

HEALTH (AMENDMENT) BILL 1977.

NOTES ON CLAUSES.

Clause 1 of the Bill contains the Short Title, the reference to the Principal Act (which is the *Health Act 1958*) and the commencement provisions. The commencement is to be by a proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*. Special provision is made in respect of the commencement of Clause 17 (2) of the Bill because of its relationship with the *Health Commission Bill 1977*.

Clause 2 amends section 33 of the Principal Act to forbid the appointment under the section by a Council of a medical officer of health or an inspector.

Clause 3 amends section 44 of the Principal Act to enable a Council to authorize one or more of its officers or employés to exercise its powers and discretions in relation to the service of notices to abate a nuisance.

Clause 4 amends sections 60 and 61 of the Principal Act to enable Councils to make pro-rata refunds of rates and charges made and levied in respect of the collection of nightsoil and of rubbish.

Clause 5 amends section 65 of the Principal Act to enable a Council to authorize one of its officers to approve or, subject to ratification by the Council, refuse an application for the installation of a septic tank system.

Clause 6 inserts a new section 84 into the Principal Act to provide for the re-use of waste water, subject to the control of the Commission.

Clause 7 amends the Principal Act—

- (a) by removing from section 142 the reference to establishments “ where tattooing or other like processes are performed ” ; and
- (b) by inserting a new section 142A to provide that regulations may be made for the registration and control of establishments in which tattooing, ear piercing, acupuncture or any like process involving penetration of the skin of a living human being is carried on.

Clause 8 repeals section 205 of the Principal Act which prohibits the erection of a dwelling on land liable to flooding.

Clause 9 amends section 220 (1) of the Principal Act to extend the interpretation of “ Apartment House ” so that it covers premises on which there are two or more buildings.

Clause 10 amends section 220A by adjusting paragraph (b) of the interpretation of “ Special Accommodation house ” and by inserting new sub-sections (2) and (3) containing evidentiary provisions designed to facilitate any prosecution for contravention of the section.

Clause 11 repeals Division 2 of Part XIV. of the Principal Act. That Division currently contains provisions relating to production and sale of wines in Victoria, and is no longer necessary.

Clause 12 updates the reference to the British Pharmacopoeia which section 270A of the Principal Act adopts as the Pharmacopoeia in force in Victoria and will allow the British Pharmaceutical Codex and the Australian Pharmaceutical Formulary and Handbook to be used in Victoria as well as the British Pharmacopoeia.

Clause 13 amends section 288 (2) (d) of the Principal Act to enable the nominee of the Director-General of Agriculture to be a member of Food Standards Committee.

Clause 14 amends section 291 (1) of the Principal Act to increase, from 2 days to 7 days, the period within which a defendant may give notice under the section that he intends to avail himself of the protection which the section gives.

Clause 15 re-enacts provisions prohibiting private persons from slaughtering animals except on premises in a shire, where the animal is slaughtered for consumption on those premises and not for sale. It also inserts a section in the Principal Act making it an offence against the Principal Act to sell unbranded meat.

Clause 16 increases the penalty in section 365 (3) in respect of the cultivation of a prohibited plant, from \$200 for a first offence and \$400 or imprisonment for six months for a second or any subsequent offence, to \$4,000 or ten years imprisonment or both such penalty and imprisonment for any offence.

Clause 17 re-enacts with amendments sections 401, 407 and 408 of the Principal Act, which deal with seizures made under the Act.

Clause 18 removes the reference to the *Hairdressers Registration Act 1958* from the Second Schedule to the Principal Act, thereby removing that Act from the administration of the Minister of Health.