



ANNO TRICESIMO NONO ET QUADRAGESIMO

VICTORIÆ REGINÆ.

A.D. 1876.

No. 56.

An Act to amend "The Public Health Act," and to make further provision for the Preservation and Improvement of the Public Health, and for other purposes.

[Assented to, 17th November, 1876.]

WHEREAS it is expedient to amend "The Public Health Act," being Act No. 22 of 1873, and to make further provision for the Preservation and Improvement of the Public Health—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. This Act shall be called and may be cited as "The Public Health Act, 1876."

Short title.

2. This Act, and "The Public Health Act" (herein termed the principal Act) as altered and amended by this Act, shall be read and construed together as forming one Act.

"The Public Health Act" incorporated.

3. In the construction of this Act, and of the principal Act, the words hereinafter mentioned shall, besides the meanings (if any) assigned to them in the principal Act, have the additional meanings hereby given to them respectively, unless the context of either Act is repugnant thereto, that is to say:—The word "cesspool" shall include every receptacle (whether situated above or lower than, or partly above and partly lower than, the surface of the adjoining ground) for nightsoil or other refuse; the words "Medical Officer" shall include "Inspector of the Central Board of Health" and "Inspector of a Local Board of Health;" the words "Two Justices" shall

Addition to meaning of words.

Cesspool.

Medical Officer.

Two Justices.

*The Public Health Act.—1876.***Manufactory.**

shall include "Special Magistrate;" and the word "Manufactory" shall include all such buildings and places as are mentioned or described in the forty-fifth section of the principal Act, and flax works, and all buildings and places in which the process of wool-washing shall be carried on, and those in which artificial manures shall be manufactured, and all buildings in which more than ten persons shall be simultaneously employed, and all such other buildings and places and classes of buildings and places in which any trade, business, process, or manufacture shall be carried on as the Governor shall direct to be included in its meaning; and the word "House" shall include schools, and other buildings in which more than ten persons shall be assembled or employed simultaneously; and the words "Sanitary District" shall mean and include every place to which the Governor shall lawfully direct that the principal Act, or any section thereof, or of this Act, shall apply.

House.**Sanitary District.****Repeal.**

4. The enactments described in the First Schedule hereto are hereby repealed: Provided that this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered.

Alteration of sections
of "The Public
Health Act."

5. The fourth section of the principal Act shall be read and construed as if the word "two" had been substituted therein for the word "three" which is hereby repealed. The sixteenth section of the principal Act shall be read and construed as if the words "fourteenth section of this Act" had been substituted therein for the words "next preceding section," which are hereby repealed, and the word "deliberative" had been substituted for "deliberate," which is hereby repealed. The forty-fourth section of the principal Act shall be read and construed as if the words "lands or premises described or named therein or" had been inserted in that section immediately before the word "included," and as if for its first paragraph, which is hereby repealed, the following had been substituted, "The Central Board of Health, when, and as it shall think proper, may make, and shall publish when made, all such regulations as it shall deem useful or necessary to avert epidemic, endemic, and contagious diseases, and to prevent the spreading and mitigate the effects thereof; and the fifty-fourth section of the principal Act shall be read and construed as if the words "manufactory, school," had been inserted therein immediately before the word "house," wherever that word occurs in that section; and the seventy-second section of the principal Act shall be read and construed as if the word "fifty" had been substituted therein for the word "twenty," which is hereby repealed. The said substitutions and insertion shall not, nor shall any of them, affect anything done before the coming into operation of this Act, except that anything done before that time, and which would have been legal if the said substitutions and insertion had been made before such thing was done, shall be legal.

36-7 V., c. 86, s. 10.

Central Board of
Health empowered to
direct removal, &c.,
of nuisances in certain
places.

6. Notwithstanding any provisions of "The Public Health Act," the Central Board of Health, on being satisfied that it is proper so to do, may by an order in writing, direct the owner, when he is in possession,

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possession, and in other cases the occupier, of land or premises not included in any district within the jurisdiction of a Local Board of Health, to remove or abate any nuisance thereon or therein, or prevent the continuance thereof, within a time specified in such order; and to do or cause to be done every act, matter, and thing which shall in the opinion of the Central Board of Health be necessary or proper to effect the removal, abatement, or discontinuance thereof, and for effecting there any other purpose or object of the principal Act and of this Act, and may also by the same or any other order prohibit the doing, continuance, or existence on such land or in such premises, after a time specified in the order, of any act, matter, or thing, which shall in the opinion of the Central Board of Health cause, or contribute to the production of, or be, a nuisance there: Provided always that the Central Board of Health, as well before as after the expiration or advent of the time specified, may extend it.

Whenever any such direction or prohibition shall be disobeyed altogether or in any particular, every person who ought to have obeyed it shall be guilty of an offence against this Act, whether the time originally limited shall have been extended or not; and notwithstanding the lapse of the time limited, the Central Board of Health may do or cause to be done, at the expense of such person, any act, matter, or thing which shall be in its opinion necessary or proper to effect the purpose and object of such order, or (as the case may be) to enforce obedience to such prohibition; and all expenses incurred by or with the authority of the Central Board of Health, in effecting or trying to effect such purpose or object, may, within six years from the expenditure thereof, be recovered from such person, as money paid for him by the Central Board of Health at his request.

7. The Central Board of Health may also make all such general orders and regulations, and also all such orders and regulations in particular cases, as shall in its opinion be proper with respect to and for causing the removal, abatement, or discontinuance and prevention of nuisances on land and in premises not included in any district within the jurisdiction of a Local Board of Health, and with respect to the time and mode in which such removal, abatement, discontinuance, and prevention shall be effected, and the time at which such orders and regulations shall come into force; and may by any such order or regulation define what is or shall be deemed to be a nuisance within the meaning of this section.

Central Board of Health may make orders and regulations for removal, &c., of nuisances in certain places.

8. The Central Board of Health is hereby empowered to appoint, for all places and land not situate within a town or sanitary district, all such medical and other officers as it shall deem proper. In and with respect to such places and land while they are not within a town or sanitary district, the Central Board of Health and its President or Chairman and other officers respectively shall have and may exercise (in addition to their own powers, but with the exception of such jurisdiction, powers, rights, and authority as are conferred by, or may be exercised in pursuance of any of the enactments described in the Second Schedule hereto) all such and the

Central Board of Health may appoint officers and act in places not situate within a town or sanitary district.

same

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same jurisdiction, powers, rights, protection, immunities, and authority as at any time after the coming into operation of this Act shall be had and possessed, and may lawfully be exercised, and may do all such acts, and perform all such duties as must or may be lawfully done and performed, in a town or sanitary district by the Local Board of Health thereof, and its Chairman and other officers respectively.

Whenever it shall be necessary or convenient, for the purpose of enabling the Central Board of Health to act as aforesaid, all words designating or describing a Local Board of Health shall throughout the principal Act and this Act (save in such of the enactments thereof as are described in the Second Schedule hereto), be read and construed to include the Central Board of Health.

The provisions of this section shall not affect anything done before the coming into operation of this Act, except that anything done before then which would have been legal if they had been previously made shall be legal.

Central Board of Health may direct Local Boards, &c., to abate, &c., nuisance in certain cases.

9. Whenever it shall appear to the Central Board of Health that the person by or from whose act, default, permission, or sufferance, a nuisance exists on land or in premises within a town or sanitary district, or within the district of a District Council, or that the owner of such land or premises is not known or cannot be readily found, the Central Board of Health may, by an order in writing, direct the Local Board of Health of such town or sanitary district, or (as the case may require) the District Council, to remove, abate, or discontinue, or cause the discontinuance of such nuisance within a time specified in such order; and such Local Board of Health or District Council shall, within that time, obey and carry out such order: Provided always that the Central Board of Health may, as well after as before such time shall have expired, grant further time for obeying and carrying out such order.

Proviso.

All costs properly incurred and disbursements properly made by a Local Board of Health, or a District Council, for the purpose of obeying or carrying out such an order, may within six years thereafter be recovered from such person or owner as money paid for him at his request.

Power to hold inquiry.

See 33-4 V. c. 75, s. 73.

10. Whenever it shall appear to the Central Board of Health necessary or proper to inquire into any matter (whether of scientific opinion or fact) in respect whereof it may desire to be informed for the purpose of enabling it to perform any act or duty, or to assist it in carrying out any provision of this or of the principal Act or of both Acts, the following provisions shall have effect—

1. The Central Board of Health shall specify in writing in general terms the subject and object of the inquiry and (if it thinks proper so to do) any facts which it is desirable to ascertain, and shall give to the person who is to hold the inquiry such directions as it shall think proper to guide him in carrying on the inquiry:

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- ii. The President, or such other member of the Central Board of Health or such other person as it shall appoint, shall proceed to hold the inquiry, either in public or with closed doors, as he shall think proper, or it shall direct, and in such town, sanitary district, or place as the Central Board of Health shall direct:
- iii. The President or such other member or person shall for that purpose hold sittings in such places as shall seem to him convenient, and thereat shall examine any witness, and shall hear and receive any evidence and information offered, and hear and inquire into any objection or representation made respecting the subject and object of the inquiry, with power to adjourn any sitting. All parol evidence and information received at any such inquiry shall be reduced to writing by the person who shall hold such inquiry, or by such other person as he shall appoint for that purpose:
- iv. The person by whom such inquiry is to be held may at such time (whether before or after the inquiry shall have been commenced) as he shall think proper issue summonses requiring the persons named therein respectively to attend at such inquiry and be examined and give evidence and information thereat touching the subjects and objects of the inquiry. Each such summons may be in the form set out in the Third Schedule hereto, or in such other like form as the person issuing the summons shall think proper to use. He may cause a copy thereof to be served on the person named therein by the delivery thereof to such person, or by the same being left at his or her then usual residence, or by sending the same (addressed to such person at such residence) through the post-office; and proof that such copy, so addressed, was in fact posted shall be *prima facie* evidence of the receipt thereof in due course of post by such person: Provido Provided always, that each summons shall be served so long before the time appointed for the attendance at the inquiry of the person named therein as the person by whom the inquiry shall be held shall think sufficient:
- v. Every person who, having been served in manner hereinbefore provided with a summons, shall not comply therewith, shall pay to the Central Board of Health as a penalty such sum not being less than One Pound, and not exceeding Five Pounds, as shall be fixed by the person holding the inquiry, for each day on which he shall fail to comply with such summons; and a certificate under the hand of the person by whom the inquiry shall be held, to the effect that any person so summoned has failed to comply with such summons, shall, until the contrary is proved, be sufficient evidence of the fact that such person has failed to comply with such summons, and of all other facts necessary to be proved in order to prove that it was incumbent on such person to comply with such summons: Provided that the Central Board of Health

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Health may, on application made by or on behalf of any person liable to pay such penalty, remit the whole or any part thereof on such ground as it shall deem just :

VI. It shall be lawful for the person by whom such inquiry shall be held, as well before as after the commencement thereof, and either alone or accompanied by such other persons as he shall think proper to bring with him, at all times between sunrise and sunset, to enter, inspect, and examine all land and premises which he shall consider it advisable to inspect or examine for the purpose of the inquiry :

VII. The person by whom any such inquiry shall be held may require any person who shall give evidence or information, or be examined thereat, to make and sign a statutory declaration of the truth of the statements made by him in his evidence or information ; and every person who, having been served with such summons as aforesaid, shall refuse to give evidence or information, or to be examined, or to answer any question put to him by the person holding such inquiry, touching any of the subjects or objects of such inquiry, or who shall refuse to sign his name, or affix his mark to, or to make a statutory declaration of the truth of the statements made by him in his evidence or information, shall be guilty of an offence :

7 Vict., c. 15, s. 3.

VIII. The person by whom such inquiry shall be held may, during its progress, and shall, after it has been completed, make to the Central Board of Health a written report under his hand, in which shall be set forth the result of the inquiry, his opinion on the subject and object thereof, his reasons for such opinion, all objections and representations (if any) made to him at the inquiry with respect to the subject and object thereof, and his opinion thereon ; and shall transmit such report, together with all such evidence and information, to the Central Board of Health.

Election of Chairman
in case of illness or
absence of President,
&c.

11. Whenever the President of the Central Board of Health, or the Chairman of a Local Board of Health, shall be ill or absent from the town or place in which such Boards respectively meet, any other members (not being fewer than three) of the Central Board of Health, or of any such Local Board of Health, may elect one of themselves to be Chairman thereof during such illness or absence. The member so elected may exercise all such powers, do all such acts, and perform all such duties as the person in whose stead he shall be elected might exercise, and might or ought to do and perform.

Central Board may
elect Chairman in
absence of President
from meeting.

12. Whenever the President of the Central Board of Health shall not, within five minutes after the time for which any meeting thereof shall have been convened, be present at the place at which such meeting shall have been appointed to be held, any other members (not being fewer than three) of the Central Board of Health, who shall be then present there, may elect one of themselves

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selves to act as Chairman for that meeting. The member so elected shall, with two other members of the Central Board of Health, constitute a quorum thereof for the purposes of that meeting ; and he may act as Chairman thereof until the arrival of the President, or until the close of that meeting (whichever shall soonest happen), but no longer. While so acting he may exercise all such powers, and may do all such acts and perform all such duties as the said President (if present) might exercise, and might or ought to do or perform.

13. Whenever the Chairman of a Local Board of Health shall not, within five minutes after the time for which any meeting thereof shall have been convened, be present at the place at which such meeting shall have been appointed to be held, any other members (not being fewer than) three of such Local Board of Health who shall be present there may elect one of themselves to act as Chairman for that meeting. The member so elected, together with two other members of such Local Board, shall constitute a quorum thereof for the purposes of that meeting, and he may act as Chairman thereof until the arrival of their permanent Chairman, or until the close of that meeting (whichever shall soonest happen), but no longer. While so acting he may exercise all such powers and may do all such acts, and perform all such duties as their permanent Chairman (if present) might exercise and ought to do and perform.

Local Board may elect Chairman in absence of permanent Chairman from meeting.

14. Whenever any medical officer or inspector of the Central Board of Health, or of any Local Board of Health, or any two legally qualified medical practitioners, shall certify in writing to a Local Board of Health, that any house or other building, within their respective jurisdictions, or any part thereof, is unfit for human habitation, the Local Board of Health within the jurisdiction of which such house or building is situate, may, by an order in writing or print, declare that such house or building, or such part thereof, is not fit for human habitation, and direct that it shall not after a time specified in such order, be inhabited by any person, and may cause such order, or a copy thereof, to be affixed to some conspicuous part of such house or building, before the expiration of the time mentioned in such order: Provided nevertheless that any decision of a Local Board of Health with respect to the fitness or unfitness of a house or other building, or any part thereof, for human habitation, may be varied or reversed by the decision of the Central Board of Health, the decision of which shall, from the time when it is made, be deemed to be the decision of the Local Board of Health by which the original decision was made.

Houses, &c., may be declared unfit for human habitation and their occupation forbidden.

Proviso.

Any person who, after the expiration of the time mentioned in such order, shall let or occupy, or knowingly suffer to be occupied such house or building, or (as the case may be) such part thereof, shall be guilty of an offence, and shall on conviction thereof be liable to a penalty not exceeding Five Pounds nor less than Ten Shillings, for every day during which such house or building, or (as the case may be) such part thereof shall be let, occupied, or knowingly suffered to be occupied by him in contravention of such order.

Penalty.

15. No

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Prohibition of over-crowding.

30 and 1 V., c. 103, sched. paragraph 10.

Governor may, on recommendation of Central Board, enlarge meaning of "manufactory."

Central and Local Boards may make drains in private or public property to carry off surface water from adjoining lands; compensation to be given to owners of private property.

Proviso.

Power to order destruction of infectious bedding, &c., and to give compensation.
35-6 Vic., c. 79, sec. 51.

Power to inspect lodging-houses.

15. No manufactory shall, nor shall any part thereof, be so overcrowded while work is carried on as that the health of any persons employed therein shall be endangered or prejudiced in consequence of such overcrowding; and any occupier of a manufactory who, having power to prevent, does not prevent such overcrowding, shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Five Pounds for every day on which such overcrowding shall happen.

16. The Governor, on the recommendation of the Central Board of Health, may by any written order direct that buildings and places, and classes of buildings and places, in which any trade, business, process, or manufacture specified in such order shall be carried on, shall, from a time to be specified in such order, be included in the meaning of the word "manufactory."

17. Whenever the Central Board of Health or any Local Board of Health shall deem it necessary or expedient that surface water shall be carried off or from any land situate within its jurisdiction through or over other land, the Central Board of Health or such Local Board of Health may, by any of its officers, agents, servants, or workmen, enter into and upon such other land, and construct or cause to be constructed in, through, over, or upon the same, all such drains and other works as may, in the opinion of the Central Board of Health or such Local Board of Health, be necessary or proper for carrying off such surface water: Provided that when such other land is private property full compensation shall be made by the Central Board of Health or such Local Board of Health out of any moneys which shall at any time be applicable to the purposes of this Act or the principal Act, to every person who shall sustain any damage by reason of the exercise of the power conferred by this section, or by reason of the manner in which such power shall be exercised.

18. Every Local Board of Health in its town or sanitary district, and the Central Board of Health elsewhere than in a town or sanitary district, may direct and cause the destruction of all bedding, clothing, and other articles which have been exposed to infection from any dangerous infectious disorder, and shall give for the same when destroyed such compensation as shall, in their opinion, be reasonable.

19. Whenever any house or any part of a house is let in lodgings, it shall be lawful for the Local Board of Health within the jurisdiction of which such house is situated, and for its officers, and (if such house be not situate within the jurisdiction of any Local Board of Health) it shall be lawful for the Central Board of Health and its officers, at all times to enter and inspect such house, and every part thereof, and for such Boards respectively to make regulations for the following matters, that is to say—

1. For

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- i. For fixing the number of persons who may occupy a house or a part of a house, which is let in lodgings or occupied by members of more than one family: Power to make regulations.
14 & 15 Vict., c. 28, sec. 12.
 - ii. For the inspection of such houses, and the keeping the same in a cleanly and wholesome state: 29 & 30 Vict., c. 90, sec. 35.
 - iii. For enforcing therein, and in premises connected therewith, the provision of privy accommodation, and other appliances and means of cleanliness in proportion to the number of lodgings and occupiers, and the cleansing and ventilation of the passages and staircases:
 - iv. For the cleansing and lime-whiting at stated times of such premises:
 - v. For enforcing such regulations by penalties not exceeding Forty Shillings for any one offence, with an additional penalty not exceeding Twenty Shillings for every day during which a default in obeying such regulations or any of them may continue.
20. When the inmates of any house or part of a house, allege that they are members of the same family, the burden of proving such allegation shall be on the persons making it. Proof that inmates belong to one family.
29 & 30 Vict., c. 90, sec. 41.
21. Every person who shall obstruct or hinder any member or officer of the Central Board of Health or of any Local Board of Health, in inspecting any such house or part of a house as aforesaid, or shall prevent or attempt to prevent him having free access to such house and every part thereof, shall be guilty of an offence against this Act. Penalty for obstructing inspection and preventing free access.
22. Every member of the Police Force of the Province shall aid the Central Board of Health and each Local Board of Health, and the members, officers, agents, servants, and workmen of such Boards respectively, whenever acting or intending to act in execution of the principal Act and this Act, or either of them, or of any orders or regulations made, or purporting to have been made under them or either of them. Police to aid Boards of Health.
Sec. 30 and 31 Vict., c. 101, s. 121.
23. The Central Board of Health shall not, nor shall any Local Board of Health, be liable to damages or otherwise for any irregularity committed by any of their members, officers, agents, servants, or workmen in executing or purporting to execute *bonâ fide* the principal Act, or this Act, or both of them, nor for anything done, or caused to be done, or omitted to be done, by any of the aforesaid Boards respectively in the *bonâ fide* execution, according to the judgment of such Board, of either or both of such Acts; and every member, officer, agent, servant, and workman of any of such Local Boards, acting in the *bonâ fide* execution of the said Acts, or either of them, shall be indemnified out of the health rates Boards not to be liable for irregularities of officers, &c.

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Sec. 30 and 31 Vict.,
c. 101, s. 118.

by the Board of which he is a member or under the authority of which he acted, in respect of all costs, liabilities, and charges, to which he may be subjected by reason or in consequence of his acting as aforesaid; and every member, officer, agent, servant, and workman of the Central Board of Health, acting in the *bonâ fide* execution of the said Acts or either of them, shall be indemnified by the Central Board of Health in respect of all costs, liabilities, and charges to which he may be put by reason or in consequence of his so acting out of such moneys as Parliament shall place at its disposal; and every action, prosecution, or other legal proceeding against any person or Board acting or intending to act under either or both of the said Acts, and in the *bonâ fide* execution thereof, on account of any wrong done in or by, or by the omission of, any act, proceeding, or operation, under the said Acts, or either of them, shall be commenced within two months after the cause of action shall have arisen.

Legal proceedings
may be in the name of
the Chairman.

11 & 12 Vict., c. 63,
s. 138

24. The Central Board of Health, and each Local Board of Health, may sue and be sued, both at law and in equity, and may bring, institute, prefer, carry on, and defend all or any legal proceedings, in or by the name of its President or Chairman for the time being; and no action, suit, or other legal proceeding whatever, shall abate or be discontinued by the death, resignation, or removal of the President or Chairman, or by reason of any change or vacancy in the Central Board of Health, or in any Local Board of Health, by death, resignation, or otherwise: Provided always, that every such President and Chairman in whose name any action, suit, complaint, information, or other legal proceedings may be brought, instituted, preferred, carried on, or defended, shall, out of the health rates or such other moneys as shall then or thereafter be at the disposal, for the purposes of this Act, of the Board of which he is President or Chairman, be fully reimbursed, all costs, charges, damages, and expenses which he shall, or may be or become liable to pay, sustain, or be put unto by reason of his name being so used.

Powers to be cumulative.

Sec. 30 & 31 Vict.,
c. 101, s. 104.

25. All powers given by the principal Act, as well as those given by this Act, shall be deemed to be in addition to, and not in derogation of any powers conferred by any enactment not hereby repealed, or by any other law or custom; and such lastly mentioned powers may be exercised in the same manner as if the principal Act and this Act, had not passed, but without prejudice to the powers given by the principal Act and this Act.

Penalty for offences
against the Acts or
created by either of
them.

26. Every person who shall be guilty, or be deemed guilty, of an offence under or against the principal Act or this Act, or both Acts, shall be liable to a penalty not exceeding the sum of Fifty Pounds, unless some other penalty has been provided.

Authentication of
notices, &c.

27. Every summons, demand, notice, order, direction, regulation, resolution, or other document under the principal Act or this Act, and every copy of any of them, may be in writing or print, or partly
in

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in writing and partly in print, and numerical figures may (where applicable) be used therein instead of words; and every such summons, demand, notice, order, direction, regulation, resolution, document, and copy which shall require to be made or authenticated by a Local Board of Health or the Central Board of Health, shall (unless where it is otherwise provided) be sufficiently authenticated if signed by any member of the Board by or under the authority of which it shall be issued, or if signed by the secretary or clerk thereof, or by such other officer thereof as such Board shall direct.

21 and 2, Vic., c. 98,
s. 61.

28. Notices, summonses, directions, and orders under this Act and the principal Act may (unless when some other mode of service has been provided) be served, by delivering the same to or at the residence of the persons to whom they are respectively addressed, or by being put into any post office or pillar letter-box, duly addressed to the persons for whom they are intended; and every such notice, summons, direction, and order which shall be addressed to the owner or occupier of land or premises, may be served by delivering the same, or a true copy thereof, to some person upon the land or premises, or (if there shall not be upon the land or premises any person who can be so served) by fixing the same upon some conspicuous part of the land or premises.

Service of notices and orders.

30-1 V., c. 101, s. 110.

Service of such notices, summonses, directions, and orders may be proved by a certificate under the hand of the person who posted or delivered or affixed the same, or by such other evidence as the Court or Justices shall deem satisfactory.

29. Nothing in this Act or in the principal Act contained shall affect the power of proceeding by indictment, or take away any other remedy against any offender under this Act or the principal Act.

Proceedings by indictment not to be affected.

30. The expense of executing this Act by Local Boards of Health shall be borne in towns and sanitary districts out of the health rates, and the expense of executing this Act by the Central Board of Health shall (unless otherwise provided for) be defrayed out of such moneys as shall be placed by Parliament at its disposal for the purposes of this Act or the principal Act.

Expense of executing this Act.

23-4 V., c. 84, s. 12.

31. The Regulations made and prescribed by the Board shall be laid before both Houses of Parliament within one month if Parliament be sitting, and if Parliament be not sitting, then within one month after the commencement of the next ensuing Session thereof; and if not disallowed by express resolution of either House of Parliament within one month from their being so laid before Parliament, such regulations shall, after the expiration of such month, be conclusively deemed to be valid, and shall have the force of law, and shall be judicially noticed: All regulations, when so made and prescribed, shall be published in the *Government Gazette* for general information; and the production of a copy, purporting to be

Regulations to be laid before Parliament and have the force of law.

be

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be a copy of the *Government Gazette* in which such regulations shall be published, shall, until the same shall have obtained the force of law as aforesaid, be *prima facie* evidence that all the provisions of this Act in respect thereof have been complied with.

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

A. MUSGRAVE, Governor.

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THE FIRST SCHEDULE.

No. of Act.	Title of Act.	Extent of Repeal.
No. 22 of 1873.	The Public Health Act.	In part, namely:—Section the second, the paragraph which assigns a meaning to the word "cesspool:" In section the fourth, the word "three:" in section the fourteenth, the words therein from "Provided that" (including those two words) to the end of that section: The fifteenth section: in section the sixteenth the words "next preceding section" and the word "deliberate:" in section the twenty-seventh, all the words therein which follow the word "direct" in section the thirty-seventh, the words "or such resolution has been done:" section the forty-fourth, from the beginning down to and including the word "diseases" being the last word of the first paragraph thereof: in section the forty-fifth, the following words—"whether established before or after the application of this Act to the town or other place in which the same is situated," and the word "thereafter:" in section the seventy-second, the word "twenty."

THE SECOND SCHEDULE.

Title of Act.	Enactments referred to in the Eighth Section.
The Public Health Act.	The sixteenth, twenty-seventh, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, and thirty-fifth sections.

See sec. 8

THE THIRD SCHEDULE.

Form of Summons.

Mr. _____, of _____, is hereby required to attend at an inquiry to be held at _____ on the _____ day of _____, 187____, at _____ o'clock in the _____ noon, and there be examined and give evidence and information touching the subjects and objects of the said inquiry.

See Section 10.
Sub-Section IV.

Dated this _____ day of _____, 187____

(Signed)

The person by whom the said inquiry is to be held.