



ANNO DECIMO SEPTIMO

## ELIZABETHAE II REGINAE

A.D. 1968

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### No. 34 of 1968

An Act to amend the Health Act, 1935-1967.

[Assented to 19th December, 1968.]

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, 1968". Short titles.

(2) The Health Act, 1935-1967, as amended by this Act may be cited as the "Health Act, 1935-1968".

(3) The Health Act, 1935-1967, is hereinafter referred to as "the principal Act".

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—

(a) by inserting after the passage "Notifiable Diseases" in the heading "PART IX.—Infectious and Notifiable Diseases." the passage "and Infestations";

(b) by inserting after that heading the following heading "PART IXaa.—Private Hospitals, Maternity and Rest Homes." ;

and

(c) by inserting after the heading "PART IXb.—Radioactive Substances and Irradiating Apparatus." the following heading "PART IXc.—Scientific Research and Studies".

Amendment of  
principal Act,  
s. 3—  
Arrangement of  
Act.

Amendment of  
principal Act,  
s. 4—  
Interpretation.

4. Section 4 of the principal Act is amended by inserting after the definition of “private place” the following definition :—

“vermin” includes—

(a) lice being of the variety *Pediculus humanis corporis*, *Pediculus capitis* or *Phthirus pubis* ;

(b) fleas being of the variety *Pulex irritans*, *Xenopsylla cheopis*, *Ctenocephalides canis* or *Ctenocephalides felis* ;

and

(c) mites being of the variety *Sarcoptes scabiei* : .

Amendment of  
principal Act,  
Heading to  
Part IX.

5. The principal Act is amended by inserting after the passage “NOTIFIABLE DISEASES” in the heading to Part IX the passage “AND INFESTATIONS”.

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

6. Section 131 of the principal Act is amended—

(a) by striking out subsection (1) and inserting in lieu thereof the following subsection :—

(1) If the officer of health, inspector or any legally qualified medical practitioner certifies in writing to the local board that the cleansing, disinfection or disinfestation of any building or part thereof or of any articles whatever would tend to prevent the spread of tuberculosis, vermin or any infectious disease the local board may order and supervise the use of disinfestants or disinfectants and take such other sanitary precautions as it may deem necessary to cleanse, disinfest or disinfect the building, part thereof or articles and for that purpose may take possession of and remove any such articles ;

and

(b) by inserting after the passage “or part thereof” in subsection (2) the passage “or the owner of the articles”.

Enactment of  
s. 134a of  
principal Act—

Exposure of  
persons infested  
with vermin.

7. The following section is enacted and inserted in the principal Act after section 134 thereof :—

134a. (1) Any person, knowing himself to be infested with vermin, shall not—

(a) expose himself in any public place without taking reasonable steps to prevent the spread of that infestation ;

(b) enter any place of common resort ;

or

(c) enter any public conveyance without previously notifying the person in charge thereof of the fact of that infestation.

Penalty : Forty dollars.

(2) A person convicted of an offence that is a contravention of paragraph (c) of subsection (1) of this section shall, in addition to the penalty therein provided, be liable to pay to the owner of the public conveyance an amount equal to the loss and expense incurred by the owner in respect of the disinfection of that public conveyance.

8. Section 135 of the principal Act is amended by inserting after the passage "infectious disease" in subsection (1) the passage "or infested with vermin".

Amendment of principal Act, s. 135—

Owner of conveyance to give notice to local board.

9. Section 136 of the principal Act is amended by inserting after the passage "disinfect" the passage "or disinfest".

Amendment of principal Act, s. 136—

Disinfection or disinfection of conveyance.

10. The following section is enacted and inserted in the principal Act after section 137 thereof :—

Enactment of s. 137a of principal Act—

137a. Any parent or guardian of any child infested with vermin shall not—

Children infested with vermin.

(a) refuse or fail to take all reasonable steps necessary to—

(i) free the child from that infestation ;

and

(ii) keep the child free from further infestation ;

or

(b) suffer or permit the child to attend school until the child is free from that infestation.

Penalty : Forty dollars.

11. The principal Act is amended by inserting after section 145 thereof the following heading :—

Insertion of new heading in principal Act.

#### PART IXaa.—PRIVATE HOSPITALS, MATERNITY AND REST HOMES.

12. Section 146 of the principal Act is amended—

(a) by striking out from subsection (5) the passage "four dollars per annum" and inserting in lieu thereof the passage "the amount from time to time prescribed by regulation made by the Governor" ;

Amendment of principal Act, s. 146—

Licensing of hospitals and managers.

and

(b) by striking out from that subsection the passage "Maintenance Act, 1926" and inserting in lieu thereof the passage "Social Welfare Act, 1926-1965".

Amendment of  
principal Act,  
s. 146a—  
Licensing of  
rest homes.

**13.** Section 146a of the principal Act is amended—

(a) by striking out from subsection (1) the passage "Maintenance Act, 1926-1941, or under Part VIIa of the Mental Defectives Act, 1935-1945" and inserting in lieu thereof the passage "Social Welfare Act, 1926-1965, or under Part VIIa of the Mental Health Act, 1935-1967, or a building which is, or is part of a psychiatric rehabilitation hostel as defined in the Mental Health Act, 1935-1967" ;

and

(b) by striking out from subsection (6) the passage "four dollars" and inserting in lieu thereof the passage "the amount from time to time prescribed by regulation made by the Governor".

Amendment of  
principal Act,  
s. 146b—  
Interpretation.

**14.** Section 146b of the principal Act is amended by striking out from the definition of "institution" in subsection (1) the passage "an institution established or provided by the Government for the maintenance and treatment of persons suffering from tuberculosis" and inserting therein the following passage "a place for the time being declared by a proclamation pursuant to section 146ba of this Act to be an institution for the purposes of this Part".

Enactment of  
new section  
146ba—

**15.** The following section is enacted and inserted in the principal Act after section 146b thereof :—

Declaration of  
institution.

146ba. The Governor may by proclamation declare any place to be an institution for the purposes of this Part and may by proclamation amend vary or revoke that proclamation.

Enactment of  
new section  
146ga—

**16.** The following section is enacted and inserted in the principal Act after section 146g thereof :—

Transfer of  
patients.

146ga. The Director-General may by order in writing direct the transfer of a person, detained in an institution pursuant to an order under section 146f of this Act, to another institution and upon that transfer this Part shall apply as if that order under section 146f had been made in relation to that other institution.

**17. Section 147 of the principal Act is amended—**

Amendment of  
principal Act,  
s. 147—  
Regulations.

(a) by striking out from paragraph (f 1) in subsection (1) the passage “the revocation of such licences” and inserting in lieu thereof the passage “revoked ; prescribing the fees for such licences” ;

and

(b) by striking out from paragraph (f 2) in that subsection the passage “the revocation thereof” and inserting in lieu thereof the passage “revoked ; prescribing the fees for such licences”.

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

J. W. HARRISON, Governor.