No. 711.

An Act relating to Public Health.

[Assented to, January 4th, 1899.]

Be it Enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

1. This Act may be cited as "The Health Act, 1898," and shall commence on a day to be fixed by Proclamation.

2. The following Acts are hereby repealed:—

"The Public Health Act," No. 22 of 1873.
"The Public Health Act, 1876."
"The Public Health Acts Amendment Act, 1884."

3. The Central Board of Health as now constituted shall be the Central Board of Health for the purposes of this Act until the latter be constituted as herein provided.

All Local Boards of Health now existing shall be Local Boards for the purposes of this Act.

The President of the Central Board of Health shall be the Chairman of the Central Board under this Act, and all chairmen, members, officers, and other persons now holding office in or under any Board of Health, shall continue in and hold office under this Act.

4. This
4. This Act is divided as follows:

**PART I.**—The Central Board:

**PART II.**—Local Boards:

**PART III.**—County Boards:

**PART IV.**—Officers:

**PART V.**—Insanitary Conditions and their Removal:

**PART VI.**—Reports and Inquiries:

**PART VII.**—Sanitation—

Division 1. Of Air:

Division 2. Of Food:

Division 3. Of Premises.

**PART VIII.**—Infectious Diseases:

**PART IX.**—Regulations:

**PART X.**—Miscellaneous.

5. In this Act, and in all proceedings thereunder, the terms in inverted commas shall have the meanings stated, except where some other meaning is clearly intended—

“Act” includes regulations:

“Central Board” means the Central Board of Health:

“Cesspool” means any receptacle for nightsoil or liquid refuse:

“City and Suburban Local Boards” mean the Municipal Corporations of Adelaide, Brighton, Glenelg, Hindmarsh, Kensington and Norwood, Semaphore, St. Peters, Thebarton, Port Adelaide, and Unley, and the District Councils of Burnside, Campbelltown, Marion, Mitcham, Paynesham, Prospect, Rosewater, Walkerville, West Torrens, Woodville, and of Yatala South, and also such other Local Boards as may by Proclamation be declared to be City and Suburban Local Boards:

“District” means the area within the jurisdiction of a Local Board:

“Drain” means a drain used solely in connection with any building or premises within the same curtilage, and “sewer” means every other drain and sewer:

“Infectious disease” includes leprosy, plague, yellow fever, smallpox, cholera, diphtheria, membranous croup, erysipelas, scarlet fever, scarlatina, and the fevers known by any of the following names or descriptions:—Typhus, typhoid, enteric, relapsing or puerperal (including all puerperal conditions depending on infection), and also any other disease which the Governor may, by Proclamation, declare to be an infectious disease:

“Infectious disease” includes leprosy, plague, yellow fever, smallpox, cholera, diphtheria, membranous croup, erysipelas, scarlet fever, scarlatina, and the fevers known by any of the following names or descriptions:—Typhus, typhoid, enteric, relapsing or puerperal (including all puerperal conditions depending on infection), and also any other disease which the Governor may, by Proclamation, declare to be an infectious disease:
"Local Board " means a Local Board of Health, and "the Local Board " means the Local Board of Health of the particular district:

"Offensive trade " includes every trade, business, process, or manufacture—

(a) Carried on in any candle-house, melting-house, soap-house, fellmongery, tannery, or slaughter-house, or in any building or place for boiling meat, offal, or blood, or for boiling, burning, or crushing bones:

(b) Carried on so as to cause offensive effluvia:

(c) Whereby lead or other poisoning may be caused:

(d) Declared to be an offensive trade by Proclamation:

"Owner" includes every person for the time being entitled, either on his own or on any account, to the receipt of any rent or profit of the premises referred to:

"Public place" includes every place to which the public ordinarily have access.

"Private place" means every place other than a public place:

"Proclamation" means a Proclamation by the Governor in the Government Gazette:

"Prescribed " means prescribed by this Act.

6. In all cases where this Act, and any other Act not hereby repealed, contain provisions for effecting the same or a similar object, but in different modes, proceedings may be had under either Act. Alternative procedure. See Public Health Act, 1873, sec. 35.

7. Nothing in this Act shall affect any power of proceeding by indictment, complaint, or information, or take away or affect any other remedy under any other Act or otherwise. Other procedure not affected.

8. Nothing in this Act shall affect any powers conferred upon the Commissioner of Sewers or the Central Board by "The Adelaide Sewers Act" or "The Adelaide Sewers Amendment Act," or limit the effect of any Act relating to factories or lodging-houses. Saving.

9. Premises owned or occupied by the Government or by public bodies shall be subject to the provisions of this Act in the same manner as if they were owned or occupied privately. Public buildings subject to this Act.

10. The officer having the use or control of such premises shall be liable for any breach of the provisions of this Act as if he were the actual owner or occupier of such premises. Officer having chief control to be personally responsible

11. The Chief Secretary shall be the Minister of Health. Minister.
PART I.

THE CENTRAL BOARD.

12. The Central Board shall be charged with the execution of this Act for securing the proper sanitary condition of the province.

13. The Central Board shall consist of a chairman appointed by the Governor and four other members, two of whom shall be appointed by the Governor and two shall be elected as hereinafter provided. At least one of the members shall be a legally qualified medical practitioner.

14. A quorum shall consist of any three members. The chairman shall be the permanent head of the department. If the chairman be not present within five minutes after the time for which any meeting shall have been convened, any three members present may elect one of their number to be chairman for that meeting until the permanent chairman arrives. Every chairman shall have a deliberative vote, and also a casting vote in case of equality of voting.

15. Before the first day of February, one thousand eight hundred and ninety-nine, and before the first day of February in every second year thereafter, nominations of candidates willing to act as representatives on the Central Board may be made by the Constituent Boards to the Chief Secretary.

16. The names of persons so nominated shall be forwarded to the Constituent Boards, who may, before the first day of March in such year, each vote for a representative from persons so nominated, and advise the Chief Secretary of their vote.

17. The elective members of the Central Board shall be elected as follows:

1. (a) One member shall be elected by the City and Suburban Local Boards:

   (b) The other member shall be elected by all the other Local Boards.

2. In the month of March following every biennial election, and so soon as practicable after each extraordinary election, the Chief Secretary shall, by notice in the Government Gazette, declare the names of the persons elected, and such notice shall be conclusive evidence of such election:

3. When the seat of any elective member has become vacant from any cause whatever other than by effluxion of time, such vacancy shall be filled up by an extraordinary election of a new member, to hold office only for the unexpired portion of the term of his predecessor. On the happening of the vacancy
vacancy the Chief Secretary shall notify the Constituent Boards and fix a date not less than six weeks thereafter for such Boards to advise him of their votes:

iv. In the case of equality of votes amongst the Constituent Boards the Chief Secretary shall have a casting-vote.

18. The elective members shall hold office until notification of the election of their successors.

19. All reasonable expenses incurred by the Central Board in carrying out any duty imposed on or in exercising any power vested in any Local Board shall be paid by and recovered from such Local Board: Provided that the expense incurred was due to the neglect of the said Local Board.

20. Any powers which a Local Board and its officers may exercise with respect to its particular district may be exercised by the Central Board and its officers with respect to the whole province.

21. The Central Board shall have access to all papers and things whatsoever belonging to or in the custody of any Local Board.

22. The Governor may appoint such officers of the Central Board as he may deem necessary.

PART II.
LOCAL BOARDS.

23. Every Municipal Council shall be the Local Board of Health for its municipality. Every District Council shall be the Local Board of Health for its district.

24. Every Local Board shall be charged with the due execution of this Act for securing the proper sanitary condition of its district, and in particular shall abide by and carry out all such directions as it shall receive in that behalf from the Central Board.

25. Every Municipal Council and District Council, in addition to the rates which it may be otherwise authorised to declare, may, without any consent of ratepayers, declare, and cause to be collected, such sanitary rate as it may deem proper for the purposes of this Act, not exceeding in any one year One Shilling in the Pound on the annual assessment.

26. Except where otherwise expressly directed, all expenses, penalties, and fees recovered by any Local Board, and the proceeds of the sale of any refuse and other like matter, shall be paid over to and applied by such Local Board for the purposes of this Act.

27. Every
PART II.
Separate accounts.

Municipal and District Councils may expend other moneys.

PART III.
COUNTY BOARDS.

27. Every Local Board shall keep separate accounts of its revenue and expenditure and minutes of its proceedings.

28. If the sanitary rate declared pursuant to this Act shall be at any time insufficient, any Municipal Council or District Council may expend any portion of its revenue for the purposes of this Act.

29. The Governor may, by Proclamation, upon the request of all the Local Boards affected, declare any two or more contiguous districts to be a “County District,” designated by some distinctive name.

30. Upon the Proclamation of any County District a County Board of Health, consisting of not less than three members, shall be constituted for such District in manner prescribed by the Proclamation.

31. Local Boards forming a County District shall elect the members of the County Board in the same manner as elective members of the Central Board are elected, and they shall hold office for a like period, except for the first year, when one-half shall retire by lot and subsequently one-half shall retire annually.

32. At the first meeting of the County Board after it is constituted, and after each annual election, the members thereof shall elect one of their number to act as chairman, who shall hold office for one year.

33. Local Boards forming a County District shall elect two auditors, holding office for two years, except for the first year, when one shall retire by lot.

34. County Boards shall cause the accounts to be balanced and an abstract of the receipts and expenditure prepared for each half year ending on the last day of the months of June and December, and shall publish in the Government Gazette within one month of the yearly audit in January an abstract of the receipts and expenditure as allowed by the auditors, and copies of such abstract shall be sent to all Local Boards forming the County District.

35. Upon the constitution of any County Board by Proclamation—

1. All the powers, duties, and liabilities vested in or imposed on the Local Boards in the County District shall be vested in and imposed on the County Board, and shall, except as to the powers mentioned in the next section, cease to be exercised by the Local Boards:

2. The
The Health Act.—1898.

11. The County Boards shall, in addition, have power to establish and carry on chemical and bacteriological laboratories.

36. For the purposes of the County Board every Local Board within the County District shall, if and whenever required by the County Board, declare and cause to be collected such sanitary rates authorised by this Act as the County Board may deem proper.

Such rates as and when collected shall be paid over to the County Board.

37. County Boards shall meet at least once in each month.

38. The Governor by Proclamation may add to or remove from a County District any contiguous Local Board.

39. All or any of the provisions of section 35 may be modified by Proclamation.

PART IV.
OFFICERS.

40. Every Local Board shall appoint an officer of health, and such inspectors and officers as may be deemed necessary by the Central Board of Health.

41. The appointment and dismissal of every officer of health shall be subject to the approval of the Central Board, and he shall—

(a) Be when practicable a legally qualified medical practitioner, and
(b) Possess all the powers vested in any inspector.

42. The appointment of every inspector shall be in writing, in duplicate, under the hand of the Chairman of the Central Board, or if the appointment be by a Local Board, under its seal.

Every inspector shall be furnished with one of such duplicates, and, if required, shall produce the same to any person whose premises he may be inspecting or about to inspect.

43. For the purposes of any inspection, an inspector may, with or without others, enter into and upon any premises between the hours of nine in the forenoon and six in the afternoon, or in the case of any business or trade premises at any time when such business or trade is in progress or is usually carried on, and for the purposes of inspection may open up drains and execute any other necessary works.

44. No person shall obstruct, or incite any other person to obstruct, any person acting in the execution of this Act, or of any power thereunder, and the police shall assist all persons acting as aforesaid.

Penalty—Ten Pounds.
PART V.

INSANITARY CONDITIONS AND THEIR REMOVAL.

45. The expression "insanitary condition" includes every breach or non-observance of any of the sanitary provisions of this Act, and also every condition declared to be an insanitary condition pursuant to section 51.

46. Every Local Board, upon receiving from any person other than an inspector any information establishing reasonable grounds for suspicion of the existence of any insanitary condition, shall forthwith instruct an inspector to inquire into and report upon the premises referred to.

47. If any inspector shall ascertain the existence of any insanitary condition, he shall forthwith report the circumstances to the Local Board.

Such report shall set out as far as possible—

(a) The nature of the insanitary condition:
(b) The apparent cause thereof, and the suggested remedy:
(c) The description and situation of the premises:
(d) The name of the owner; and
(e) The name of the occupier.

48. Every occupier shall, on request, furnish any inspector with the name and address of the owner so far as the same may be known to him.

Penalty—Ten Pounds.

49. If, in the opinion of the inspector, the insanitary condition should be immediately removed, he shall, in addition to reporting the circumstances to the Local Board, serve upon the occupier, or owner, a notice to remove or amend the same, and therein shall specify what is required to be done, and limit a time for compliance.

50. Upon the receipt of an inspector's report the Local Board, with or without further inquiry—

1. May serve a notice requiring the removal or amendment of the insanitary condition; or

11. May, if the inspector has already given notice—

(a) Adopt such notice; or

(b) Issue a new notice in lieu thereof.

51. Any Local Board, upon being satisfied that it is proper so to do, may serve a notice requiring the removal or amendment of any condition which such Local Board shall declare to be an insanitary condition.

52. Every
52. Every notice under the last sections 50 and 51 shall specify what is required to be done, and shall limit a time for compliance, and may direct to be done such works as the Local Board may deem necessary to prevent a recurrence of the insanitary condition.

53. The notice may be served in manner following—

i. If the owner be unknown, or if, in the opinion of the Local Board, the insanitary condition is caused by the act or neglect of the occupier, the notice may be served on the occupier:

ii. In all other cases the notice may be served on the owner or on any person by whose act or neglect such insanitary condition arises in the opinion of the Local Board:

iii. In the case of premises owned by the Government, or by any public body, the notice may be served upon the officer having, or apparently having, the chief control of such premises.

54. No person after service upon him shall fail to comply with—

i. Any notice given by an inspector (provided the same be subsequently adopted); or

ii. Any notice of the Local Board.

Penalty—Twenty Pounds.

55. On failure to comply with any notice of the Local Board, or with any inspector’s notice, the Local Board may carry out the requirements of the notice.

56. In the case of unoccupied lands or premises, if the owner and the person by whose act or neglect the insanitary condition is caused are unknown or cannot be found, the Local Board may remove or amend the insanitary condition without any previous notice whatever.

57. In addition to, or in lieu of summarily removing or amending any insanitary condition, if either—

(a) The person on whom a notice to remove or amend any insanitary condition has been served makes default in complying with any of the requisitions thereof within the time specified; or

(b) The insanitary condition, although amended or removed since the service of the notice, is, in the opinion of the Local Board, likely to recur on the same premises:

the Local Board may institute summary proceedings against the person on whom the notice was served.

58. The Court, if satisfied that the alleged insanitary condition exists, or has been declared, or is likely to recur on the same premises...
PART V.

Expenses.

Expenses recoverable from persons served with notice.

Expenses may be recovered by owner from occupier.

Occupier from owner.

Expenses to be a charge on unoccupied lands.

PART VI.

Reports.

Local Board to report annually.

See Public Health Act, 1873, sec. 40. 38 & 39 Vic., c. 55, sec. 206.

Monthly return of infectious disease.

Returns of measles, scarlet fever, &c.

Outbreak of infectious disease to be reported.

See Public Health Act, 1873, sec. 41.

The Health Act.—1898.

Premises may, by order, require the defendant to remove or amend the same, or to prevent the recurrence thereof within a time to be specified in the order, and may, if thought desirable, specify the works to be executed for the purpose of removing, amending, or preventing the recurrence of the insanitary condition.

Penalty—One Pound for every day during default.

59. All expenses incurred by the Local Board in connection with the removal or amendment of any insanitary condition may be recovered from the person upon whom the notice has been served.

60. All expenses incurred by an owner by reason of his compliance with any notice may be recovered by him from the occupier or other person in all cases where the insanitary condition concerning which the notice was given was caused by the act or neglect of such occupier or other person.

61. All expenses incurred by an occupier by reason of his compliance with any notice may be recovered by him from the owner in all other cases.

62. In all cases all expenses incurred by any Local Board shall be a charge upon the premises in respect of which the same were incurred, and may be immediately recovered in the same manner as if they were rates in arrear.

PART VI.

REPORTS AND INQUIRIES.

63. Every Local Board shall, during January in every year and at such other times as the Central Board may direct, report to the Central Board concerning the sanitary condition of its district in such form as the Central Board may require.

64. Every Local Board shall forward monthly to the Central Board during the first week in each month a return of all cases of infectious disease reported within the district in such form as the Central Board may require.

65. Every Local Board shall immediately forward to the Central Board a return of all cases of measles, scarlet fever, diphtheria, typhoid fever, and puerperal fever reported to it for the first time within the district, in such form as the Central Board may require.

66. Every Local Board shall immediately report to the Central Board the outbreak within its district of any infectious disease, or the occurrence of any indications thereof, or of any circumstances of special importance likely to affect the health of any part of the district, together with all such particulars as can aid in the complete comprehension of the case and of its nature and cause.

67. The
The Health Act.—1898.

67. The Central Board shall annually, not later than the month of March, and also whenever required by the Chief Secretary, report to him concerning all matters affecting the public health.

68. The annual report of the Central Board shall be laid before Parliament.

69. Whenever it shall appear to the Central Board necessary or proper to make formal inquiry into any matter for the purposes of this Act, the following provisions shall have effect:

i. The Central Board shall specify in writing the general scope and object of the inquiry and such general directions as it may think proper to secure its due performance:

ii. The inquiry shall be thereupon held by the chairman or such other person as the Board may appoint:

The chairman or such other person is hereinafter included in the expression "The chairman":

iii. The inquiry shall be held either in public or with closed doors, and at such place or places as the chairman may think fit:

iv. The chairman shall hold sittings at such places, with power from time to time to adjourn the same. He may summon and examine witnesses and receive any evidence that may be offered respecting the subject of the inquiry:

All parol evidence shall be reduced to writing:

The chairman may require any person to sign any evidence given by him:

v. Witnesses may be summoned by being served with a notice in writing under the hand of the chairman calling upon them to attend and give evidence at a time and place to be therein specified. Such notice shall be served so long before the time appointed as the chairman may deem reasonable.

70. No person served with such notice, and having been paid or tendered in advance such moneys as he would have been entitled to receive had he been a witness summoned to attend a Local Court, shall fail to comply with the same, or having attended refuse to give evidence or sign the same.

Penalty—Five Pounds.

71. A certificate under the hand of the chairman to that effect shall be sufficient proof of non-compliance with the notice to attend and give evidence, and of all other facts necessary to be proved to show it was incumbent upon such person to comply therewith.

72. The chairman, either alone or with others, for the purposes of the inquiry, may enter and inspect any land or premises between sunrise and sunset.

73. The
73. The chairman may, at any time during the progress of the inquiry, and shall, on its completion, make to the Central Board a written report under his hand setting forth the result of the inquiry, his opinion thereon, and his reasons for such opinion. Such report shall be accompanied by all evidence and information received during the inquiry.

74. Any person wilfully giving false evidence on any inquiry shall be guilty of an offence against this Act.

Penalty—Fifty Pounds.

PART VII.
SANITATION.

Division 1—Of Air.

75. Every Local Board shall cause all sewers and drains to be kept properly cleared, cleansed, and emptied so as not to become or be likely to become injurious to health or offensive, and for this purpose may construct all necessary works, and direct any sewer or drain into or through such places as may be deemed proper, except into fresh water running streams.

76. No person shall—

1. Without the consent of the Local Board, cause or permit any private sewer or drain to be emptied or flow into any public sewer or drain:

2. Do anything which, in the opinion of the Local Board, shall tend to the injury of any drain or sewer:

3. Suffer any waste or stagnant water to remain in any cellar or place within or around any dwelling-house so as to be, or be likely to become, injurious to health or offensive:

4. Allow the contents of any privy or cesspool to overflow or soak therefrom:

5. Allow any drainage, filth, water, night-soil, or matter to collect or to be deposited in any place, so as to become, or be likely to become, injurious to health or offensive:

6. Allow any dead animal to remain in any place, so as to cause an offensive smell:

7. Allow any place to become, or be likely to become, in such a state as to be a nuisance or injurious to health, or offensive:

8. Carry or convey offensive or injurious matter through the streets except at hours specified by the Local Board:

9. Without the consent of the Local Board remove, or allow to be removed, any night-soil from a ditch or pit in which the same has been deposited by any Local Board.

Penalty—Twenty Pounds.

77. Any
The Health Act.—1898.

77. Any Local Board may provide and maintain water-closets, earth-closets, privies, urinals, and other similar conveniences for public accommodation.

78. Any Local Board may itself undertake or contract for the removal of refuse or excreta from private places, and for this purpose may provide convenient receptacles, and may by regulation require the occupiers of premises to provide boxes, or other specified receptacles, for the temporary deposit of such matter, and to place such boxes or receptacles in convenient places at convenient times for the removal of their contents.

No person shall deposit any refuse in any place except in such boxes or receptacles.

Penalty—Ten Pounds.

All such refuse shall be the property of the Local Board.

79. Every Local Board shall take all necessary and proper measures to ensure that all public places are properly cleansed and kept free from offensive matter.

80. Every street, lane, yard, passage, and other premises, formed or set out on private premises, shall be formed, paved, levelled, or made, and drained by the owners, when required by the Local Board.

The owner of any such premises, and the respective owners of the premises fronting, adjoining, or abutting upon such parts thereof as may be defective, shall be deemed to be the owners thereof for the purposes of this Act.

81. Every distillery, manufactory, brewery, slaughter-house, and every establishment for the boiling, preserving, or preparing of any animal matter shall be provided with a watertight cesspool, constructed and kept covered in such manner as the Local Board may require.

All refuse which may be or be likely to become injurious to health or offensive shall be deposited therein and periodically removed at prescribed times.

Penalty—Twenty Pounds.

82. No person shall keep any pig in any sty or place at a less distance than fifty feet from any dwelling-house, dairy, or public street.

Penalty—Ten Pounds.

83. No person shall, without the consent in writing of the Local Board, commence or extend any offensive trade.

Penalty—Fifty Pounds.

See 83 to apply to immaturity of Kempton v. Novend: ride to boy 5 Sept 1901 p. 503.
No consent shall be granted except subject to the following conditions:

1. One month's prior notice of the intention to apply for such consent shall be published in the Government Gazette and in a daily newspaper circulating in the district:

2. Such notice shall specify the proposed site and trade:

3. Any person may state his objections to the Local Board:

4. If nevertheless consent is granted, any such person, within one month, may appeal to the Central Board, who may affirm, vary, or rescind such consent, and whose decision shall be final.

This section shall apply only to such districts or portions of a district as may from time to time be declared by Proclamation to be under the protection of this section.

84. If in the opinion of—

1. The Local Board: or of

2. Any two legally qualified medical practitioners; or of

3. Any six householders of the district:

any place used for any trade or business shall be or be likely to become injurious to the health of or offensive to any of the inhabitants of the district, or any person employed therein, the Local Board may institute summary proceedings against the person by or on whose behalf the trade or business is carried on.

85. If on the hearing it shall appear to the Court that such trade or business is or is likely to become injurious to the health of or offensive to any of the inhabitants of the district, or any person employed therein, then, unless it be shown that the best practicable means for preventing injury to health or offence have been used, the person so summoned shall be liable to a penalty—

1. Of not less than Two Pounds or more than Ten Pounds:

2. Of Twenty Pounds upon a conviction for a second or continued offence:

3. Of double the amount of the penalty imposed for the then last preceding offence for every subsequent or continued offence: Provided that no penalty shall exceed Two Hundred Pounds.

86. The Court may suspend its final determination in any case upon condition that the person summoned shall undertake to adopt, within a time to be fixed by the Court, such means as may be deemed practicable, and ordered to be carried into effect for preventing or mitigating injury or offence.

87. No
87. No person shall keep any accumulation or deposit of offensive matter longer than in the opinion of the Local Board is necessary for the purposes of the trade or business, or omit to take the best available means for preventing injury thereby to the public health.

Penalty—Twenty Pounds.

88. Manufacturing districts may be exempted from the operations of the sections of this Act dealing with offensive trades in manner provided by "The Manufacturing Districts Act, 1881."

Division 2.—Of Food.

89. No person shall permit any case or receptacle used, or intended to be used, for the carriage of fresh fruit or vegetables to come into direct contact with any manure or other offensive matter.

Penalty—Five Pounds.

90. "Water supply" includes any river, stream, water-course, creek, swamp, waterhole, well, tank, or reservoir.

91. Whenever the pollution of any water supply becomes or is likely to become injurious to health, the Local Board shall for the purpose of preventing such pollution have within its district the rights of a riparian proprietor, and may enforce such rights by summary proceedings against the person in default, and may generally prevent the pollution of any water.

Penalty—Ten Pounds, and for every subsequent offence a penalty of double the amount of the penalty imposed on the then last preceding offence.

92. Any Local Board may direct that any water supply which shall, in the opinion of the officer of health, or any two legally qualified medical practitioners, be so polluted or unwholesome as to be unfit for human consumption, shall be closed, and that the contents thereof shall cease to be used for human consumption either absolutely or for such time as the Local Board may direct.

93. No person shall use, or permit to be used for human consumption, any such well or other source of water while such direction shall remain in force.

Penalty—Ten Pounds.

94. No person shall throw, or permit to be thrown, any night-soil, animal or other offensive matter, into any water supply, or deposit the same in any place whence such offensive matter flows or falls, or is liable to flow or fall, into any water supply.

Penalty—Fifty Pounds.

95. No person shall keep any swine, sheep, or cattle on any butcher's business premises, or dress any carcass therein, unless such premises are duly licensed for slaughtering purposes.

Penalty—Ten Pounds.

96. No...
96. No person in charge of any slaughter-house shall keep, or permit to be kept, in or about any slaughter-house any swine, unless intended for immediate slaughter, or any dog, unless constantly chained when not being used for yarding purposes.

No such person shall permit any swine to feed on any blood, offal, manure, night-soil, filth, or other refuse matter.

Provided that the Local Board may grant written permission to any person to keep swine, on the following conditions:

(a) That such swine are to be kept at such distance from the slaughter-house, as may be directed; and

(b) That such swine may be fed with offal if such offal has been first thoroughly cleansed and boiled.

Penalty—Ten Pounds.

97. No licence, pursuant to the preceding section, shall be granted for a longer period than for one year at any one time, and every such licence may be withdrawn on proof to the satisfaction of the Local Board of any non-observance of any condition thereof.

98. No person shall use any slaughter-house, or other premises connected therewith, unless the same shall, in the opinion of the Local Board, be constructed of suitable material, and be paved with brick, stone, cement, asphalt, or other impervious material.

All such slaughter-houses and premises shall be provided with impervious drains and receptacles for blood, offal, dung, and other refuse.

Penalty—Twenty Pounds.

99. Any Local Board may alone or jointly with any other Local Board purchase land and erect buildings for the purpose of a public slaughter-house.

100. No meat of any animal slaughtered in any public slaughter-house shall be sold or offered for sale as human food unless such animal shall have been inspected by an inspector of cattle after the slaughtering thereof, and certified fit for human consumption, and the Central Board of Health may direct any butcher’s slaughter-house to be subject to the same inspection.

101. The Central Board may direct any Local Board in localities where it may be desirable to provide a public slaughter-house, at which all cattle within a prescribed area and the meat from which is intended for public consumption shall be slaughtered.

102. When
102. When any such slaughter-house is erected and fit for use regulations may be made by the Local Boards—

(a) With respect to the management and charges for the use thereof:

(b) Prohibiting the slaughtering at any other place of any swine, sheep, or cattle intended for sale as human food.

103. Any Local Board may by regulation prohibit the sale within its district of any fresh meat of any animal slaughtered in any slaughter-house situate outside its district, unless such slaughter-house has been approved by such Board or by the Central Board of Health.

Penalty—Ten Pounds.

104. Any Local Board may appoint, subject to the approval of the Central Board, an inspector of cattle; and there shall also be a Chief Inspector of Cattle appointed by the Governor, and such Chief Inspector shall be a veterinary surgeon.

105. Animals suffering from cancer, pleuro-pneumonia, tuberculosis, or actinomycosis, or any other disease which the Governor may by Proclamation add to this list, are "diseased animals" within the meaning of this Act.

106. All owners, on discovery that their animals are diseased, shall give written notice to the Local Board, and isolate such animals from all other animals.

Penalty—Twenty Pounds.

It shall not be a defence to any prosecution under this section that the owner did not know that the animal was diseased unless he shall also show that it was not practicable to discover such disease by the exercise of reasonable diligence.

107. If the Inspector of Cattle shall suspect that any animal is suffering from an infectious disease, he may use all necessary tests to ascertain the facts as regards the suspected animal, and any other animal in the same herd or premises.

108. Any inspector of cattle on being satisfied that any animal is diseased shall give notice in writing to the owner or person in charge directing him to kill such animal and destroy its carcass.

Penalty—Twenty Pounds.

If any animal killed pursuant to this section be subsequently found to be free from disease the owner may recover its value from the Board by which the inspector was appointed. The owner may require the inspector to test for disease the carcass before being destroyed. The value of the carcass may be deducted from the compensation recoverable.

109. No person shall sell, consign, or expose for sale, or supply for food, any diseased animal, or any meat therefrom. Any diseased meat to be exposed for sale
Any person having for sale any such animal or meat in his possession or under his control shall be deemed to be a person who exposes such animal or meat for sale.

Penalty—Twenty Pounds.

110. No person shall keep or expose for sale any food intended for human consumption which is diseased, unsound, unwholesome, or otherwise unfit for human consumption.

On proof of the keeping or exposure for sale it shall be presumed that the food in question was intended for human consumption unless the defendant shall prove the contrary.

Penalty—Twenty Pounds.

111. No person shall—

i. Supply to any person the milk of any diseased animal or any animal suffering from ulcers or other diseases of the udder:

ii. Mix any such milk with other milk intended for human consumption, sale, or for butter or cheese-making:

iii. Use any such milk for human consumption, or for the food of swine or other animals, unless such milk shall have been boiled for at least ten minutes, provided the Local Board has been notified of the intention to so use the milk:

iv. Allow any person suffering from any infectious disease, or who may be living in any house where any such disease exists, to

(a) Milk any cow:

(b) Handle any vessel used for the reception of milk intended for sale or for human consumption:

(c) Take part or assist in the business of dairyman, cow-keeper, or vendor of milk; or

(d) To be employed in a dairy.

Penalty—Twenty Pounds.

It shall not be a defence to any prosecution under this section that the owner did not know that the animal was diseased, or that the person was suffering from an infectious disease, unless he shall also show that it was not practicable to discover the fact by the exercise of reasonable diligence: Provided in cases when proper isolation is secured the officer of health may grant exemption from the operation of this section to anyone living in the house where any such disease exists.

112. Every person, on production of a certificate of the officer of health, that the milk supplied by such person, or from his dairy, is suspected of causing disease, shall furnish to the Local Board a list
list of the names and addresses of his customers, and a full statement of the names and residences of the persons from whom the milk is obtained.

Penalty—Ten Pounds.

113. No person shall store, keep, or deposit any milk in any room used for sleeping, or in any other place or mode likely to render such milk unwholesome.

114. All food products intended for human consumption in the province, imported by land or sea, shall be subject to examination by any inspector or analyst appointed by the Collector of Customs, and if upon inspection or analysis such food products shall be found unfit for human consumption the same shall be forfeited and destroyed or otherwise disposed of in such manner as the Treasurer may direct.

Penalty—Five Pounds.

115. Local Boards may, by regulation, provide—

For the licensing of cowkeepers, dairymen, and vendors of milk:

For the registration and inspection of dairies, milk stores, and milk shops:

For the inspection of dairy farms and grazing grounds:

For the sanitary conditions of cowyards, cowsheds, dairies, milk, milk stores, milk shops, and vessels used for milk:

For preserving the health and good condition of cattle kept at any dairy:

For prohibiting the sale of milk by other than licensed persons and except from registered dairies, milk stores, and milk shops:

For prohibiting the adulteration of milk:

For temporarily prohibiting, on the certificate of the officer of health, the sale of milk from dairies where animals are diseased or supposed to be diseased, or where persons are suffering, or supposed to be suffering, from an infectious disease, or where there are reasonable grounds for suspecting that the milk supply from such dairies is causing the spread of infectious disease.

Division 3.—Of Premises.

116. Any Local Board may, by notice in writing, declare that any building, or any specified part thereof, is unfit for human habitation.

The notice may direct that such building, or part thereof, shall not, after a time to be specified in such notice, be inhabited or occupied by any person.
PART VII.

Division 3.

Not to be let or occupied.

Condemned building to be removed or amended.

Over-crowding.
See Public Health Act, 1873, sec. 64. 38 & 39 Vic., c. 55, sec. 91.
All houses to have proper conveniences.
See Public Health Act, 1873, sec. 51. 38 & 39 Vic., c. 55, secs. 56 and 58. 53 & 84 Vic., c. 59, sec. 21.

No house to be erected on insanitary land.

Drains may be made in private or public property.
See Public Health Act, 1873, sec. 17.

New houses to have proper drains.
See Public Health Act, 1873, sec. 60. 38 & 39 Vic., c. 55, sec. 22.

The notice shall be affixed to some conspicuous part of the building.

117. No person after the expiration of the specified time shall inhabit or occupy, or suffer to be inhabited or occupied, such building or part thereof.
Penalty—Ten Pounds.

118. A notice may be served upon the owner of such building directing him to either amend the same in some specified manner, or to take down and remove the same.
Penalty—Twenty Pounds.

119. No person shall suffer any building, or part thereof, to be so over-crowded as to be, or likely to become, injurious to health.
Penalty—Twenty Pounds.

120. All houses shall have in proper and convenient situations such closets and privies, with such conveniences and of such size and so constructed as shall, in the opinion of the Local Board, be necessary and sufficient.
Penalty—Ten Pounds.

121. The Local Board may, by notice, prohibit the erection of any house or building on any land which, in their opinion, for sanitary reasons is unfit for human habitation until any sanitary defects existing in connection with such land have been removed to the satisfaction of the Local Board.
Penalty—Ten Pounds.

122. Any Local Board, when necessary or expedient, may enter into and construct drains and other works upon any public or private land for the purpose of draining surface waters from other lands.
Where the land upon which such works are constructed is private property, the Local Board shall pay full compensation to any person who shall sustain damage by reason of the exercise of the above power.

123. All houses hereafter to be erected or re-built in municipalities shall have such drains, means of ventilation, and sanitary requirements, constructed of such materials and in such manner as the Local Board may prescribe.
Plans and specifications showing the proposed drains, means of ventilation, and sanitary arrangements, must be submitted to and approved by the Local Board before the occupation of any such house.
Penalty—Twenty Pounds.

124. The
124. The owner or occupier of every building, whether erected before or after the coming into operation of this Act—

(a) Which is used as a workshop or manufactory; or

(b) In which persons are employed or are intended to be employed in any trade or business;

(c) Which is used as a school, church, theatre, or hall, capable of ordinarily accommodating a meeting or assembly of more than twenty persons.

1. Shall provide such building with suitable accommodation in the way of urinals, closets, and privies. Where both sexes are employed separate accommodation shall be provided with separate approaches thereto:

11. Shall keep such building in a clean state and ventilate the same in such manner as to render harmless, as far as practicable, any impurities generated by the work carried on therein:

Penalty—Twenty Pounds.

125. Whenever any building, or part thereof, is let in lodgings or for the purpose of board and lodging, the same shall be deemed to be a lodging-house.

126. The Local Board may fix the number of persons who may occupy any lodging-house, and may, by regulation, provide for the registration and special inspection thereof.

PART VIII.

INFECTIONOUS DISEASES.

127. Where any inmate of any building or part of a building is, or is supposed to be, suffering from any infectious disease, unless such building is a public or licensed hospital into which persons suffering from infectious diseases are received—

1. The head of the family:

11. On his default, the nearest relative of such inmate present in the building or being in attendance on such inmate:

111. On default by such relative, every person in charge or in attendance on such inmate; or

1v. On default by any such persons, the occupier or owner of the building:

And in any case

v. Every medical practitioner attending on or called in to visit such inmate:
shall, so soon as he becomes aware that such inmate is suffering from any infectious disease, report the same to the Local Board, who shall immediately report the same to the Central Board.

Penalty—Five Pounds.

Provided that any person not being a person required to make a report in the first instance, but only in case of default by some other person, shall not be liable to any penalty if he prove that he had reasonable cause to suppose that the report had been duly made. The owner or occupier of every building used as a hospital shall, as soon as he or his manager or superintendent becomes aware that an inmate is suffering from any infectious disease, report the same to the Local Board.

128. Every medical practitioner attending on or consulted by any person suffering from pulmonary tuberculosis shall, so soon as the fact becomes known to him, report the same to the Local Board of the district in which the person resides: Provided such notification shall not be necessary if the case has been previously reported to the same Local Board.

Penalty—Five Pounds.

129. The Local Board shall pay to every such medical practitioner a fee of Two Shillings and Six Pence for one report for each person suffering from any infectious disease.

130. No medical practitioner shall be liable to any proceedings for any mis-statement made in good faith in attempted notification of any infectious disease: Provided he promptly notifies to the Local Board any change in his diagnosis.

131. If the officer of health or any legally qualified medical practitioner shall certify in writing to the Local Board that the cleansing or disinfection of any building or part thereof, or any bedding, clothes, or other articles whatever, would tend to prevent the spread of tuberculosis or any infectious disease, the Local Board may order and supervise the use of disinfectants, and take such other sanitary precautions as it may deem necessary to cleanse or disinfect such building or part thereof, and articles, and for that purpose may remove any such articles.

Any expenses incurred by the Local Board may be recovered from the owner or occupier of such building or part thereof, or the Local Board may itself, if it see fit, defray such expenses or any part thereof.

132. If at any time any legally qualified medical practitioner shall certify to the Local Board that any person suffering from any infectious disease or from pulmonary tuberculosis is residing in a building or part of a building used for the storage of milk, or for
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the storage or manufacture of butter, cheese, or other article of human food, and that there is reason to believe that such milk, butter, cheese, or other article of human food may be contaminated by such disease, the Local Board may, with the sanction of the Central Board, order the owner or person in charge of such building to close the same until the officer of health shall certify that such person has been removed from such building, and that all necessary precautions have been taken to prevent such contamination.

Any person neglecting to comply with such order shall be guilty of an offence under this Act.

Penalty—Twenty Pounds.

133. Any Local Board may—

1. Provide or combine with other Local Boards to provide proper places, apparatus, and attendance for disinfecting purposes:

2. Disinfect any articles:

3. Make arrangements for disinfection with any hospital or with any Local Board possessing disinfecting apparatus:

4. Make arrangements with any laboratory for scientific examination.

134. No person knowing himself to be suffering from any infectious disease, or, having so suffered, not being sufficiently recovered to be free of all risk of infecting others, shall—

1. Expose himself in any public place without taking reasonable precautions against spreading such disease:

2. Enter any place of common resort:

3. Enter any ship, vessel, railway carriage, or public conveyance without previously notifying to the master, conductor, or person in charge the fact of such disease.

Penalty—Five Pounds.

135. Any such person entering a public conveyance in breach of sub-section iii. of section 134 shall, in addition to such penalty, be liable to pay to the owner all loss and expense incurred in respect of the disinfection of such conveyance.

136. Every owner or person in charge of any public conveyance having conveyed any person suffering or having so suffered not being sufficiently recovered from any infectious disease shall, immediately after he becomes aware of such fact, give notice to the Local Board of the district wherein he resides.

Penalty—Five Pounds.

137. The Local Board may disinfect such conveyance, and may recover all expenses incurred from the owner.

138. No

Disinfecting apparatus may be provided.

See Public Health Act, 1884, sec. 5, 38 & 39 Vic., c. 55, sec. 122.

Exposure of infected persons.

See Public Health Act, 1884, sec. 9, 38 & 39 Vic., c. 55 sec. 126.

Expenses of disinfection of conveyances.

Owner of conveyance to give notice to Local Board.

See Public Health Act, 1884, sec. 10, 38 & 39 Vic., c. 55, sec. 127, 53 & 54 Vic., c. 34, sec. 11.

Disinfection of conveyance.
138. No person shall suffer any child to attend school who is or has been suffering, or has been resident where any person is or has been suffering, from any infectious disease unless and until he shall—

(a) Have had the clothes of such child properly disinfected; and

(b) Have procured a certificate from some duly qualified medical practitioner that there is no risk of infection.

Penalty—Five Pounds.

139. No person shall knowingly let for hire any building or part of a building in which any person is or has been suffering from any infectious disease without having had such building or part thereof, and all articles therein liable to retain infection, disinfected, in manner directed by a legally qualified medical practitioner.

The keeper of an inn shall be deemed to let for hire part of a building to any person admitted as a guest.

Penalty—Twenty Pounds.

140. When any person having suffered from any infectious disease dies in consequence of such disease the body shall be interred within forty-eight hours, or at such earlier time as may be directed by the Local Board, by the parent, nearest relative, or person in charge during the illness.

Penalty—Five Pounds.

141. Upon the receipt of a certificate in writing or by telegram from any officer of health or any legally qualified medical practitioner that any infectious disease exists within a district, and that isolation is necessary to prevent the spreading thereof, the Governor may authorise the Central Board to stop all or any traffic, and to limit and prevent the ingress and egress of any persons to or from any house or premises for such time and in such manner as the Central Board may think necessary.

Penalty—Twenty Pounds.

142. Any Local Board may provide or combine with any other Local Board to provide and maintain vehicles suitable for the conveyance of persons suffering from any infectious disease, and may convey any such person to a hospital or other place free of charge.

143. Where any suitable hospital, quarantine station, or place for the reception of the sick is provided within any district, or within a reasonable distance therefrom, and any person is suffering from any infectious disease and—

1. Proper isolation is otherwise impracticable; or

11. Such
11. Such person is lodged in a room occupied by others of
more than one family, or on board any ship or vessel, or in
a common lodging-house, or in a boarding-house:

any Local Board may, on a certificate signed by any legally
qualified medical practitioner, and with the consent of the superin-
tending body or medical officer of such hospital, quarantine station,
or place, compulsorily remove any such person to such hospital,
quarantine station, or place, at the cost of the Local Board.

144. Any Local Board may provide or combine with any other
Local Boards to provide for the use of inhabitants of the district
hospitals or temporary places for the reception of any person
suffering from any infectious disease, and for that purpose may—

i. Build such hospitals or places:

ii. Contract for the use of any hospital or part of a hospital or
place:

iii. Arrange with any person for the reception of the suffering.

145. Any expenses incurred by a Local Board in maintaining
any such person shall be deemed to be a debt due from such person
to the Local Board.

146. No building or any part thereof shall, after the first day
of June, one thousand eight hundred and ninety-nine, be used for
the purpose of a private hospital or maternity home unless and
until such building or part thereof shall be licensed by the Local
Board for such purpose. Every application for a licence shall be
accompanied by the name of the manager.

No person shall act as manager of any such private hospital or
maternity home unless licensed by the Local Board for that purpose

Penalty—Twenty Pounds.

The licence fee for the building shall not exceed One Pound per
annum, and shall be the only licence fee chargeable; and the
manager shall be responsible for the good government of the institu-
tion: Provided that no fee shall be required from any institution
where no charge is made for the attendance on and maintenance of
its inmates. The licence shall be granted upon such conditions as
may be prescribed by the Central Board of Health, including the
power to revoke the licence. Any building or part thereof so
licensed shall be liable to be inspected at any time.

PART IX.
REGULATIONS.

147. The Central Board may make—

(a) Model regulations for the guidance of Local Boards in
the execution of this Act:

(b) All
PART IX.

Powers of Local Board.
See Public Health Act, 1873, sec. 29.

Application of regulations may be limited.

Penalties may be imposed.

Regulations of Local Board to be submitted to Central Board.
Approval of Governor.

Publication.

Regulations to be laid before Parliament.

Parliament may object to regulations.

Evidence of regulations.

PART X.

Penalties.
See Public Health Act, 1873, secs. 72 and 26.

(b) All such regulations as a Local Board is by this Act authorized to make.

148. Every Local Board—

(a) May, and when expressly directed by the Central Board shall, adopt the model regulations prepared by the Central Board:

(b) And may make in addition all such regulations not repugnant thereto as it may deem useful or necessary for properly carrying into effect the provisions of this Act within its district.

149. Any regulation may be made to apply only to particular districts or to particular parts of a district.

150. In all cases not otherwise provided for any regulation may impose any penalty not exceeding Twenty Pounds for any breach or non-observance of the same, or in the case of a continuing breach not exceeding Two Pounds for each day that the breach is continued.

151. All regulations made by a Local Board shall—

(a) Be submitted to the Central Board for approval:

(b) Be subject to the confirmation of the Governor, and

(c) When confirmed by the Governor, shall be published in the Government Gazette, and shall henceforth have the force of law.

152. All regulations shall be laid before both Houses of Parliament within one month after the making thereof, if Parliament be then in Session, and if not, then within thirty days after the commencement of the next Session of Parliament.

153. If within sixty days after such regulations shall be laid before both Houses of Parliament either House of Parliament shall by resolution disallow any of such regulations, it shall (so far as disallowed) cease to operate.

154. The Government Gazette containing any regulations shall be conclusive evidence of the due making thereof.

PART X.

MISCELLANEOUS.

155. To secure the due execution of this Act all persons failing to do any act directed to be done or doing any act forbidden to be done by any provision or by any part of any provision of this Act, or by any regulation, notice, or order of the Central Board or of any Local
Local Board, or any notice of any officer, or order of Court shall be guilty of an offence, and shall be liable—

1. To any sum not exceeding the particular penalty specified in or at the foot of any such provision or regulation, or in or at the foot of the particular provision under which any such notice or order is given or made:

2. If there be no specified penalty then in the case of a breach—
   (a) Of a provision of this Act to a penalty not exceeding Fifty Pounds; or
   (b) Of any regulation to a penalty not exceeding Twenty Pounds.

156. All complaints and informations shall be heard and determined, and all moneys, costs, and expenses shall be recovered in a summary way before a Special Magistrate or any two or more Justices.

157. All penalties shall when recovered be paid over to the Local Board of Health within whose jurisdiction such penalties may have been incurred.

158. All complaints, informations, and legal proceedings by or against the Central Board or any Local Board, may be preferred, prosecuted, or defended in the name of such Board, or in the name of the chairman, secretary, or inspector.

159. Except where otherwise provided, no proceedings shall be instituted under this Act, except by or on behalf or with the authority of the Central Board or of the Local Board. Such authority may be either general or particular, and may be proved by the production of the authority in writing under the hand of the chairman or secretary of such Board, or a copy of a resolution under the hand of the chairman or secretary.

160. It shall not be necessary in any legal proceedings to prove the existence, constitution, or appointment of the Central Board, or any Local Board, or of any chairman, officer, or member thereto.

161. A certificate under the hand of any person appearing to be the chairman or secretary, or the oath of any officer, shall be sufficient evidence of—

i. The boundaries of any district:

ii. The appointment of any officer:

until the contrary be proved, and any notice thereof in the Government Gazette shall be conclusive evidence.

162. There shall be an appeal from any decision of any Special Magistrate or Justices to the Local Court of Adelaide of Full Jurisdiction.

163. Such
PART X.

Procedure on appeals.

Local Court may order costs.

State case for opinion of Supreme Court.

Procedure on special case.

Authentication of documents.
See Public Health Act, 1876, sec. 28.
38 & 39 Vic., c. 55, sec. 267.

Service of documents.
See Public Health Act, 1876, sec. 28.
38 & 39 Vic., c. 55, sec. 267.

Neglect of duty.

Boards not to be liable in certain cases.
See Public Health Act, 1876, sec. 23.
30 & 31 Vic., c. 101, sec. 118.
Indemnity to officers, &c.

Action against Board to be commenced within two months.

163. Such appeal shall be regulated by Ordinance No. 6 of 1850 and "The Justices Procedure Amendment Act, 1883-4."

164. Such Local Court may make any order as to costs as it shall think fit.

165. Such Local Court may state a special case for the opinion of the Supreme Court.

166. The Supreme Court shall deal with such special case according to the practice of the Supreme Court on special cases and may make any order as to the costs of the proceedings in that Court and in the Court below.

167. Every document required to be made or authenticated by any Board shall (unless otherwise provided) be sufficiently authenticated if appearing to be signed by any member or officer of the Board.

168. Any document required to be served may be served by posting the same in an envelope addressed to the person for whom it is intended at his last known or most usual place of abode or business, or by delivering the same to such person or at such place.

In the case of unoccupied land or premises it shall be sufficient to affix any necessary notice on some conspicuous part of the land or premises.

Any notice, consent, permission, or licence by this Act required to be given or obtained shall be in writing.

Any document posted pursuant to this section shall be deemed to have been duly served at the time when in the ordinary course of post it would have arrived at its address.

169. Whenever any person shall fail to perform any duty cast upon him by this Act, or fail to comply with any order or notice, the Local Board may perform such duty or carry out the terms of such order or notice, and recover all expenses from the person in default.

170. No Board shall, except where otherwise expressly provided, be liable for anything in good faith done or caused or omitted to be done by it in carrying out the provisions of this Act, and every person acting under the authority of any Board shall be indemnified by such Board for all liability in so acting.

171. Every legal proceeding against any such person or against any Board or person in good faith acting or intending to act under this Act, on account of anything done or omitted to be done shall be commenced within two months after the cause of action shall have arisen, and not afterwards.

172. No
The Health Act.—1898.

172. No member or officer of any Board—

i. Shall be directly or indirectly interested in any bargain or contract entered into by such Board:

ii. Shall exact, take, or accept any fee or reward whatsoever other than his proper remuneration.

Penalty—Fifty Pounds.

173. The Lands Clauses Consolidation Acts, except sections 110, 114, 115, 116, 117, and 118 of Act No. 6 of 1847, are incorporated with this Act. The Boards of Health shall be deemed to be the promoters of an undertaking, and this Act shall be deemed to be the special Act, except for the purposes of section 13 of Act No. 202 of 1881.

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

S. J. WAY, Lieutenant-Governor.