

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council Chamber,
4th August, 1869.*

Public Health.

ANALYSIS.

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> 1. Short Title. 2. Definition of local Boards of Health. 3. Local Boards may appoint officers. 4. Local Board may appoint Health Officer. 5. Local Board of Health to make periodical reports as to health to Colonial Secretary. 6. When disease appears Board to report to Colonial Secretary. | <ul style="list-style-type: none"> 7. Governor empowered to make regulations for prevention of infectious and other disease. 8. Penalties may be imposed. 9. Governor may give directions to local Boards Penalty on Boards if directions disobeyed. 10. Penalties may be ordered by Governor to be paid to local Board. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

A BILL INTITULED

AN ACT to amend the Law relating to Public Health. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Public Health Act 1869." Short Title.

5 **2.** The council town board board of wardens or commissioners or other like body howsoever denominated of every city town and borough and the council road board board of wardens commissioners or trustees of every road district or highway district or other like body howsoever denominated now or hereafter created elected constituted or appointed

10 under any Act of the General Assembly or any Act or Ordinance of any Provincial Council for the local government of such city town or borough or road or highway district shall be the local boards of health within their respective limits and jurisdictions for the purposes of this Act As to any other town district or place without such limits or

15 jurisdictions the Governor may appoint such and so many persons (not less than three) as he may think fit to form a local board for any such town district or place and from time to time remove any such persons from such board and appoint any other person or persons in his or their place and all the powers and duties vested in any local

20 board so appointed by the Governor as last aforesaid may be exercised and executed by a majority of the members thereof.

Definition of local Boards of Health.

3. The local board of health of every city town borough and district shall from time to time appoint such officers and servants as may be necessary for the due carrying out of the provisions of this Act and any regulations made hereunder and shall make such rules

25

Local Boards may appoint officers.

specifying the duties and conduct of the officers and servants so appointed or employed as they may deem necessary and may remove such officers or servants as such board may see fit and may direct to be paid to such officers and servants such wages salaries or allowances as such local board may deem reasonable and may direct the same and 5
as such local board may deem reasonable and may direct the same and all other expenses incurred in the due execution of this Act to be paid out of the general city town borough or district rates.

Local Board may
appoint Health
Officer.

4. The local boards of health of every city town borough and district may if they think fit appoint a fit and proper person being a legally qualified medical practitioner to be called "the officer of health" who shall be removable by the said local board and shall perform such duties and in such manner as the Governor in Council may from time to time by instructions direct and the local board may direct such remuneration to be paid to such health officer as they may see fit out of such moneys and in the same manner as herein is directed 10
in reference to other officers or servants. 15

Local Board of
Health to make
periodical reports as
to health to Colonial
Secretary.

5. Every local board shall make a report to the Colonial Secretary in such form and at such times as he shall from time to time direct in regard to the health cleanliness and general sanitary state of the city town borough district or place for which such local board is established. 20

When disease appears
Board to report to
Colonial Secretary.

6. Upon the appearance of any epidemic endemic or contagious disease or any indications thereof or of any peculiar circumstances or occurrences involving or affecting or likely to involve or affect the sanitary condition of any city town borough district or place the local board shall immediately report the same to the Colonial Secretary and such report shall be accompanied by such remarks evidence or information as such local board may possess in regard to the disease locality or other facts that may have come to their knowledge and may tend or appear to tend towards the better or more full comprehension of the disease indications occurrences or circumstances 25
so reported. 30

Governor empowered
to make regulations
for prevention of
infectious and other
disease.

7. Whenever it shall appear to the Governor in Council that it is necessary or expedient for the prevention of any epidemic endemic or contagious disease it shall be lawful for the Governor in Council from time to time to issue such regulations as the Governor in Council shall think fit for the prevention as far as possible or mitigation of such epidemic endemic or contagious disease and from time to time in like manner revoke renew and alter any such regulations or substitute such new regulations as to the Governor in Council may seem expedient and the Governor in Council may by such regulations 35
provide for the effectual cleansing of streets and public ways and 40
places by those intrusted by law with the care and management thereof or by the owners and occupiers of houses and tenements adjoining thereto and for the cleansing purifying ventilating and 45
disinfecting of houses dwellings churches buildings and places of assembly or entertainment by the owners or occupiers and persons having the care and ordering thereof for diminishing lessening and regulating the number of the inmates and occupants of lodging-houses or other public buildings for causing public and private privies water-closets and earth-closets to be established and properly constructed and 50
maintained in any city town borough district place and house for the removal of nuisances for the speedy interment of the dead and generally for preventing or mitigating such epidemic endemic or contagious diseases in such manner as to the Governor in Council may seem expedient and the Governor in Council may by any such 55
regulations authorize require and direct any local board of health or officers specially appointed for that purpose to superintend and see to the execution of any such regulations and to provide for the establishing hospitals and for dispensing of medicines and for affording to persons afflicted by or threatened with such epidemic endemic or contagious 60

diseases such medical aid as may be required and do and provide all such acts matters and things as may be necessary for executing or superintending and aiding in the execution of such regulations and such regulations shall extend to all parts or places included in any order to be issued by the Governor in Council as aforesaid unless such regulations shall be expressly confined to some of such parts or places and shall continue in force until such order be rescinded in the parts or places to which such regulations shall extend.

8. The Governor in Council by the regulations so to be made may impose such penalties as to the Governor in Council shall seem fit not exceeding fifty pounds for every breach of any such regulations but such regulations shall be so framed as to allow the Justices before whom any penalty is sought to be recovered to order the whole or part only of such penalty to be paid and such penalties may be recovered in a summary way before any two or more Justices of the Peace in the manner provided by "The Justices of the Peace Act, 1866."

Penalties may be imposed.

9. It shall be lawful for the Governor from time to time to give any general or special direction in writing to any local board for the purpose of more effectually enforcing and carrying into operation the several provisions of this Act or any regulations made hereunder within the jurisdiction of such local board and if such local board shall refuse or shall neglect or fail within a reasonable time next after the receipt of such direction to comply with or to enforce such direction the Governor in Council may from time to time upon notice in writing given to such local board inquire into the matter and also into the reasonableness of any excuse offered by such local board for such neglect or refusal and order payment by way of penalty for any such refusal neglect or failure of the local board of any sum not exceeding in respect of any one breach of such regulation the sum of fifty pounds and the decision of the Governor in Council shall be absolutely final Every such order may be made a rule of the Supreme Court absolute in the first instance on application by or on behalf of the Colonial Secretary and execution may be forthwith issued upon such rule against the land property and moneys of the corporate or other body of which such local board shall be the council board or other governing body and shall be a first charge upon the general city town district or borough rates and the sum so ordered to be paid shall when the same is paid or recovered go to and form part of the consolidated fund.

Governor may give directions to local Boards Penalty on Boards if directions disobeyed.

10. It shall be lawful for the Governor to order that any penalty recovered under this Act in respect of any breach of any of the said regulations shall be paid to any local board of health within whose jurisdiction the offence shall have been committed and shall go in aid of the general city town borough or district rates provided that this section shall not apply to penalties imposed under the last preceding section.

Penalties may be ordered by Governor to be paid to local Board.