereof with such wholesome and suitable provisions and medicines as shall be required by the medical officer in charge; and if such provisions and medicines are not forthwith supplied accordingly, the same may be provided under the order of the Governor, and the cost thereof, including the conveyance of the same, shall be paid by the said owners or agents into the hands of the medical officer, as agent for the Colonial Treasurer, before such vessel shall be permitted to clear out or leave the port in which she shall then be.

LIABILITY of ship-owner as to supply of food and medicine to quarantined persons

3. The owners and agents of any vessel placed in quarantine shall be liable to pay all charges incurred in and about the piloting or towing of such vessel into or out of port, or from one place to another in port; and shall pay such charges into the hands of the Harbour Master, as agent for the Colonial Treasurer, before such vessel shall be permitted to clear out or leave the port in which she shall then be.

LIABILITY of ship-owner as to pilotage

4. Any person detained in quarantine on land, or in any vessel other than that in which he was a passenger to this Colony who is unable to support himself and those, if any, who being with him are dependent on him, who at any time during such detention:

OF persons in quarantine unable to support themselves

(1) Shall make a declaration in the Form A in the Schedule to this Act, shall be entitled, in the discretion of the medical officer in charge, to be supplied either with food for himself and those, if any, who being with him are dependent on him, or with money at the rate of five shillings per diem for each person above the age of twelve years, two shillings and sixpence per diem for each person not above the age of twelve years but above the age of three years, and one shilling per diem for each person not above the age of three years. But if the supply be of food, each day's supply to each person shall, in computing the amount due to the Colonial Treasurer, be reckoned in each case as equivalent to so much money as would have been payable had the supply been in money.

(2) Shall make a declaration in the Form B in the Schedule to this Act, shall be entitled, in the discretion of the medical officer in charge, to be supplied either with food for himself and those, if any, who being with him are dependent on him, or with money at the rate of three shillings per diem for each person above the age of twelve years, one shilling and sixpence per diem for each person not above the age of twelve years but above the age of three years, and ninepence per diem for each person not above the age of three years.

In counting the number of days, a broken day shall be reckoned as a whole day.

Any person making a declaration in Form A or B, and stating

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therein anything false to his own knowledge, shall be liable, on summary conviction before two Justices of the Peace, to be imprisoned with or without hard labour for any period not shorter than one nor longer than six calendar months.

Of persons in
quarantine able
to support them-
selves

5. No person not making a declaration in the Form A or B in the Schedule to this Act shall be entitled to receive any supply of food or of money, but shall pay to the medical officer, as agent for the Colonial Treasurer, for the maintenance of himself and those, if any, who being with him are dependent on him, such an amount of money as shall in the opinion of the medical officer be equivalent to the food and other necessaries supplied at his actual or implied request to him, and to those, if any, with him and dependent on him. Should such person refuse to pay such money or any part thereof to the medical officer, the Resident Magistrate at the port at or near to which such person was quarantined shall, at or near the time of the expiration of such quarantine, issue a warrant to be served on such person, and on such person being brought before him on such warrant shall adjudge him to pay such sum as to him shall, under the circumstances, seem just, and in default of such payment such person shall be imprisoned with or without hard labour for not more than six calendar months; such imprisonment shall not extinguish the debt, but such person may be sued for the same by the Colonial Treasurer. Provided always, that if before the termination of such imprisonment the said sum be paid by or on behalf of such person, such imprisonment shall cease and determine.

Short title

6. This Act may be cited as 'The Quarantine Act, 1888.'

F. NAPIER BROOME,
GOVERNOR.

SCHEDULE

THE QUARANTINE ACT, 1888

FORM A

I, A.B. [*name*], late of [*state last usual place of residence before embarkation*], a [*state quality, profession, trade, handicraft, or occupation*], being now detained in quarantine [*state place of detention*], hereby declare that my means are insufficient for my daily support.

I have also dependent on me, and now with me detained in quarantine, the following persons, namely:—

C.D. my [*wife, child, brother, sister, or as the case may be*]

E.F. my [*wife, &c.*]

G.H. my [*wife, &c.*]

and I declare that my means are insufficient for my and their daily support.

I therefore request to be supplied with food and necessaries for my and their daily support, or with the loan of [*the Medical Officer is here to fill in the daily sum required, in accordance with the first scale contained in the 4th section of the Act*] per diem for so many days as I and they shall be detained in quarantine; and I engage to repay the value of such food and necessaries, or such sums of money as shall be advanced to me, to the Colonial Treasurer or any agent of his duly appointed in that behalf.

Witness my hand this

day of

A.D. 18 .

To [*Name*],
Medical Officer.

A. B.

[*This form is in the alternative.*]

