



ANNO VICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1976

No. 70 of 1976

An Act to amend the Health Act, 1935-1975.

[Assented to 2nd December, 1976]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Health Act Amendment Act, 1976". Short titles.
 (2) The Health Act, 1935-1975, is hereinafter referred to as "the principal Act".
 (3) The principal Act, as amended by this Act, may be cited as the "Health Act, 1935-1976".
2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.
3. Section 3 of the principal Act is amended by inserting after the item "PART IXD—Pest Control." the item "PART IXE—Cancer Reporting." Amendment of principal Act, s. 3—Arrangement of Act.
4. Section 45 of the principal Act is amended— Amendment of principal Act, s. 45—Powers of health surveyors.
 - (a) by striking out the passage "An inspector" and inserting in lieu thereof the passage "A health surveyor";
 - and
 - (b) by striking out the passage "an inspector" and inserting in lieu thereof the passage "a health surveyor".
5. Section 47 of the principal Act is amended by striking out the word "inspectors" and inserting in lieu thereof the passage "health surveyors". Amendment of principal Act, s. 47—Officers.
6. Section 48 of the principal Act is amended by striking out the word "inspector" and inserting in lieu thereof the passage "health surveyor". Amendment of principal Act, s. 48—Officer of health.

Amendment of
principal Act,
s. 49—
Appointment
of health
surveyors.

7. Section 49 of the principal Act is amended—

(a) by striking out from subsection (1) the word “inspector” and inserting in lieu thereof the passage “health surveyor”;

(b) by striking out from subsection (2) the word “inspector” and inserting in lieu thereof the passage “health surveyor”;

and

(c) by inserting after subsection (2) the following subsection:—

(3) Any person for the time being appointed to be an inspector under this Act shall, on and after the commencement of the Health Act Amendment Act, 1976, be deemed to have been appointed to be a health surveyor under this Act.

Amendment of
principal Act,
s. 50—
Power to enter
and inspect.

8. Section 50 of the principal Act is amended by striking out the passage “an inspector” and inserting in lieu thereof the passage “a health surveyor”.

Amendment of
principal Act,
s. 53—
Local board to
order
inspection in
certain cases.

9. Section 53 of the principal Act is amended by striking out the passage “an inspector”, twice occurring, and inserting in lieu thereof, in each case, the passage “a health surveyor”.

Amendment of
principal Act,
s. 54—
Report to
local board.

10. Section 54 of the principal Act is amended by striking out from subsection (1) the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 55—
Occupier to
furnish owner's
name etc.

11. Section 55 of the principal Act is amended by striking out from subsection (1) the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 56—
Notice by
health
surveyor.

12. Section 56 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 57—
Notice by local
board.

13. Section 57 of the principal Act is amended—

(a) by striking out the passage “an inspector’s” and inserting in lieu thereof the passage “a health surveyor’s”;

and

(b) by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 61—
Penalty for
non-compliance
with notice.

14. Section 61 of the principal Act is amended by striking out the passage “an inspector” and inserting in lieu thereof the passage “a health surveyor”.

Amendment of
principal Act,
s. 62—
Power of local
board to carry
out require-
ments of notice.

15. Section 62 of the principal Act is amended by striking out the word “inspector’s” and inserting in lieu thereof the passage “health surveyor’s”.

16. Section 94c of the principal Act is amended—

Amendment of
principal Act,
s. 94c—
Regulations as
to clean air.

- (a) by inserting in paragraph (c) of subsection (1) after the word “prohibiting” the passage “the use, ignition or activation of any fuel burning equipment or air impurity source or”;
- (b) by striking out from paragraph (i) of subsection (1) the passage “and controlling” and inserting in lieu thereof the passage “, controlling and prohibiting”;
- and
- (c) by striking out from paragraph (m) of subsection (1) the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

17. Section 127 of the principal Act is amended—

Amendment of
principal Act,
s. 127—
Report of
infections or
notifiable
disease.

- (a) by inserting in subsection (1) before the word “gonorrhoea”, twice occurring, in each case, the word “tuberculosis,”;
- and
- (b) by inserting in subsection (3) before the word “gonorrhoea” the word “tuberculosis”.

18. Section 131 of the principal Act is amended—

Amendment of
principal Act,
s. 131—
Disinfection of
buildings and
articles.

- (a) by striking out from subsection (1) the word “inspector” and inserting in lieu thereof the passage “health surveyor”;
- and
- (b) by striking out from subsection (1) the word “tuberculosis,”.

19. Section 132 of the principal Act is amended by striking out from subsection (1) the passage “or from pulmonary tuberculosis”.

Amendment of
principal Act,
s. 132—
Butter and
cheese factories
may be closed.

20. The following heading and sections are enacted and inserted in the principal Act after section 146x thereof:—

Enactment of
Part IXB of
principal Act—

PART IXE**CANCER REPORTING**

146y. In this Part “cancer” means a malignant growth of human tissue which if unchecked is likely to spread to adjacent tissue or beyond its place of origin, and which has the propensity to recur, and includes carcinoma, sarcoma, any mixed tumour, leukaemia, any type of lymphoma, and melanoma but does not include any type of neoplasm of the skin other than melanoma.

Interpretation.

146z. (1) The owner or occupier of any building used as a hospital shall, as soon as he or his manager or superintendent becomes aware that an inmate is suffering from cancer, report the same to the Central Board in the prescribed manner and form.

Duty to report
cancer.

(2) The person in charge of any place where pathological examination of specimens of human origin is undertaken shall, where any such examination indicates that the person from whom the specimen was taken is suffering from cancer, cause a copy of any report upon that examination to be forwarded to the Central Board.

Amendment of
principal Act,
s. 147—
Regulations.

21. Section 147 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the passage “tuberculosis or”;
- (b) by striking out from paragraph (e) of subsection (1) the passage “tuberculosis or”;
- (c) by striking out from paragraph (m7) of subsection (1) the word “inspectors” and inserting in lieu thereof the passage “health surveyors”;
- (d) by striking out from paragraph (m7) of subsection (1) the word “inspector”, firstly occurring, and inserting in lieu thereof the passage “health surveyor”;
- (e) by striking out from paragraph (m7) of subsection (1) the word “inspector”, secondly occurring, and inserting in lieu thereof the word “surveyor”;

and

- (f) by inserting immediately after paragraph (m9) of subsection (1) the following paragraph:—

(m10) prescribing the manner and form of any report to the Central Board by the owner or occupier of a building used as a hospital that an inmate is suffering from cancer:.

Amendment of
principal Act,
s. 158—
Appropriation
of penalties.

22. Section 158 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 159—
Legal
proceedings.

23. Section 159 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Repeal of
second and
third schedules
of principal
Act and
enactment of
schedules in
their place.

24. The second and third schedules to the principal Act are repealed and the following schedules are enacted and inserted in their place:—

THE SECOND SCHEDULE

LIST OF INFECTIOUS DISEASES

Anthrax
Cholera
Diphtheria
Hepatitis A
Hepatitis B
Leprosy
Meningococcal Infection
Paratyphoid Fever
Plague
Poliomyelitis
Salmonella Infection
Shigella Infection
Smallpox
Tuberculosis
Typhoid Fever
Typhus
Yellow Fever

THE THIRD SCHEDULE**LIST OF NOTIFIABLE DISEASES**

Amoebiasis
Brucellosis
Encephalitis
Food Poisoning
Gonorrhoea
Hydatid Disease
Lead Poisoning
Leptospirosis
Malaria
Ornithosis
Q. Fever
Rubella
Syphilis]
Tetanus

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. NICHOLLS, Governor