

IV

Confident that the fuller and broader utilisation of the world's productive resources necessary for the achievement of the objectives set forth in this Declaration can be secured by effective international and national action, including measures to expand production and consumption, to avoid severe economic fluctuations, to promote the economic and social advancement of the less developed regions of the world, to assure greater stability in world prices of primary products, and to promote a high and steady volume of international trade, the Conference pledges the full co-operation of the International Labour Organisation with such international bodies as may be entrusted with a share of the responsibility for this great task and for the promotion of the health, education and well-being of all peoples.

V

The Conference affirms that the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilised world.

QUARANTINE (NO. 2).

No. 92 of 1947.

An Act to amend the *Quarantine Act 1908-1924*, as amended by the *Quarantine Act 1947*.

[Assented to 11th December, 1947.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *Quarantine Act (No. 2) 1947*.
(2.) The *Quarantine Act 1908-1924**, as amended by the *Quarantine Act 1947†*, is in this Act referred to as the Principal Act.

(3.) Section one of the *Quarantine Act 1947* is amended by omitting sub-section (3.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Quarantine Act 1908-1947*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. After section two A of the Principal Act the following section is inserted:—

Proclamation
in event of
epidemic.

“2B.—(1.) Where the Governor-General is satisfied that an epidemic caused by a quarantinable disease or danger of such an epidemic exists in a part of the Commonwealth, the Governor-General may, by proclamation, declare the existence in that part of the Commonwealth of that epidemic or of the danger of that epidemic.”

* Act No. 3, 1908, as amended by No. 15, 1912; No. 42, 1915; No. 47, 1920; and No. 30, 1924.

† Act No. 19, 1947.

“(2.) Upon the issue of a proclamation under the last preceding sub-section the Minister may, during the period the proclamation remains in force, give such directions and take such action as he thinks necessary to control and eradicate the epidemic, or to remove the danger of the epidemic, by quarantine measures or measures incidental to quarantine.

“(3.) A person who refuses or fails to comply with any direction given under the last preceding sub-section, or who hinders or obstructs the taking of any action under that sub-section, shall be guilty of an offence.”.

4. Section five of the Principal Act is amended—

General definitions.

(a) by omitting the definition of “Disease” (second occurring) and inserting in its stead the following definition :—

“‘Disease’, in relation to plants, means any disease, pest or plant declared by the Governor-General by proclamation, or by the Minister by notice published in the *Gazette*, to be a disease or pest affecting plants or a noxious plant :” ;

(b) by omitting the definition of “Plants” and inserting in its stead the following definitions :—

“‘Plants’ includes all parts of plants, whether living or dead :

‘Port’ includes landing place :” ; and

(c) by inserting after the definition of “Quarantinable disease” the following definition :—

“‘Quarantine area’ means any part of the Commonwealth which, in pursuance of this Act, is declared to be a quarantine area :”.

5. Section nine A of the Principal Act is amended—

Authority to act as temporary quarantine officer.

(a) by inserting after sub-section (1.) the following sub-section :—

“(1A.) Where the Governor-General has, in pursuance of section two B of this Act, declared the existence of an epidemic or the danger of an epidemic in any part of the Commonwealth, any person thereto authorized in writing by the Minister may, either orally or in writing, authorize any person to act during any specified period as a temporary quarantine officer in that part of the Commonwealth.” ;

(b) by inserting in sub-section (2.), after the word “appointment”, the words “or authority to act” ; and

(c) by omitting sub-section (3.) and inserting in its stead the following sub-section :—

“(3.) Any appointment made or authority given in pursuance of this section shall not confer on the person appointed or authorized any claim to be permanently appointed in any capacity.”.

6. After section twelve of the Principal Act the following sections are inserted :—

Minister may take measures for the diagnosis of quarantinable disease, &c.

“ 12A.—(1.) Where, in the opinion of the Minister, an emergency has arisen which requires the taking of action not otherwise authorized by this Act, he may take such quarantine measures, or measures incidental to quarantine, as he thinks necessary or desirable for the diagnosis, prevention and treatment of any quarantinable disease.

“(2.) A person who refuses or fails to comply with a direction given in pursuance of the last preceding sub-section, or who hinders or obstructs the taking of any action under that sub-section, shall be guilty of an offence.

Laboratories, &c.

“ 12B. The Minister may establish and use laboratories and facilities for the diagnosis of disease for purposes of, or incidental to, quarantine and may—

(a) lease, rent, purchase or erect premises ; or

(b) enter into an agreement with any State or with any hospital authority for the use of buildings,

for the purpose of any such diagnosis.”.

Proclamation of ports of entry, &c.

7. Section thirteen of the Principal Act is amended—

(a) by inserting in paragraph (e) of sub-section (1.), after the word “ affecting ”, the word “ persons ” ;

(b) by inserting in paragraph (h) of that sub-section, after the word “ exists ”, the words “, or is suspected to exist,” ; and

(c) by inserting in paragraph (i) of that sub-section, after the word “ exists ”, the words “, or is suspected to exist ”.

8. Section fifteen A of the Principal Act is amended—

(a) by inserting in sub-section (1.), after the word “ all ”, the word “ prescribed ” ; and

(b) by omitting from that sub-section the words “ which are prescribed by the regulations to be taken in respect of the proclaimed place ”.

Master of a vessel to take precautionary measures to prevent infection.

9. Section eighteen of the Principal Act is amended—

(a) by omitting from paragraph (b) of sub-section (1.) the word “ and ” ;

(b) by adding at the end of sub-section (1.) the following word and paragraph :—

“ ; and (d) every person who is, or has been within a period of fourteen days, in an area which is a quarantine area.” ; and

(c) by inserting in paragraph (c) of sub-section (2.), after the word “ from ”, the words “ a quarantinable disease or from ”.

Persons subject to quarantine.

10. After section eighteen of the Principal Act the following section is inserted :—

“ 18A. A person who arrives in Australia by air and who, within fourteen days after his arrival, suffers from any illness or disease, shall forthwith report the fact to a quarantine officer. Reports by persons subject to quarantine.

Penalty : One hundred pounds.”.

11. After section twenty A of the Principal Act the following sections are inserted :—

“ 20B.—(1.) Where the Governor-General is of opinion that there is danger of the introduction into Australia by vessels used in navigation by air of disease from any place beyond Australia he may, by proclamation, declare the place to be a place in relation to which this section shall apply. Prohibition of entry by air from proclaimed places.

“ (2.) The master and owner of any vessel used in navigation by air which enters Australia from or through a place specified in a proclamation under the last preceding sub-section shall be guilty of an offence.

Penalty : Five hundred pounds.

“ (3.) The Governor-General may by proclamation declare that a person shall not, so long as the proclamation remains in force, enter Australia, by any vessel used in navigation by air, from any place beyond Australia specified in the proclamation unless that person has complied with the conditions specified in the proclamation, and a person shall not enter Australia in contravention of any such proclamation.

Penalty : Five hundred pounds.

“ (4.) The conditions specified in a proclamation under the last preceding sub-section shall be such conditions as the Governor-General considers necessary or expedient for avoiding the possibility of the entry into Australia of persons suffering from, or capable of communicating, any disease of persons, animals or plants.

“ (5.) The master and owner of a vessel used in navigation by air by which any person enters Australia in contravention of a proclamation under sub-section (3.) of this section shall be guilty of an offence.

Penalty : Five hundred pounds.

“ (6.) For the purposes of this section and of any proclamation under this section, a person shall be deemed to enter Australia from a place outside Australia if he has been in that place within fourteen days before his arrival in Australia.

“ 20c. If any vessel engaged in navigation by air and subject to quarantine makes a landing at any part of Australia which is not a landing place, the vessel and any person, goods, animal or plant on board shall, for the purposes of this Act, be deemed to be ordered into quarantine and shall be dealt with as prescribed.”. Aircraft landing at places other than landing places.

Quarantine signals on vessels.

12. Section twenty-one of the Principal Act is amended by adding at the end of paragraph (c) the words—

“and, on arrival at the first landing place in Australia and at each landing place subsequently called at, cause his vessel to come to a stop as near as possible to a spot marked by the prescribed signal on the landing place”.

Unauthorized person not to board or approach vessel.

13. Section twenty-four of the Principal Act is amended by inserting after the word “vessel” (second occurring) the words “or shall approach within thirty yards of any prescribed signal on a landing place”.

Master to bring health report of oversea ports.

14. Section twenty-seven A of the Principal Act is repealed.

15. Section thirty of the Principal Act is repealed and the following section is inserted in its stead :—

“30. A person (not being a quarantine officer) who is on board a vessel subject to quarantine, or who is in a quarantine area, shall not (unless authorized by a quarantine officer to do so) leave the vessel or quarantine area.

Penalty : One hundred pounds.”.

Apprehension of persons liable to quarantine.

16. Section thirty-one of the Principal Act is amended—

(a) by inserting in paragraph (b) of sub-section (1.), after the word “quarantine” (first occurring), the words “(not being a person who is so subject by reason only of being or having been in a quarantine area)”;

(b) by inserting after sub-section (1.) the following sub-section :—

“(1A.) Any constable or authorized person may, without warrant, apprehend any person who is subject to quarantine by reason of having been in a quarantine area and whom he believes to have left that area in contravention of this Act.”; and

(c) by inserting in sub-section (2.), after the word “quarantine” (fourth occurring), the words “, or to be taken to the quarantine area from which he came”.

Order to perform quarantine.

17. Section thirty-five of the Principal Act is amended by inserting in sub-section (1A.), after the word “has” (second occurring), the words “, within the prescribed period,”.

Particulars to be given at quarantine station.

18. Section thirty-eight of the Principal Act is amended by omitting the words “bill of health,”.

Power to permit vessel to proceed on voyage.

19. Section forty-two of the Principal Act is amended by inserting after the word “port” the words “or landing place”.

Cleansing and disinfecting vessel.

20. Section forty-three of the Principal Act is amended by inserting after the word “disinfected” (wherever occurring) the words “or treated”.

21. Section forty-five of the Principal Act is amended—

(a) by omitting from paragraph (b) of sub-section (1.) the word “or”;

(b) by inserting after paragraph (c) of sub-section (1.) the following word and paragraph:—

“or (d) be removed to and detained in any suitable place or building approved by a quarantine officer (which place or building shall, for the purposes of this Act, be deemed to be a quarantine station),”;

(c) by omitting from sub-section (3.) the words “, subject to the regulations,”; and

(d) by inserting after sub-section (3.) the following sub-section:—

“(3A.) A person released under the last preceding sub-section shall, while he is under quarantine surveillance, report to such person at such times and places as are directed by a quarantine officer.

Penalty: One hundred pounds.”.

Performance
of quarantine
by persons.

22. Section fifty-six of the Principal Act is amended by adding at the end thereof the words “or as directed by the Minister”.

Performance
of quarantine.

23. Section fifty-seven of the Principal Act is amended—

(a) by inserting in sub-section (2.), after the word “destroyed”, the words “(not being an animal which has been brought into Australia in contravention of this Act, the regulations or a proclamation under this Act)”;

(b) by adding at the end thereof the following sub-section:—

“(3.) For the purposes of this section, an animal shall be deemed to have been suffering from a disease if the application to the animal of a test prescribed in relation to that disease has resulted in a positive reaction.”.

Power to
destroy
diseased
animals.

24. After section sixty-seven of the Principal Act the following section is inserted:—

“67A. The master or owner of a vessel shall not bring, or permit to be brought, in the vessel, any animal into any port or place in Australia in contravention of this Act, the regulations or any proclamation under this Act.

Penalty: One hundred pounds.”.

Liability of
master or
owner of
vessel for
importation of
prohibited
animals.

25. Section seventy of the Principal Act is amended—

(a) by omitting from sub-sections (1.) and (2.) the words “bill of health,” (wherever occurring); and

(b) by adding at the end thereof the following sub-section:—

“(3.) A person authorized in writing by the Director of Quarantine to act under this sub-section may board any vessel in any port or place in Australia and may enter and inspect any part of the vessel and all animals, plants and goods on board the vessel.”.

Powers of
inspection.

Power to affix notices.

26. Section seventy-four of the Principal Act is amended by inserting in sub-section (1.), after the word "station", the words "and in any quarantine area".

Persons may be vaccinated.

27. Section seventy-five of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words "Penalty: Five pounds.";
- (b) by omitting sub-section (2.) and inserting in its stead the following sub-sections:—
 - "(2.) A quarantine officer shall not require any person to be vaccinated or inoculated unless, in his opinion, vaccination or inoculation is necessary for the prevention of the spread of a quarantinable disease.
 - "(3.) The Minister may take such action as he thinks fit to ensure the manufacture or importation of any prophylactic vaccine or other biological product required for the prevention or treatment of disease."

Trespassing on quarantine stations.

28. Section seventy-six of the Principal Act is amended—

- (a) by inserting in paragraph (a) of sub-section (1.), after the word "station", the words "or quarantine area";
- (b) by inserting in sub-section (2.), after the word "thereon", the words "or enters a quarantine area"; and
- (c) by adding at the end of sub-section (2.) the words "or in the quarantine area, as the case may be".

Penalty for entering port, other than first port of entry, having disease on board.

29. Section seventy-eight of the Principal Act is amended by omitting the words "an oversea vessel" and inserting in their stead the words "a vessel".

Cleansing and disinfection of insanitary vessels.

30. Section seventy-eight A of the Principal Act is amended—

- (a) by inserting in sub-section (3.), after the word "port" (wherever occurring), the words "or place"; and
- (b) by omitting from sub-section (3.) the words "or treatment" and inserting in their stead the words "treatment or performance of quarantine".

Regulations.

31. Section eighty-seven of the Principal Act is amended—

- (a) by inserting in paragraph (b) of sub-section (1.), after the word "stations", the words "and quarantine areas"; and
- (b) by omitting paragraph (l) of sub-section (1.) and inserting in its stead the following paragraphs:—
 - "(l) for regulating and controlling the sanitary conditions of—
 - (i) vessels in, or on, ports or landing places; and
 - (ii) wharf areas and landing places which are, or are situated in, places which are proclaimed places by virtue of section twelve of this Act (including buildings

and stores on any such wharf areas and landing places) and refuse dumps on or adjacent to any such wharf areas and landing places ;

“ (la) for prescribing measures to be taken for the diagnosis and prevention of disease for purposes of, or incidental to, quarantine ;

“ (lb) for prescribing measures to be taken by the master of a vessel engaged in navigation by air for the spraying or fumigation of the vessel before and after landing in Australia ;”.

WORLD HEALTH ORGANIZATION.

No. 93 of 1947.

An Act to Approve of Australia's becoming a Member of the World Health Organization and for other purposes.

[Assented to 11th December, 1947.]

WHEREAS in the City of New York on the twenty-second day of July, One thousand nine hundred and forty-six, the Constitution of the World Health Organization was signed on behalf of Australia subject to approval and acceptance by the Government of the Commonwealth ; Preamble.

AND WHEREAS in the City of New York on the same date an arrangement establishing an Interim Commission of the World Health Organization was signed on behalf of Australia subject to approval and acceptance by the Government of the Commonwealth ;

AND WHEREAS it is expedient that the Parliament should approve of Australia's becoming a member of the World Health Organization and of the acceptance by Australia of the Arrangement establishing an Interim Commission of the World Health Organization and that provision should be made for enabling the carrying out of and the giving of effect to the Constitution and the Arrangement, and matters arising thereunder, on the part of Australia :

BE it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *World Health Organization Act* Short title.
1947.