

(2) As soon as terms and conditions are approved under section forty-two of the Principal Act they shall relate back to the beginning of the financial year commencing on the first day of July 1959.

THE SCHEDULE.

(Section 13.)

FIRST COLUMN. Section amended.	SECOND COLUMN. How amended.
3	In the definition of "Board" omit "1929" and insert "1957".
8	Omit "1929" (twice occurring) and substitute "1957".
10	In subsection (8) omit "1910" and substitute "1957".
12	Omit "1929" (twice occurring) and substitute "1957".
43	In subsection (2) omit "1929" (twice occurring) and substitute "1957".

HEALTH SERVICES.

No. 23 of 1960.

AN ACT to amend the *Mental Hospitals Act 1858*, the *Food and Drugs Act 1910*, the *Hospitals Act 1918*, the *Public Health Act 1935*, the *Tuberculosis Act 1949*, the *Waterworks Clauses Act 1952*, the *Radioactive Substances Act 1954*, the *Sewers and Drains Act 1954*, the *Water Act 1957*, and the *Dangerous Drugs Act 1959*.

[29 June 1960.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as the *Health Services Act 1960*. Short title.

Interpretation.

2 In this Act "Minister for Health" means the Minister administering the *Public Health Act 1935*.

Power of Minister to delegate.

3—(1) The Minister for Health may, by writing under his official seal, delegate to a legally qualified medical practitioner who is—

- (a) an officer or temporary employee as defined by the *Public Service Act 1923*; and
- (b) recommended by the permanent head of the department charged with the administration of the *Public Health Act 1935*,

any power or discretion vested in him by the operation of this Act.

(2) A delegation under this section may be revoked at any time in writing.

(3) A person acting on a delegation under this section has all the rights of the Minister for Health of indemnity and immunity with respect to the acts so done.

Regulations.

4 A reference in any regulation made under an Act amended by this Act to the Director-General of Health Services, the Director of Public Health, the Director of Mental Health, or the Director of Tuberculosis, shall be construed as a reference to the Minister for Health.

Amendments.

5 The Acts that are specified in the schedule are amended respectively as therein set out.

 THE SCHEDULE.

Short title of Act.	Year and number of Act.	How amended.
<i>Mental Hospitals Act 1858</i>	22 Vict. No. 23	Section 1— Omit the definition of "Director". Section 7— Omit "Director" and substitute "Minister". Section 13— From subsections (13) and (14) omit "Director of Mental Hygiene" and substitute "Minister". Section 47— From subsection (2) omit "Director" and substitute "Minister". Section 49— Omit "Director" (wherever occurring) and substitute "Minister".

Short title of Act.	Year and number of Act.	How amended.
<i>Food and Drugs Act 1910</i>	1 Geo. V No. 22	<p>Section 4— Omit the definition of "Director".</p> <p>Section 7— Omit "Director" and substitute "Minister".</p> <p>Section 8— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 18A— Omit "The Director, or any" and substitute "Any", and omit "the Director, or such" and substitute "that".</p> <p>Section 24— Omit subsection (1) and substitute therefor the following subsections:— "(1) The Minister may cause to be examined any food, drug, or appliance which is advertised, for the purpose of ascertaining its composition and properties and shall cause the results of the examination to be compared with any advertisement that relates to the food, drug, or appliance, and with the price at which it is sold. "(1A) The person carrying out an examination and comparison under subsection (1) of this section shall prepare and forward to the Minister a report on the whole matter, which may include any comment which that person thinks desirable in the public interest." In subsection (2) omit "The Director may thereupon, with the approval of the Minister," and substitute "The Minister may thereupon". In subsection (3) omit "Director" and substitute "Minister".</p> <p>Section 25— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 26— Omit "Director" and substitute "Minister".</p> <p>Section 27— Omit "Director" and substitute "Minister".</p> <p>Section 28— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 29— In subsection (6) omit "the Director" and substitute "a medical officer of health".</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Food and Drugs Act 1910—continued.</i>	1 Geo. V No. 22— <i>continued.</i>	<p>Section 40A— Omit “Director” and substitute “Minister”.</p> <p>Section 44— Omit “Director” and substitute “Minister”.</p> <p>Section 56— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 58— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 61— Omit “Director” and substitute “Minister”.</p>
<i>Hospitals Act 1918</i>	9 Geo. V No. 70	<p>Section 4— Omit the definition of “Director”.</p> <p>Section 53— In the definition of “Recognised” omit “, on the recommendation of the Director,”.</p> <p>Section 54— In subsection (1) omit “Director” and substitute “Minister”. In subsection (3) omit “, on the recommendation of the Director,”.</p> <p>Section 55— In subsection (1) omit “Director” and substitute “Minister”.</p> <p>Section 57— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 58— Omit “Director” and substitute “Minister”.</p> <p>Section 59— Omit “Director” and substitute “Minister”.</p> <p>Section 60— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 61— Omit “Secretary of the Department of Public Health” and substitute “Minister”.</p> <p>Section 61A— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 64— Omit “Director” and substitute “Minister”.</p> <p>Section 66— In subsection (1) omit “, on the recommendation of the Director,”.</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Hospitals Act 1918— continued.</i>	9 Geo. V No. 70— <i>continued.</i>	<p>Section 68— Omit "Director" and substitute "Minister".</p> <p>Section 69— Omit "Director" and substitute "Minister".</p> <p>Section 70— Omit ", on the recommendation of the Director,".</p> <p>Section 71— In subsection (1) omit "Director is hereby charged with" and substitute "Minister has". Omit subsection (2).</p> <p>Section 72— In subsections (1) and (2) omit "Director" (wherever occurring) and substitute "Minister". In subsection (3) omit "Director" and substitute "Minister or a person exercising his powers".</p> <p>Section 73— In subsection (2) omit "Director, if so instructed by the".</p> <p>Section 74— Omit "Director" (first occurring) and substitute "Minister", and omit ": Providing that the Director shall not act under this section without the approval of the Minister".</p> <p>Section 75— In paragraph I omit "Director" and substitute "Minister". In paragraph VIII omit "Director, with the approval of the Minister," and substitute "Minister". In paragraph IX omit "Director" and substitute "Minister".</p> <p>Section 76— In subsection (4) omit "on the recommendation of the Director". In subsection (5) omit "Director" (wherever occurring) and substitute "Minister".</p>
<i>Public Health Act 1935</i>	26 Geo. V No. 43	<p>Section 3— In the definition of "Infectious disease" omit ", on the recommendation of the Director,". After the definition of "Local authority" insert— " 'Medical officer of health' means a medical officer of health appointed under section seven;".</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Public Health Act 1935—continued.</i>	26 Geo. V No. 43— <i>continued.</i>	<p>Section 6— Omit the section.</p> <p>Section 6A— In subsection (1) omit “The Director may, with the approval of the Minister, by instrument in writing, delegate to a health officer all or any of the powers and functions of the Director” and substitute “The Minister may, on the recommendation of the permanent head of the department charged with the administration of this Act, by instrument in writing delegate to a medical practitioner or a health officer all or any of his powers and functions”.</p> <p>In subsections (2) and (3) omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 7— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 8— Omit “Director” and substitute “Minister”.</p> <p>Section 9— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 10— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 14— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 16— Omit “, upon the recommendation of the Director” (twice occurring).</p> <p>Section 17— In subsections (1) and (2) omit “Director” and substitute “Minister”.</p> <p>In subsection (3) omit “Director” (twice occurring) and substitute “Minister”, and omit “; but no such work involving a probable expenditure exceeding one hundred pounds shall be carried out by order of the Director without the approval of the Minister”.</p> <p>Section 18— Omit “Director” and substitute “Minister”.</p> <p>Section 19— In subsection (1) omit “Director” and substitute “Minister”.</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Public Health Act 1935—continued.</i>	26 Geo. V No. 43— <i>continued.</i>	<p>and in paragraph XIX omit "With the approval of the Minister".</p> <p>In subsection (2) omit "Director shall and is hereby empowered under the direction of the Minister to," and substitute "Minister may".</p> <p>Section 20— Omit "Director" and substitute "Minister".</p> <p>Section 21— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 22— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 23— In paragraph I of subsection (1), after "hinder", omit "the Director or" and substitute "the Minister, his delegate under section six A,".</p> <p>In paragraph II of that subsection omit "Director" and substitute "Minister".</p> <p>In subsection (2) omit "Director" and substitute "Minister".</p> <p>Section 24— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 25— After "shall" omit "the Director" and substitute "the Minister, his delegate under section six A,".</p> <p>Section 26— Omit "Director" and substitute "Minister".</p> <p>Section 28— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 29— In subsections (1) and (4) omit "Director" and substitute "Minister".</p> <p>Section 30— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 31— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 34— In paragraph II of subsection (1) omit "the Director or an inspector" and substitute "a health officer".</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Public Health Act</i> 1935— <i>continued.</i>	26 Geo. V No. 43— <i>continued.</i>	<p>Section 35— In subsections (1) and (4) omit "Director" and substitute "Minister".</p> <p>Section 36— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 36A— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>In subsection (6) omit "in a form approved by the Minister".</p> <p>Section 54A— After "State," insert "the Minister,".</p> <p>Section 54B— In subsection (4) omit "Director" and substitute "Minister".</p> <p>Section 57— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 58— In subsection (1) omit "Director" and substitute "Minister".</p> <p>Section 61— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 62— Omit "Director" and substitute "Minister".</p> <p>Section 63— Omit "the Director, or any" and substitute "a".</p> <p>Section 64— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 65— Omit "Director" and substitute "Minister".</p> <p>Section 66— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 67— Omit "Director" and substitute "Minister".</p> <p>Section 68— Omit "Director" and substitute "Minister".</p> <p>Section 69— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 70— Omit "Director" and substitute "Minister".</p> <p>Section 72A— In subsections (1), (3), and (4) omit "Director" and substitute "Minister".</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Public Health Act</i> 1935— <i>continued.</i>	26 Geo. V No. 43— <i>continued.</i>	<p>Section 75— Omit "the Director, or any other person," and substitute "any person". Omit "Director" (second occurring) and substitute "Minister".</p> <p>Section 76— In subsection (1) omit "the Director or any inspector" and substitute "a health officer, municipal health officer," In subsection (2) omit "Director so" and substitute "Minister".</p> <p>Section 77— In subsection (1) omit "the Director or an inspector" and substitute "a health officer, municipal health officer,".</p> <p>Section 78— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 79— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 90— Omit "Director" (wherever occurring) and substitute "medical officer of health".</p> <p>Section 92— Omit "Director" and substitute "Minister".</p> <p>Section 93— In paragraph I of subsection (1) omit "inspector or other person that a nuisance exists on any premises, the Director or any inspector appointed under section seven" and substitute "person that a nuisance exists on any premises, the Minister or a health officer", and omit "Director" (second occurring) and substitute "Minister". In paragraph III of that subsection omit "Director" and substitute "Minister or a medical officer of health". In subsection (2) omit "Director" and substitute "Minister or a medical officer of health".</p> <p>Section 94— Omit "Director" and substitute "Minister, the municipal health officer,".</p> <p>Section 95— In subsection (1) omit "Director" (first occurring) and substitute "Minister". In paragraph I of that subsection omit "Director" (first</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Public Health Act</i> 1935— <i>continued.</i>	26 Geo. V No. 43— <i>continued.</i>	<p>occurring) and substitute "Minister, his delegate, or a medical officer of health", and omit "Director" (second occurring) and substitute "Minister".</p> <p>Section 96— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 98— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 100— In subsection (4) omit "Director" and substitute "Minister".</p> <p>Section 104— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 106— Omit "Director" and substitute "Minister".</p> <p>Section 107— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 108— Omit "Director" and substitute "Minister".</p> <p>Section 109— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 110— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 114— Omit "Director" and substitute "Minister".</p> <p>Section 115— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 117— Omit "Director" and substitute "Minister".</p> <p>Section 118— In subsection (1) omit "the Director" (first occurring) and substitute "a medical officer of health", and omit "Director" (second occurring) and substitute "Minister". In subsection (6) omit "Director" and substitute "Minister". In subsection (7) omit "the Director" and substitute "a medical officer of health".</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Public Health Act</i> 1935— <i>continued.</i>	26 Geo. V No. 43— <i>continued.</i>	<p>Section 118A— Omit "the Director or".</p> <p>Section 118B— In subsection (1), omit "the Director" (first, second, and third occurring), and substitute "a medical officer of health", and omit "Director" (last occurring), and substitute "Minister". In subsections (3) and (4) omit "Director" and substitute "Minister".</p> <p>Section 118C— Omit "Director" and substitute "Minister".</p> <p>Section 119— Omit "the Director" and substitute "a medical officer of health".</p> <p>Section 126— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 128— After "by" insert "the Minister".</p> <p>Section 129— In subsection (1), after "hinders", insert "the Minister".</p> <p>Section 130— In subsections (1) and (3) omit "the Director" and substitute "Minister".</p> <p>Section 133— Omit "Director" and substitute "Minister".</p> <p>Section 135— Omit "Director" and substitute "Minister".</p> <p>Section 137— In subsections (4) and (8) omit "Director" and substitute "Minister".</p>
<i>Tuberculosis Act</i> 1949	No. 20 of 1949—	<p>Section 2— Omit the definition of "Director".</p> <p>Section 3— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 4— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 5— Omit "Director" (wherever occurring) and substitute "Minister".</p> <p>Section 6— Omit "Director" (wherever occurring) and substitute "Minister".</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Tuberculosis Act</i> 1949— <i>continued.</i>	No. 20 of 1949— <i>continued.</i>	<p>Section 8— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 8A— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 10— Omit “Director” and substitute “Minister”.</p> <p>Section 11A— Omit “Director” and substitute “Minister”.</p> <p>Section 12— Omit “Director” (wherever occurring) and substitute “Minister”.</p> <p>Section 15— In paragraphs (da) and (f) omit “Director” (wherever occurring) and substitute “Minister”.</p>
<i>Waterworks Clauses Act</i> 1952	No. 86 of 1952	<p>Section 20— Omit “Director of Public Health” and substitute “Minister administering the <i>Public Health Act 1935</i>”.</p>
<i>Radioactive Substances Act</i> 1954	No. 30 of 1954	<p>Section 4— Omit paragraph (a) of subsection (2) and substitute the following paragraph:— “(a) one shall be a legally qualified medical practitioner who— (i) is an officer as defined by the <i>Public Service Act 1923</i>; (ii) is nominated by the Minister; and (iii) shall be the chairman of the Council; and”.</p>
<i>Sewers and Drains Act</i> 1954	No. 67 of 1954	<p>Section 2— In the definition of “treated sewage” omit “Director of Public” and substitute “Minister for”, and omit “Director” (second occurring) and substitute “Minister”.</p> <p>Section 56— In subsection (1) omit “Director of Public” and substitute “Minister for”.</p> <p>Section 59— In subsection (1) omit “Director of Public” and substitute “Minister for”.</p>

Short title of Act.	Year and number of Act.	How amended.
<i>Sewers and Drains Act 1954—continued.</i>	No. 67 of 1954— <i>continued.</i>	Section 62— Omit “Director” (wherever occurring) and substitute “Minister”. Section 86— In subsection (1) omit “Director of Public” and substitute “Minister for”.
<i>Water Act 1957</i>	No. 39 of 1957	Section 3— Omit the definition of “Director” and, after “lake”, insert the following definition:— “‘Minister for Health’ means the Minister administering the <i>Public Health Act 1935</i> .” Section 79— Omit “Director” (wherever occurring) and substitute “Minister for Health”. Section 108— Omit “Director” and substitute “Minister for Health”. Section 109— Omit “Director” and substitute “Minister for Health”. Section 111— In subsection (2) omit “Director” and substitute “Minister for Health”. Section 112— In subsection (3) omit “Director” and substitute “Minister for Health”. Section 113— In subsections (3) and (7) omit “Director” and substitute “Minister for Health”. Section 114— In subsection (2) omit “Director” (wherever occurring) and substitute “Minister for Health”.
<i>Dangerous Drugs Act 1959</i>	No. 38 of 1959	Section 2— Omit the definition of “Director-General”. Section 6— In subsection (3) omit “Director-General” and substitute “Minister”. Section 9— In subsection (1) omit “upon the recommendation of the Director-General”. Section 14— In subsection (1) omit “Director-General” and substitute “Minister”. Section 16— In subsection (1) omit “Director-General” and substitute “Minister”. Section 18— In subsection (2) omit “Director-General” and substitute “Minister”.