



ANNO SECUNDO

GEORGII V REGIS.

A.D. 1911.

No. 1063.

An Act to further amend "The Health Act, 1898," and for other purposes.

[Assented to, December 23rd, 1911.]

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

1. (1) This Act may be cited alone as "The Health Act Amendment Act, 1911." Short titles.

(2) "The Health Act, 1898" (hereinafter called "the principal Act"), "The Health Act Amendment Act, 1909," and this Act may be cited together as "The Health Acts, 1898 to 1911." No. 711 of 1898. No. 991 of 1909.

2. This Act is incorporated with the other Acts mentioned in section 1, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.

3. In this Act, and in all proceedings under this Act, except where some other meaning is clearly intended— Interpretation.

"Animal" includes mammal, fish, fowl, crustacean, mollusc, and any animal used as food:

"Drug" includes any substance used for or in the composition or preparation of medicine, whether for internal or external use, and also any preservative, antiseptic, disinfectant, deodorant, narcotic, or cosmetic:

"Food" includes any article used for food or drink by man, other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of human food,

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food, and also flavoring matters, condiments, and confectionery:

No. 968 of 1908.

“Metropolitan County District” means the metropolitan area as defined by section 5 of “The Food and Drugs Act, 1908,” including all districts heretofore or hereafter declared by proclamation under that Act to be within such metropolitan area.

Metropolitan County District.

4. The Metropolitan County District is hereby created a County District under the principal Act, under the name of “The Metropolitan County District.”

Metropolitan County Board.

5. (1) The County Board constituted under “The Food and Drugs Act, 1908,” for the metropolitan area under that Act is hereby constituted a County Board under the principal Act, and shall be the County Board for the County District hereby created; and, notwithstanding anything in the principal Act, the members of the first-mentioned County Board shall, by virtue of their offices as such members, be the members of the County Board hereby constituted.

(2) Section 16 of “The Food and Drugs Act, 1908,” shall apply to and in respect of the said County Boards to the same extent as if the County Board hereby constituted were constituted by Proclamation under the principal Act.

Certain functions of Local Boards vested in the Metropolitan County Board.

6. (1) Notwithstanding anything to the contrary in the principal Act contained, all the powers, duties, and liabilities vested in or imposed on the several Local Boards in the Metropolitan County District by the principal Act, with reference to the following matters, namely:—

(a) Any land or premises or any public place whereon or wherein—

- i. Any animal is sold or slaughtered, or is offered or exposed for sale or slaughter, or is being prepared or stored or kept for sale or slaughter, for human consumption,
- ii. Any article of food or drug is sold or offered or exposed for sale, or is deposited, stored, or delivered for the purpose of sale or of preparation for sale, for human consumption,
- iii. Any animal which, or the produce of which, is used or is capable of being used as an article of food for human consumption, is fed, housed, or kept, whether temporarily or otherwise, or
- iv. Any person is engaged in the production of an article of food or drug to be sold or offered or exposed for sale, or to be deposited, stored, or delivered for the purpose of sale or of preparation for sale, for human consumption:

(b) Any

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- (b) Any person who is engaged in the production of any article of food or drug to be sold or offered, exposed, stored, carried, or delivered for sale for human consumption ;
- (c) Any premises, animal, vehicle, receptacle, or other article or thing used in the production of any article of food or drug for sale for human consumption ; and
- (d) Any act, matter, or thing which will provide or tend to provide a proper or better security for the sale of food and drugs in a pure and genuine condition ;

shall from the passing of this Act cease to be vested in or imposed on such Local Boards or any of them, and shall be solely vested in and imposed upon the County Board hereby constituted.

(2) All powers, duties, and liabilities vested in or imposed on the said Local Boards with reference to any matters not mentioned in subsection (1) of this section, shall continue to be vested in and imposed on the said Local Boards.

7. In all proceedings under this Act it shall, until the contrary is proved, be presumed that the animal or article of food or drug the subject matter of, or referred to in such proceedings, was intended to be sold or to be offered, exposed, deposited, stored, delivered, or prepared for sale, as the case may require, for human consumption, and that the person engaged in or the animal used in the production of any such article of food or drug was engaged in or used in, as the case may require, the production of an article of food or drug intended for sale for human consumption.

Presumptive evidence
in certain cases.

8. An inspector appointed under "The Food and Drugs Act, 1908," shall have all the powers, authorities and duties of an inspector appointed under the principal Act, so far as such powers relate to the matters mentioned in subsection (1) of section 6 of this Act, or any of them.

Powers of inspectors.

9. Notwithstanding any provision to the contrary in the principal Act contained, no Local Board within the Metropolitan County District shall be required by the County Board hereby constituted to contribute any sum to such County Board for enabling such County Board to carry out or perform the powers, duties, and liabilities vested in or imposed upon such County Board by this Act, otherwise or to a greater extent than such Local Board is required to contribute to such County Board under the provisions of "The Food and Drugs Act, 1908."

Limit of liability of
Local Boards under
this Part.

No. 968 of 1908.

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

DAY H. BOSANQUET, Governor.