

*Hawkers Licenses Amendment Act.* 13 GEO. V. No. 37, 1922.

### HAWKERS.

13 Geo. V.  
No. 37.  
THE  
HAWKERS  
LICENSES  
AMENDMENT  
ACT OF 1922.

#### An Act to Amend "The Hawkets Licenses Amendment Act of 1869" in a certain particular.

[ASSENTED TO 18TH OCTOBER, 1922.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as "*The Hawkets Licenses Amendment Act of 1922.*"

Amendment  
of 33 Vic.  
No. 11, s. 3.

2. The following provision is added to section three of \*"*The Hawkets Licenses Amendment Act of 1869*" :—

"Provided that in any particular case the Home Secretary—

(a) May authorise the grant of such license for any specified period less than twelve months upon payment of such smaller sum than ten pounds as he may fix ; or

(b) May reduce the amount payable in respect of such license for a full period of twelve months to such sum as he may fix ;

and each such license may be granted and each such sum shall be payable in respect thereof accordingly."

### HEALTH.

13 Geo. V.  
No. 33.  
THE HEALTH  
ACTS  
AMENDMENT  
ACT OF 1922.

#### An Act to Amend "The Health Acts, 1900 to 1917," in certain particulars.

[ASSENTED TO 18TH OCTOBER, 1922.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title  
and  
construction  
of Act.

1. This Act may be cited as "*The Health Acts Amendment Act of 1922.*" and shall be read as one with †"*The Health Acts, 1900 to 1917.*" herein collectively referred to as the Principal Act.

\* 33 Vic. No. 11, *supra*, page 884.

† 64 Vic. No. 9 and Amending Acts, *supra*, page 7735.

13 GEO. V. No. 33, 1922. *Health Acts Amendment Act:*

2. (1.) The following amendments are made in Amendment of s. 3, &c. section three of the Principal Act:—

After the words “PART VI.—FOOD” the words “AND DRUGS” are inserted.

After the words “*Subdivision II.—Pure Food*” the words “*Drugs, &c.*” are inserted.

After the words last mentioned the words “*Subdivision III.—Footwear*” are inserted.

(2.) To the heading “PART VI.—FOOD” before section ninety-two of the Principal Act the words “AND DRUGS” are added; and to the heading “*Subdivision II.—Pure Food*” before section ninety-five of the Principal Act the words “*Drugs, &c.*” are added.

3. The following amendments are made in Amendments of s. 5. section five of the Principal Act:—

The definitions of “Appliance” and “Article” are repealed.

In the definition of “House,” after the words “wool shed” the words “or tent” are inserted; also, after the word “building” the words “or structure” are inserted.

The words “and also includes an assistant inspector” are added to the definition of “Inspector.”

After the definition of “Parent” the following definition is inserted:—

““Person” includes a company, partnership, and Person. any body or association of persons.”

The definition of “Prostitute” is repealed.

The words “the term also, so far as relates to poison, includes exchanging, lending, or giving away,” are added to the definition of “Sale.”

The following words are added to the definition of “Sewer”: “the term does not include a spade-cut unformed street water-channel.”

After the definition of “Sewer” the following definitions are inserted:—

““Shoes” includes the articles usually sold as Shoes. slippers or sandals;

*Health Acts Amendment Act.* 13 GEO. V. No. 33,

Sole.                   “Sole”—All that part of a boot or shoe which in use is under the foot of the wearer, including both the outsole and the insole, and the heel, but not including the thin slip of leather, paper, or like material which is affixed to the upper surface of the inner sole.”

Amendment of s. 20.           4. In paragraph (iii.) of subsection one of section twenty of the Principal Act, after the word “inoculation” the words “or vaccination” are inserted; also, after the words “speedy disposal” the words “and methods of disposal” are inserted.

In the second paragraph of subsection two of the said section, after the word “section” the words “but one” are inserted.

Amendment of s. 29.           5. In subsection four of section twenty-nine of the Principal Act, after the words “public expert” the words “or inspector” are inserted.

The following words are added to the said subsection:—“No such appointment shall be cancelled, nor shall the medical officer of health or public analyst or public expert or inspector be removed from his office or have his salary reduced, without the approval of the Commissioner.”

Amendment of s. 36.           6. The following proviso is added to section thirty-six of the Principal Act:—

“Provided that the Governor in Council may, by Order in Council, prohibit in any Area or part of an Area any drainage, or such drainage as may be specified in the Order, into—

- (a) A natural watercourse or natural stream whether subject to tidal influence or not; or
- (b) Any stream or watercourse already receiving household drainage or trade waste water or drainage; or
- (c) Any open water-channel or water-table in or upon any street; or
- (d) Any open or underground channel vested in the Local Authority and intended to be used for carrying off storm water only;

and thereupon it shall be the duty of the Local Authority to cause to be made such other provision as is specified in the Order for the effectual sewerage and drainage of the Area or part of the Area concerned.

1922.

· *Health Acts Amendment Act.*

Every such Order shall be read as one with this Act, and be of equal validity therewith.

Any person who is guilty of a contravention thereof shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding forty shillings.

If the Local Authority makes default in compliance with any such Order, the Commissioner shall have all the rights, powers, and authorities vested in him, and the Local Authority shall have all the duties, obligations, and liabilities imposed upon a Local Authority by sections eighteen and twenty of this Act.

A Local Authority shall have power to institute proceedings in respect of any act or omission whereby or in consequence of which a nuisance arises (whether subject to tidal influence or not) by the pollution of any river or watercourse within or passing through its area, or passing along the boundaries thereof, against any other Local Authority or person, whether such pollution arises within or without the area of such first-mentioned Local Authority, and may take such steps as are deemed necessary to abate such nuisance, and may recover the expenses incurred in so doing from the Local Authority or person from whose act or omission such nuisance has been occasioned.

A Local Authority or Local Authorities may, with the approval of the Governor in Council, carry out such work in any river or watercourse (whether subject to tidal influence or not) within or passing through the area of such Local Authority or Local Authorities, or passing along the boundaries thereof, for the purpose of preventing or removing the pollution of any such river or watercourse or of abating any nuisance arising therefrom. For this purpose, the provisions of Part XVI. of \**The Local Authorities Acts, 1902-1920*” or any Act in substitution or amendment thereof shall be applied.

No Order in Council under this section shall be made until the Local Authority shall first have been given at least one month's notice of the intention to make such Order, so as to enable the said Local Authority to make representations to the Minister in reference to the proposal.”

\* 2 Edw. VII. No. 19 and Amending Acts, *supra*, pages 1860 *et seq.*, 5653, 5918, 8304, and 9571.

Amendment  
of s. 41.

7. In the first paragraph of section forty-one of the Principal Act, all words after the words "the curtilage of such house" to the end of the paragraph are repealed, and the words "or, if no such means of drainage are within that distance, then all such house drainage shall be discharged into and disposed of by such owner or occupier by means of suitable works of subsurface irrigation, designed and executed as are directed by the Local Authority or its authorised officer (if, in the opinion of the Local Authority or such officer, the extent of land available and the nature of the soil are suitable for subsurface irrigation); or if the conditions are not suitable for such disposal and treatment as last prescribed, then such owner or occupier shall cause the drains to empty into such covered place and in such manner as the Local Authority directs, but not under any house, which covered place shall be emptied from time to time and as often as is necessary by the Local Authority" are inserted in lieu thereof.

The proviso to the said section is repealed.

Regulation  
of drainage  
in covered  
places, &c.

8. Section forty-three of the Principal Act is repealed, and the following section is inserted in lieu thereof:—

"[43.] Where drainage empties into a covered place or any natural water-course or natural stream, or any open water-channel or water-table in or upon any street, or any open or underground channel vested in the Local Authority and intended to be used for carrying off storm water only, or is discharged into or disposed of by means of works of subsurface irrigation, the Governor in Council may, by Order in Council, regulate the conditions of such drainage.

Such Order may—

- (a) Be of general application or refer to a particular Area or part of a particular Area;
- (b) Prohibit any particular method of drainage or prescribe the method of drainage in any Area or part of an Area;
- (c) Prescribe separate conditions with regard to premises occupied or used for different purposes."

Any owner or occupier of land within any such Area or part thereof as aforesaid, or the Local Authority of such Area, who or which contravenes any provisions or

1922.

*Health Acts Amendment Act.*

conditions of such Order, which said Order in Council shall not be made until after the expiration of one month's notice is given to the Local Authority, shall be liable to a penalty not exceeding thirty pounds and to a daily penalty not exceeding forty shillings."

**9.** In the second paragraph of section forty-four of the Principal Act, all the words after the word "rebuilt" to the end of the paragraph are repealed, and the words "or, if no such means of drainage are within that distance, then all such house drainage shall be discharged into and disposed of by the owner or occupier of such house by means of suitable works of subsurface irrigation, designed and executed as are directed by the Local Authority or its authorised officer (if, in the opinion of the Local Authority or such officer, the extent of land available and the nature of the soil are suitable for subsurface irrigation); or if the conditions are not suitable for such disposal and treatment as last prescribed, then such owner or occupier shall cause the drains to empty into such covered place and in such manner as the Local Authority directs, but not under any house, which covered place shall be emptied from time to time and as often as is necessary by the Local Authority" are inserted in lieu thereof.

**10.** In paragraph (1) of section forty-eight of the Principal Act, after the word "sewer" the words "covered place" are inserted.

**11.** (1.) In paragraph (i.) of subsection one of section sixty-three of the Principal Act, the word "house," where it twice occurs, is repealed.

The proviso to subsection two of the said section is repealed, and the following provision is inserted in lieu thereof :—"The Local Authority shall itself collect all sums levied or charged by it in respect of special rates or charges for sanitary services, and shall not delegate the duty of so doing to any sanitary contractor unless with the permission of the Commissioner of Public Health."

(2.) In sections sixty-four, sixty-five, and sixty-six, the word "house" before the word "refuse" wherever it occurs is repealed.

**12.** In paragraph (5) of section sixty-seven of the Principal Act, the words "abutting on a street and lying below the level thereof" are repealed.

Amendment  
of s. 72.

**13.** In paragraph (vi.) of section seventy-two of the Principal Act, the word "house" before the word "refuse" is repealed.

The following words are added to paragraph (vii.) of the said section:—"prescribing with respect to premises or any particular class or classes of premises or any house or part thereof or any sanitary convenience that before any operations of limewashing, colourwashing, kalsomining, distempering, varnishing, painting of any kind, or papering are carried out, the surfaces to be treated shall be properly cleaned and all materials of scrini, hessian, canvas, calico, paper, or the like previously used on such surfaces which are or are likely to be insanitary shall be removed."

Amendment  
of s. 75.

**14.** Subsection one of section seventy-five of the Principal Act is repealed, and the following subsection is inserted in lieu thereof:—

"(1.) No person shall erect a new building on any swampy land, or land which is incapable of being drained, or upon ground which has been filled up with any matter impregnated with fæcal, animal, or vegetable matter, or upon which any such matter has been deposited, unless or until such swampy land has been effectively drained or filled in, or such impregnated matter has been properly removed by excavation or otherwise or has been rendered or has become innocuous."

Amendment  
of s. 76.

**15.** Subsection four of section seventy-six of the Principal Act is repealed, and the following subsection is inserted in lieu thereof:—

"(4.) Any of the following places in which any person passes the night is deemed to be a cellar occupied as a dwelling, namely:—Any cellar, vault, or underground room; or any room so situated that, by reason of being wholly or partly below the general level of the ground adjacent thereto, light and ventilation are not or cannot be provided directly from the external air by means of windows or other suitable openings through the walls on at least two sides; each of such windows or openings having an area of not less than one-twentieth of the floor area."

Amendment  
of s. 83.

**16.** In paragraph (b) of subsection two of section eighty-three of the Principal Act, the word "may" is repealed and the word "shall" is inserted in lieu thereof.

1922.

*Health Acts Amendment Act.*

17. In paragraph (1) of section ninety-one of the Principal Act, after the word "pigsty" the words "cow-shed, byre, or dairy" are inserted; also, in paragraph (3) of the said section, after the word "premises" the words "and the destruction of pigeons not kept on premises" are inserted; also, after paragraph (8) the following paragraphs are inserted:—

Amendment  
of s. 91.

- "(9) Regulating the cleansing, disinfection, and ventilation of theatres, picture shows, and places of amusement; Theatres, &c.
- (10) Regulating the cleansing of public baths and providing clean water for the same." Public baths.

18. Section ninety-two of the Principal Act is repealed, and the following section is inserted in lieu thereof:—

"[92.] (1.) For the purposes of this Act, a food or drug is deemed to be adulterated— Adultera-  
tion of food  
or drug.

- (a) If it contains or is mixed or diluted with any substance, in any quantity or in any proportion, which diminishes in any manner its nutritive or other beneficial properties as compared with the same in a pure and normal state and in an undeteriorated and sound condition, or which in any manner operates or may operate to the prejudice or disadvantage of the purchaser or consumer;
- (b) If it contains or is mixed or diluted with any substance of lower commercial value than the same in a pure and normal state and in an undeteriorated and sound condition;
- (c) If any substance, constituent, or ingredient has been wholly or in part extracted, abstracted, or omitted from it, and as a result its nutritive or other beneficial properties are less than those of the same in its pure and normal state, or the purchaser or consumer is or may be in any manner prejudiced or disadvantaged;
- (d) If, either wholly or in part, it does not comply with the prescribed standard for it;
- (e) If it contains anything prohibited by this Act or any Order in Council;
- (f) If it contains any substance in excess of any quantity or proportion permitted by this Act or any Order in Council;



*Health Acts Amendment Act.* 13 GEO. V. No. 33,

- (g) If it is mixed, coloured, powdered, coated, stained, or treated in any manner whereby damage, deterioration, inferiority, or true character or quality is or may be concealed;
- (h) If it consists wholly or in part of a filthy, decomposed, or putrid animal or vegetable substance, or of any portion of an animal or vegetable unfit for use as or in a food or drug, whether manufactured or not;
- (i) If it is the product of a diseased animal, or of one which has died otherwise than by slaughter;
- (j) If it is damaged, deteriorated, or perished;
- (k) If, being a food, it contains methyl alcohol, or not having paid Customs or Excise duty it contains more than two parts per centum of proof spirit;
- (l) If another substance has been substituted wholly or in part, for such food or drug:

Provided that, in any proceeding under this Act for selling a food or a drug to which paragraph (a) or paragraph (b) applies, such food or drug shall not be deemed to be adulterated if it is sold as a mixture in accordance with this Act.

False  
description  
of food or  
drug.

(2.) For the purposes of this Act a food or drug is deemed to be falsely described—

- (a) If it is in a package, and—
  - (i.) The contents of the package as originally put up have been removed in whole or in part, and other contents have been placed in such package; or
  - (ii.) It fails to bear on the package, or on a label on or attached thereto, a statement of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, phenacetin, or any other substance prescribed to be so stated, or any derivative or preparation of any such substances contained therein; or
  - (iii.) The contents are stated in terms of weight or measure on the outside of the package, or on a label on or attached thereto, and they are not plainly and correctly stated; or

1922.

*Health Acts Amendment Act.*

- (iv.) The package or any label on or attached thereto bears a statement, word, brand, mark, design, or device regarding the nature, quality, strength, purity, composition, origin, age, or proportion of the food or drug, or the ingredients, constituents, or substance contained in the food or drug, which is false or misleading in any particular;
- (b) In the case of imported goods, if it has not applied thereto the trade or other description as required for its importation under the laws in force for the time being of the Commonwealth of Australia, or if it has applied thereto a false trade or other description within the meaning of the aforesaid laws regarding the importation of goods;
- (c) If it is an imitation of or is offered for sale under the distinctive name of another food or drug;
- (d) If it is labelled or marked so as to deceive or mislead the purchaser, or purports to be an imported product when not so;
- (e) If it is sold under a name which conveys or is likely to convey false indication of origin, character, or place of manufacture, or to lead the purchaser to suppose that it is any other food or drug or product thereof."

**19.** In section ninety-five of the Principal Act, the words "or article" are repealed. Amendment of s. 95.

**20.** The following words are added to paragraph (f) of subsection one of section ninety-six of the Principal Act: "or sell any quantity of food or drug less in weight or measure than the weight or measure or number demanded and paid for by the purchaser." Amendment of s. 96.

**21.** In subsection one of section one hundred of the Principal Act, the words "of cure" are repealed. Amendment of s. 100.

**22.** In section one hundred and one of the Principal Act, after the words "last preceding sections shall," the word "also" is inserted. Amendment of s. 101.

*Health Acts Amendment Act. 13 GEO. V. No. 33.*

**23.** After section one hundred and one of the Principal Act, the following section is inserted:—

Use of  
catheters,  
&c.

“[101A.] No person shall sell, hire, exchange, give, or supply any instrument or appliance such as a catheter, sound, medicinal tent, or other instrument or appliance which is capable of being used for the purpose of bringing on a miscarriage or abortion, except on the written prescription of a medical practitioner, which prescription shall be retained by the seller or supplier and produced when ordered by a court of petty sessions at any time within twenty-four months after the date on which such prescription was given. Any person who acts in contravention of this section shall be liable to a penalty not exceeding one hundred pounds: Provided that this section shall not apply to a wholesale firm supplying a medical practitioner or registered pharmaceutical chemist or to any public hospital or charitable institution.”

Amendment  
of s. 104.

**24.** At the beginning of subsection four of section one hundred and four of the Principal Act, the words “Subsections one and two of” are inserted.

Amendment  
of s. 107.

**25.** In subsection one of section one hundred and seven of the Principal Act, after the word “officer” the words “without warrant” are inserted; also, after the word “may” the words “at any time” are inserted.

Amendment  
of s. 108.

**26.** In the first paragraph of section one hundred and eight of the Principal Act, the words “shop on or near the counter” are repealed, and the word “premises” is inserted in lieu thereof; also, after the word “weighing” the words “dough or” are inserted.

In the third paragraph of the said section, the words “in his shop” are repealed and the words “on his premises” are inserted in lieu thereof.

Amendment  
of s. 109.

**27.** In section one hundred and nine of the Principal Act, the words “groceries or like” are repealed.

Amendment  
of s. 113.

**28.** Subsection (iii.) of section one hundred and thirteen is repealed.

After subsection (iv.) of the said section, the following subsection is inserted:—

“(ivA.) Any mattress or quilt described or designated by any particular name denoting that it contains a certain substance, unless it contains or is packed entirely with such substance.”

1922.

*Health Acts Amendment Act.*

**29.** After section one hundred and fourteen of the Principal Act the following section is inserted:—

“[114A.] (1.) No paint containing more than five per centum of soluble lead shall be used or put within four feet from the floor or ground on the outside of any residence, hall, school, or other building to which children under the age of fourteen years have access, or on any veranda railing, gate, or fence. Restriction on use of lead in paints.

(2.) No surface of paint which contains more than five per centum of soluble lead shall be rubbed down in a dry condition.

(3.) “Soluble lead” means the lead compound which is dissolved upon paint being treated with the prescribed solvent by the prescribed method of testing.

For the purpose of calculating the percentage as aforesaid, the soluble lead shall be calculated as a percentage of lead monoxide on the dry substance of the paint free from varnish, size, or similar material.”

(4.) The provisions of this section shall come into operation on a date to be fixed by the Governor in Council by a Proclamation, but not earlier than the first day of July, one thousand nine hundred and twenty-three.”

**30.** After the said section 114A, the following section under the following cross-heading is inserted:—

“*Subdivision III.—Footwear.*

[114B.] (1.) Any person who manufactures for sale or sells any boots or shoes the soles of which do not consist entirely of leather shall, unless a statement of the materials composing the sole is conspicuously and legibly stamped upon or impressed into the outer surface of the sole of each boot or shoe, be liable to a penalty not exceeding twenty pounds: Soles to be of solid leather or stamped with the name of material.

Provided that this subsection shall not apply—

- (i.) Where the outsole consists entirely of rubber; or
- (ii.) Where the only material in the sole other than leather consists of one or more of the following:—
  - (a) Ordinary fillers of cork or waterproof felt;
  - (b) Canvas used to reinforce the insole;

*Health Acts Amendment Act.* 13 GEO. V. No. 33,

- (c) A prescribed material used as prescribed in the manufacture of shanks ;
- (d) Wood used in the heels of ladies' footwear ;
- (e) Stiffening of such materials and so made as prescribed.

Boots, &c.,  
to bear  
name of  
manu-  
facturers, &c.

(2.) Any person who sells or supplies any boots or shoes which do not bear stamped upon the soles or that portion of the sole known as the waist thereof in legible characters the name or registered trade mark of the manufacturer or maker, or his own name or trade mark, shall be liable to a penalty not exceeding twenty pounds.

Soles not to  
contain  
weighting  
substance.

(3.) Any person who manufactures for sale or sells any boots or shoes the soles of which consist of leather having an admixture of any weighting substance specified in the regulations shall be liable to a penalty not exceeding twenty pounds.

(4.) Where any person is prosecuted under this Act for the sale of any leather or boots or shoes the soles of which consist of leather having an admixture of any weighting substance as aforesaid, he shall be entitled to be discharged from such prosecution upon proving—

- (i.) That he has received from the person from whom he purchased such leather boots or shoes, or his duly authorised agent, a guarantee in writing that the articles are constituted and marked in accordance with the requirements of the Queensland Health Acts ; and
- (ii.) That he had no reason to believe that the said articles were mixed, composed, constituted, or marked in contravention of the said Acts ; and
- (iii.) That he sold the articles in the same state as when he purchased them,

subject, however, to the following conditions :—

- (a) The person giving the guarantee must be resident in Queensland, or, if a company or firm, must have a registered office in Queensland ;
- (b) The guarantee must state the name and the place of business of the guarantor, and the name under which he trades, and must specifically identify the articles to which it relates.

1922.

*Health Acts Amendment Act.*

Any tanner or other person who manufactures or sells or supplies or keeps for sale or use in Queensland any leather having an admixture of any weighting substance specified in the regulations, and which is intended for or capable of being used in the making of soles for boots or shoes, shall be liable to a penalty not exceeding twenty pounds.

(5.) The provisions of section one hundred and twenty-six of this Act shall, with such alterations, modifications, and substitutions as the Governor in Council deems necessary and by Order in Council declares, extend and apply to a defendant in any proceedings under this section for a breach thereof. Application of s. 126.

(6.) Any State inspector may enter any place where boots or shoes or leather are manufactured or sold or kept for sale, or any place where he has reason to believe that boots or shoes or leather are manufactured or sold or kept for sale, and inspect any articles therein; but he shall, at the request of any person apparently in charge of such place or of any work carried on therein, produce his authority as inspector. Powers of inspectors.

He may also in any such place take any boots or shoes or leather, whether manufactured or partly manufactured, paying a just price for the same.

(7.) In any prosecution under this section, any person who manufactures boots or shoes shall be deemed to manufacture them for sale, unless the contrary is proved. Proof of manufacture for sale.

(8.) Any officer authorised under this Part may seize any article which is or appears to him to be falsely described or composed or constituted in contravention of this section, and may mark such article or the package containing the same, and fasten, secure, or seal the same or any door or opening affording access to the same. Power of officer.

(9.) The Commissioner may from time to time make regulations for carrying out this section, and in particular— Regulations.

- (a) Prescribing the manner of marking the soles of boots and shoes in pursuance of this section;
- (b) Prescribing the materials of which and the manner in which shanks and stiffening, not consisting of solid leather, used in the soles of boots and shoes may be manufactured and used;

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*Health Acts Amendment Act.* 13 Geo. V. No. 33,

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(c) Specifying the weighting substances the admixture of which in leather forming part of the soles of boots and shoes is prohibited.

(10.) This section shall come into force on a date to be proclaimed by the Governor in Council in the *Gazette*, not being earlier than the first day of January, one thousand nine hundred and twenty-three."

Amendment  
of s. 116.

**31.** In subsection four of section one hundred and sixteen of the Principal Act, after the word "case" the words "of a portion" are repealed.

Amendment  
of s. 118.

**32.** In subsection three of section one hundred and eighteen of the Principal Act, after the word "address" the words "or in a sealed package addressed to the analyst at his usual address by rail, coach, steamer, or other means of transit" are inserted.

Amendment  
of s. 120.

**33.** The following subsection is added to section one hundred and twenty of the Principal Act :—

"[5.] No person shall use for trade purposes or as an advertisement any communication or correspondence from any State department relating to any food or drug or article or to any other matter to which this Act or any regulation made thereunder applies; and if any person so uses such correspondence or communication he shall be liable to a penalty not exceeding fifty pounds."

Amendment  
of s. 121.

**34.** In paragraph (b) of section one hundred and twenty-one of the Principal Act, after the word "refuses" the words "to sell or" are inserted.

After paragraph (e) of the said section the following paragraph is inserted :—

"(f) Refuses to state his name and place of abode when requested by an officer, or states a false name or false place of abode."

The following words are added to the said section :  
"and shall be liable to a penalty not exceeding ten pounds for the first offence or in the discretion of the Court imprisonment for any period not exceeding one month, and for the second or any subsequent offence to a penalty not exceeding fifty pounds or in the discretion of the Court imprisonment for any period not exceeding three months."

1922.

*Health Acts Amendment Act.*

**35.** Section one hundred and twenty-six of the Principal Act is repealed, and the following section inserted:—

“[126.] (1.) Where any person is prosecuted under this Act for the sale of any food or drug which is adulterated or falsely described, or is mixed, coloured, composed, or constituted in contravention of this Act, he shall be entitled to be discharged from such prosecution upon proving—

Guarantee,  
when a  
defence.  
1908,  
N.S.W.,  
ss. 47, 50.

- (i.) That he has received from the person from whom he purchased such food or drug, or his duly authorised agent, a guarantee in writing that the same is not adulterated or falsely described, or mixed, coloured, composed, or constituted as aforesaid; and
- (ii.) That he had no reason to believe that the same was adulterated or falsely described, or mixed, coloured, composed, or constituted as aforesaid; and
- (iii.) That he sold it in the same state as when he purchased it,

subject, however, to the following conditions:—

- (a) The person giving the guarantee must be resident in Queensland, or, if a company or firm, must have a registered office in Queensland;
- (b) The guarantee must state the name and the place of business of the guarantor, and the name under which he trades;
- (c) A guarantee may be general or specific;
- (d) A general guarantee shall apply to the sale of the description of goods or classes of goods named therein;
- (e) A specific guarantee shall apply to the sale of specific goods, and shall refer to a sale note, bill of sale, invoice, bill of lading, or other document describing the goods and the weight, measure, and number of the same, but shall not be available as a defence unless the defendant has, within seven days after service of the summons, sent to the purchaser a copy of such guarantee with a written notice stating that he intends to rely on the



*Health Acts Amendment Act. 13 GEO. V. No. 33,*

same as a defence, and specifying the name and place of business of the person giving the guarantee, and the name under which he trades, and has also sent a like notice of his intention to the person giving the guarantee ;

- (f) A general guarantee shall apply to the sale of any particular class or classes of goods specified in a guarantee document describing such goods, and where it is intended to rely upon a general guarantee as a defence the like procedure as in the case of a specific guarantee shall be followed by the defendant ;
- (g) The person by whom any guarantee is alleged to have been given under this section shall be entitled to offer evidence at the hearing, and the court may, if it thinks fit, adjourn the hearing to enable him to do so ;
- (h) The form of any guarantee under this section may be prescribed.

Penalty on guarantor.

(2.) Any person who gives any such guarantee which is false shall, in addition to any penalty for the sale of any food or drug in contravention of this Act, be guilty of an offence, unless he proves that when he gave the guarantee he had reason to believe, and did believe, that the statements or descriptions contained therein were true ; and it shall be no defence to any prosecution under this Act of the person giving such guarantee that he gave it more than six months or any prescribed period of time before the institution of such prosecution.

Proceedings for such penalty.

(3.) Proceedings under the last preceding subsection against the person who has given the guarantee may be taken before a court having jurisdiction in the place where the food or drug was sold, or before a court having jurisdiction in the place where the guarantee was given.

Agents or servants.

(4.) When the defendant is a servant or agent of the person who purchased the food or drug under such a guarantee, he shall be entitled to the benefit of this section in the same manner and to the same extent as his employer or principal would have been if he had been the defendant, unless it is proved that the servant or agent knew or had reason to suspect that the food or drug did not conform to the said guarantee.

1922.

*Health Acts Amendment Act.*

(5.) Notwithstanding anything in this section contained, the Governor in Council may, by Order in Council—

Power to  
abolish  
serial  
number  
general  
guarantees.

- (a) Declare that from and after the date of the publication of such Order in the *Gazette* the receipt by a vendor of any food or drug from the person from whom he originally bought the same, or from his agent, of a serial number general guarantee in writing that such food or drug is not adulterated or falsely described or mixed, coloured, composed, or constituted in contravention of this Act, shall not be any defence in any prosecution of such vendor with respect to the sale of such food or drug;
- (b) Declare that all general guarantees filed in the office of the Commissioner and all serial numbers allotted to them respectively are cancelled;
- (c) Prohibit from and after a date to be specified in such Order the use on the label or package of any food or drug, of any serial number, or of the words "Guaranteed under the Health Acts," or words of similar import, or of any words or expression signifying, suggesting, or implying that the food or drug, or the contents of any such package, is or are guaranteed under the provisions of the Health Acts, or of the Food and Drug Regulations, or any such laws;
- (d) Repeal or amend such of the provisions of this Act as are deemed necessary to give full effect to such Order;
- (e) Give such other directions as are deemed necessary or expedient;
- (f) Impose a penalty, not exceeding twenty pounds, for any contravention of such Order.

Such Order shall be read as one with this Act, and shall be of equal validity."

36. The following words are added to subsection three of section one hundred and twenty-nine of the Principal Act:—"The endorsement of the analyst's certificate with an oath of service shall be *primâ facie* evidence of the service of such copy."

Amendment  
of s. 129.

Amendment  
of s. 131.

**37.** Section one hundred and thirty-one of the Principal Act is repealed, and the following section is inserted in lieu thereof:—

Independent  
analysis.

“[131.] In the event of disagreement between the evidence of the analyst for the prosecution and that of the analyst for the defence, the court shall, on the request of either party to any proceedings for an offence against this Part, and may, if it thinks fit, without such request, order the Commissioner to procure that the part of a sample retained by the officer when purchasing or obtaining the sample shall be submitted to another analyst for analysis; and the Commissioner shall comply with every such order accordingly.”

Amendment  
of s. 136.

**38.** In subsection one of section one hundred and thirty-six of the Principal Act, after the words “place of business,” where it first occurs, the words “and in the case of a milk-seller upon any vehicle or vehicles used by him in connection with the sale or distribution of milk,” are inserted.

**39.** Section one hundred and thirty-seven of the Principal Act is repealed, and the following section is inserted in lieu thereof:—

“[137.] (1.) The Commissioner may from time to time make regulations with respect to all or any of the following matters, namely:—

Regulations,  
standards,  
&c.

- (i.) Prescribing standards for the composition, strength, weight, quantity, purity, or quality of any food or drug, or of any ingredient or component part thereof, or for the nature or proportion of any substance which may be mixed with or used in the preparation or preservation thereof, or prohibiting the addition of any article to any food or drug; the permitted variations, if any, from standards or from statements of measure or volume:

Provided that the standard so prescribed for spirits shall be for—

Brandy, not more than twenty-five degrees under proof;

Whisky, not more than twenty-five degrees under proof;

1922.

*Health Acts Amendment Act.*

- Rum, not more than thirty-five degrees under proof;
- Gin, not more than thirty-five degrees under proof;
- (ii.) Prohibiting the addition of any specified thing, Foreign substances. or of more than the specified quantity or proportion thereof, to any food or drug;
- (iii.) Prohibiting any modes of manufacture, Mode of manufacture. preparation, or preservation of food;
- (iv.) Prohibiting in the manufacture, preparation, Appliances. storing, preservation, packing, or in the delivering or serving, of any food or drug for sale, the use of appliances containing any substance that may be specified and any substance in or exceeding any proportion that may be specified, and prohibiting the sale, use, serving, or supply of such appliances;
- (v.) The substances which shall not be used in Packages, &c. making any package; the mode of making containers, wrappers, and other packages for food, so as to avoid contact with injurious substances; the use of boiler preservatives where such boilers are used in any process of food preparation or manufacture;
- (vi.) Securing the purity of water used in the pre- Water. paration or manufacture of any food or drug, or used in any boiler producing steam for any process of such preparation or manufacture;
- (vii.) Securing the wholesomeness, cleanliness, and Contamina- tion, &c. freedom from contamination or adulteration of any food or drug in the course of its manufacture, preparation, storage, packing, carriage, transit, or delivery, and securing the cleanliness of places, receptacles, appliances, and vehicles used in such manufacture, preparation, storage, packing, carriage, or delivery;
- (viii.) Prescribing the mode of labelling any food Labelling. or drug sold in packages, and the matter to be contained or not to be contained in such labels; exempting any package or any food or drug from any provision of this Act relating to labelling; the degree of approximation allowed between the weight or measure of the

- food or drug and the weight or measure indicated on the label; requiring labels that may be specified to be written on or attached to any food or drug, or to packages containing such food or drug and prohibiting the use in such labels of words that may be specified; the statement of measure or volume in labels; the use of the word "pure" or any like word;
- Advertisements, &c. (ix.) Regulating and controlling and, where deemed necessary, prohibiting or restricting advertisements, circulars, pamphlets, or other printed or pictorial matter relating to food or drugs for sale, and prohibiting the use in such advertisements, circulars, pamphlets, or other printed or pictorial matter of any statement, claim, design, device, fancy name, or abbreviation which is false or misleading in any particular whatsoever; but no regulation under this Act shall provide that the owners or proprietors of proprietary medicines shall deposit, disclose, or publish the formulæ or ingredients of any such proprietary medicines;
- Capture of live food. (x.) Prohibiting the use of substances or methods that may be specified in the catching, feeding, or drugging of animals shortly prior to death, such animals or the carcass or any part thereof being intended for sale for the food of man;
- Destruction of food. (xi.) Requiring the destruction or denaturation of food that has become deteriorated or impoverished in such degree as may be specified, and of such food as may be specified; the destruction and disposal of unsound food;
- Perishable food. (xii.) The carriage, storage, distribution, inspection, and sale of poultry, eggs, fish and other products of the sea used for food, fruit, vegetables, and other kinds of perishable food;
- Milk-sellers. (xiii.) In notified Areas, licensing milk-sellers and registering their premises;
- Registration of food factories. (xiv.) The registration of all or any premises at which the business of manufacturing or preparing for sale any particular class or classes of food is carried on, and in particular the registration of

1922.

*Health Acts Amendment Act.*

- premises at which the business of manufacturing or preparing for sale ice cream, or ginger beer, or hop beer, or any similar beer, or soda water, spa water, lithia water, or other mineral water or lemonade, or other aerated water or cordials is carried on; licensing the persons carrying on any such business;
- (xv.) Defining poisons and regulating and restricting the ownership, possession, sale, use, lending, or giving away of poisons; licensing dealers in poisons and registering their premises; providing for the inspection, sampling, seizure, and analysis of poisons by any authorised officer; Poisons; licensing dealers, &c.
- (xvi.) Prescribing the method of analysis of any food or drug; Analysis.
- (xvii.) The conditions on which licenses and registrations may be granted, suspended, or revoked; Conditions.
- (xviii.) Prescribing the fees to be paid— Fees for approval of analysts, &c.
- (a) For licenses and registrations;
- (b) By persons applying to be approved and registered as public analysts or public experts;
- (c) In respect of the analysis of any food or drug by an analyst;
- (xix.) Fixing rates for payment for samples of food or drugs or articles taken or obtained under this Act; Prices.
- (xx.) Prescribing forms to be used for the purposes of this Part of this Act; Forms.
- (xxi.) Prohibiting the sale of specified kinds of food otherwise than by weight; Sale by weight.
- (xxii.) The production to officers of certificates and other documents granted or issued for the purposes of this Part of this Act; Production of certificates.
- (xxiii.) Prescribing penalties not exceeding fifty pounds for the breach of any regulation; and Penalties.
- (xxiv.) Generally for carrying out the purposes of this Part of this Act. Generally.

(2.) Any such regulations may be made applicable to the whole State, or to any part thereof, and either to foods, drugs, or articles generally, or to specified foods,

*Health Acts Amendment Act. 13 GEO. V. No. 33,*

drugs, or articles only, and may vary in their application according to the time, place, or destination of the article referred to in the regulations."

Amendment  
of s. 138.

**40.** In section one hundred and thirty-eight of the Principal Act, after the word "food" wherever it occurs the words "or drug" are inserted.

Amendment  
of s. 139.

**41.** In section one hundred and thirty-nine of the Principal Act, after the word "foods" the words "or drugs" are inserted.

**42.** Sections one hundred and forty-six and one hundred and forty-seven of the Principal Act are repealed, and the following sections are inserted in lieu thereof:—

Cleansing  
and  
disinfection  
of houses,  
&c.

"[146.] (1.) When a Local Authority is satisfied, on the report of its medical officer of health or of any medical practitioner, that the cleansing and disinfecting of any house or part thereof in the Area, or of any articles therein likely to retain infection or contagion, would tend to prevent or check infectious disease, the Local Authority shall give notice to the owner or occupier of such house or part thereof, requiring him to cleanse and disinfect such house or part thereof and articles within the time specified in such notice, to the satisfaction of the medical officer of health.

(2.) If the person to whom notice is so given fails to comply therewith, he shall be liable to a daily penalty not exceeding ten shillings; and the Local Authority shall cause such house or part thereof and articles to be cleansed and disinfected, and may recover the expenses incurred by it in so doing from the owner or occupier in default.

(3.) When the owner or occupier of any such house or part thereof is from poverty or otherwise unable, in the opinion of the Local Authority, effectually to carry out the requirements of this section, the Local Authority may cleanse or disinfect such house or part thereof or articles, and itself defray the expenses of so doing.

(4.) The Local Authority shall enforce the provisions of this section in every case in which the disease known as phthisis is reported to it.

Power of  
Local  
Authority  
as to  
disinfection,  
&c.

[147.] The Local Authority may—

(1.) Direct the destruction of any bedding, clothing, or other articles which have been exposed to infection from any infectious disease;

1922.

*Health Acts Amendment Act.*

- (2.) Direct the destruction of any building or structure infected with any infectious disease which has been certified by its medical officer of health to be incapable of proper disinfection ;
- (3.) Provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing, or other articles which have become infected ; and cause any articles brought for disinfection to be disinfected free of charge ;
- (4.) Provide and maintain vehicles and vessels suitable for the conveyance of persons affected with infectious disease ; and pay the expense of conveying therein any person so affected to a hospital or other place of reception ;
- (5.) For the purposes of the first three subsections hereof, the disease known as phthisis shall be deemed to be an infectious disease."

**43.** In subsection one of section one hundred and forty-eight of the Principal Act, after the words "infectious disease" the words "or phthisis, or any person suffering from any incurable disease or infirmity, and incapable of caring for himself," are inserted. Amendment  
of s. 148.

**44** In paragraph (i.) of subsection one of section one hundred and forty-nine of the Principal Act, the word "wilfully" is repealed and the word "knowingly" is inserted in lieu thereof. Amendment  
of s. 149.

**45.** In subsection three of section one hundred and fifty of the Principal Act, after the words "medical practitioner" the words "registered nurse" are inserted. Amendment  
of s. 150.

**46.** The following provision is added to section one hundred and fifty-one of the Principal Act:— Amendment  
of s. 151.

"For the purposes of this section the disease known as phthisis shall be deemed to be an infectious disease."

**47.** The following provision is added to section one hundred and fifty-two of the Principal Act:— Amendment  
of s. 152.

"For the purposes of this section the disease known as phthisis shall be deemed to be an infectious disease."

**48.** In paragraph (a) of section one hundred and fifty-eight of the Principal Act, the words "in Areas where notification is prescribed" are repealed. Amendment  
of s. 158.



*Health Acts Amendment Act. 13 GEO. V. No. 33,*

The following paragraphs are added to the said section:—

- “(f) Regulating the sale or supply of drugs recognised in the treatment of venereal diseases;
- (g) Prescribing the conditions and circumstances under which a certificate of cure or of apparently free from disease may be granted.”

Amendment  
of s. 159.

**49.** The following amendments are made in section one hundred and fifty-nine of the Principal Act:—

(a) The first paragraph of subsection one is repealed, and the following provision is inserted in lieu thereof:—

“(1.) No person other than a medical practitioner, or a person acting under the direct instructions of a medical practitioner, shall attend upon or prescribe for any person, whether male or female, for the purpose of curing, alleviating, or treating venereal disease, whether such person is in fact suffering from such disease or not.”

In paragraph (a) of subsection one, after the word “practitioner” where it last occurs the words “provided that such prescription shall be retained by such chemist” are inserted.

The last paragraph of the said subsection one is repealed.

(b) In the first paragraph of subsection two, after the words “such practitioner” the words “and for any failure so to do shall be liable to a penalty not exceeding twenty pounds” are repealed, and the words “and shall give his correct surname and christian name or names and place of abode to the medical practitioner; and any person who fails to consult a medical practitioner as aforesaid, or who refuses to state his name and place of abode, or who states any false name or false place of abode when questioned in such regard by a medical practitioner, shall be liable to a penalty not exceeding twenty pounds” are inserted in lieu thereof.

In the second paragraph of subsection two, before the word “inquire” the words “if he treats such person” are inserted; also, after the words “by a medical practitioner” the words “for venereal disease” are inserted.

1922.

*Health Acts Amendment Act.*

(c) In subsection three, after the word "cure" the words "or apparently free from disease" are inserted; also, the words "at least once in every four weeks, and shall follow as far as possible the advice given by such practitioner" are repealed, and the words "In the case of primary or secondary symptoms of syphilis such attendances shall be made at least once in every two weeks during the continuance of such symptoms, and thereafter at least once in every four weeks, or such longer period as may be arranged by the medical practitioner and stated in writing to the patient, until the patient is certified cured or apparently free from disease; and in the case of gonorrhœa such attendances shall be made at least once in every seven days during the acute symptoms as determined by the medical practitioner, and thereafter at least once in every fourteen days until the patient is certified cured or apparently free from disease; and in chancroid disease such attendances shall be made at least once in every seven days until the patient is certified cured or apparently free from disease; and in the case of any other type of venereal disease such attendances shall be made as instructed by the medical practitioner" are inserted in lieu thereof.

(d) In subsections five, six, and seven, after the words "venereal disease" the words "in an infectious stage" are repealed.

(e) In subsection six the words "for a period of four weeks" are repealed, and the words "within the periods mentioned in subsection three of this section for the respective diseases therein stated" are inserted in lieu thereof; also, after the word "within" the word "that" is repealed, and the word "such" is inserted in lieu thereof; also, after the words "first-mentioned practitioner" the words "after the lapse of ten days from the expiration of the periods respectively prescribed in the aforesaid subsection three hereof" are inserted.

(f) Subsection nine is repealed, and the following subsection is inserted in lieu thereof:—

"(9.) When any such patient as aforesaid becomes cured of the disease or is apparently free from the disease, any medical practitioner shall, on being satisfied of the fact, give such patient a certificate of cure or apparently free from disease in the prescribed form, and forward to the Commissioner a notification in the prescribed form of the issue of such

*Health Acts Amendment Act.* 13 GEO. V. No. 33,

certificate: Provided that such certificate shall not be given to any female who is known to be a prostitute or who occupies, visits, or resides in any house which is used for the purpose of or in connection with prostitution. No person shall use any certificate of cure or apparently free from disease given under this subsection for the purpose of or in connection with prostitution."

(g) In subsection ten the words "who has notified the Commissioner that he is attending or treating a person suffering from venereal disease" are repealed, and the words "in connection with venereal diseases" are inserted in lieu thereof.

Amendment  
of s. 160.

**50.** In section one hundred and sixty of the Principal Act, after the words "venereal disease" the words "in an infectious stage" are repealed.

Amendment  
of s. 161.

**51.** The following provision is added to the first paragraph of subsection one of section one hundred and sixty-one of the Principal Act:—

"A certificate signed by the Commissioner that all conditions preliminary to the issue of a warrant under this section have been complied with shall be conclusive evidence of the facts therein set forth."

In subsection two of the said section the words "and is likely to convey such disease to others" are repealed; and the words ("and for the purpose of this subsection any person having over fifty per cent polymorphonuclear leucocytes in a urethral, cervix, or Bartholine gland smear, shall be considered to be suffering from a venereal disease") are inserted in lieu thereof; also, in paragraph (b) of the said subsection, after the words "venereal disease" the words "in an infectious stage" are repealed; also, the words "no longer infectious" are repealed and the words "cured or is apparently free from disease" are inserted in lieu thereof.

Amendment  
of s. 163.

**52.** After the first paragraph of subsection two of section one hundred and sixty-three of the Principal Act, the following provision is inserted:—

"And no person shall publish or cause to be published any statement indicating or suggesting that any person offers or is willing or has power to treat, attend upon, alleviate, or cure any such disease, complaint, or infirmity, or inviting or suggesting that any person

1922.

*Health Acts Amendment Act.*

should in any way be consulted by any other person for the purpose of any such treatment, attention, alleviation, or cure, or any examination for any of such purposes: Provided always that nothing herein contained shall render any person liable for publishing or causing to be published any such statement if he can prove that at the time of the publication he was in possession of written authority signed by the Commissioner authorising him to publish such statement."

In paragraph (e) of subsection two of the said section, after the word "publishes" the words "or causes to be printed or published" are inserted.

After paragraph (f) of the said subsection the following paragraphs are inserted:—

"(g) Sells any drug, medicine, instrument, appliance, or article upon which, or upon the package containing which, or upon any pamphlet, leaflet, book, or other literature accompanying or enclosing which is written any statement ;

(h) Prints or writes or causes to be printed or written any statement on any handbill, bill-head, price-list, poster, or label, or on any wrapper, cartoon, or other means or substance enclosing a package, or on any description, testimonial, or printed matter accompanying or attached to a package."

**53.** After section one hundred and sixty-three of the Principal Act the following section is inserted:—

"[163A.] Every person who acts or assists in the administration of the provisions of this Act relating to venereal diseases shall preserve and aid in preserving secrecy with regard to all matters which come to his knowledge in his official capacity, and shall not communicate such matters to any other person except in the performance of his duties.

Any person who contravenes this provision shall be liable to a penalty not exceeding fifty pounds."

**54.** In paragraph (ii.) of subsection one of section one hundred and sixty-four of the Principal Act, after the word "prostitution" the words "and in any such <sup>Amendment of s. 164.</sup>

*Health Acts Amendment Act.* 13 GEO. V. No. 33.

case the burden of proof that he does not knowingly live wholly or in part on such earnings shall lie on the person charged” are inserted.

The following subsection is added to the said section:—

“(4.) Every person detained in a police gaol or prison shall, on admission, be examined for venereal disease by the visiting surgeon; and all such persons shall submit themselves to examination accordingly; and if clinical evidence shows that such person is suffering from venereal disease the visiting surgeon shall forthwith issue a certificate to that effect to the officer in charge of such lock-up, gaol, or prison, and such officer shall forthwith forward such certificate to the visiting justice.”

Repeal of s.  
165.

**55.** Section one hundred and sixty-five of the Principal Act is repealed.

Amendment  
of s. 166.

**56.** (1.) The following amendments are made in section one hundred and sixty-six of the Principal Act:—

(a) The words “and for regulating and controlling the sanitary conduct of such businesses” are added to paragraph (iv.).

(b) In paragraph (xi.), after the word “thereof” the words “the proper construction of tanks and cisterns for such supplies so as to ensure purity of water and prevent breeding and infestation of insect or other life, and the periodical cleansing of such tanks and cisterns” are inserted.

(c) After paragraph (xii.) the following paragraph is inserted:—

“[xiiA.] For declaring rats, mice, or other vermin, or any specified form of insect life to be noxious; and for directing that Local Authorities and owners and occupiers of premises shall adopt such measures as are prescribed for the purpose of destroying such vermin or insect life, and preventing their breeding and preventing their access to premises, and destroying, removing, and preventing the accumulation of any articles, matters, or things which provide or are likely to provide harbourage or food for the same; and for authorising the Commissioner or Local Authority to act for any owner or occupier in default, and in addition to any other remedy recover from him any expense incurred in so doing.”

1922.

*Health Acts Amendment Act.*

(d) In paragraph (5), after the words "remain in force" the words "without limit of time or" are inserted; also, the word "but" is repealed and the words "and in the latter case" are inserted in lieu thereof.

(2.) It is hereby declared that "*The Rat, Flea, and Plague-Carrying Insects Prevention and Destruction Regulations of 1921*," and all amendments of such Regulations, were from the date of the making thereof respectively, and are and shall be, valid and effectual for all purposes whatsoever, and shall be observed and enforced by all persons and authorities concerned.

**57.** In section one hundred and sixty-eight of the Principal Act, after the words "by him" the words "to the Commissioner" are inserted. Amendment of s. 168.

**58.** In subsection one of section one hundred and sixty-nine of the Principal Act, the words "any two medical practitioners give" are repealed, and the words "any medical practitioner gives" are inserted in lieu thereof. Amendment of s. 169.

In subsection two of the said section, after the words "police magistrate" the words "or any two justices" are inserted; also, the words "one week" are repealed, and the words "three weeks" are inserted in lieu thereof.

**59.** In the definition of "Registered nurse" in section one hundred and eighty-six of the Principal Act, after the words "midwifery nurse" the words "or mental nurse" are inserted. Amendment of s. 186.

**60.** The following provision is added to section one hundred and ninety-seven of the Principal Act:— Amendment of s. 197.

"The burden of proof that there was no gain either by money or kind shall lie on the occupant or owner of the house, apartment, or premises."

**61.** In the third paragraph of subsection one of section two hundred and one of the Principal Act, after the words "in like manner" the words "upon the nomination of the said Medical Board if the vacancy is that of a member originally nominated by that Board, or upon the nomination of the Nurses Registration Board if the vacancy is that of a member originally nominated by the registered nurses" are inserted. Amendment of s. 201.

**62.** (1.) Sections two hundred and three, two hundred and four, and two hundred and five of the Principal Act are repealed. Repeal of ss. 203 to 205. But, subject to the Principal Act, all nurses registered at the date of the passing of

this Act under any of the said sections shall continue so to be registered in the proper class in which they are registered.

(2.) After section two hundred and two of the Principal Act, the following sections are inserted:—

Examina-  
tions for  
nurses.

“[203.] (1.) The Board shall from time to time hold examinations of persons who have attained the age of twenty-one years and who are desirous of qualifying for a certificate of registration as a general nurse, mental nurse, or midwifery nurse.

Regulations shall prescribe the qualifications and forms of examination required for each class of nurses respectively and the fees to be paid by candidates presenting themselves for examination.

Registration  
and  
certificate.

(2.) The Board may register in their proper class candidates who pass the prescribed examinations, and, upon application, shall issue a certificate of registration in the prescribed form to every nurse so registered.

Nurses with  
foreign quali-  
fications.

[204.] For the purpose of enabling nurses, who have obtained training and certificates by examination from any body or authority outside the State of Queensland recognised by the Board, and who do not come within the provisions of the last preceding section hereof, to be registered under this Act, the Board may, upon payment of the prescribed fee and on the terms and conditions prescribed by regulation, grant registration in the class of nurses for which application is made.”

Amendment  
of s. 208.

**63.** The following provision is added to section two hundred and eight of the Principal Act:—

“Every registered nurse shall notify the Board of any change of her address; non-compliance with this provision will render the said nurse liable to have her name erased from the register.”

Amendment  
of s. 209.

**64.** The following provision is added to section two hundred and nine of the Principal Act:—

“Any unregistered person who falsely represents or pretends that she is qualified or registered as a nurse under this Act or any other Act, or by any body, corporation, or association, shall be liable to a penalty not exceeding twenty pounds.”

Amendment  
of s. 213.

**65.** In section two hundred and thirteen of the Principal Act, before the word “Governor” the words “Nurses Registration Board, with the approval of the” are inserted.

1922.

*Health Acts Amendment Act.*

The following provision is added to the said section:—

“Without limiting the generality of the foregoing provision, such regulations may be made for all or any of the following purposes:—

- (i.) Business and procedure of the Nurses Registration Board;
- (ii.) Training hospitals;
- (iii.) Schedule of study, including lectures;
- (iv.) Certificate of registration;
- (v.) Examination of candidates for certificates of registration as nurses; subjects and standards of such examinations.”

**66.** Section two hundred and sixteen of the Principal Act is repealed, and the following section is inserted in lieu thereof:—

“[216.] No matter or thing done, no certificate issued, and no contract entered into by the Commissioner or a Local Authority, and no matter or thing done and no certificate issued by any officer or other person acting or purporting to act under the direction of the Commissioner or of a Local Authority, or otherwise in the execution of this Act, shall, if the matter or thing was done or the certificate was issued or the contract was entered into *bonâ fide* for the purpose of executing this Act, subject any such person to any personal liability in respect thereof; any expense incurred by any member, officer, or other person acting as last aforesaid shall be deemed to be an expense authorised by this Act.”

Protection  
of Commis-  
sioner and  
Local  
Authority.

**67.** In paragraphs (b) and (c) of subsection one of section two hundred and twenty-three of the Principal Act, after the word “abode” the words “or address” are inserted.

Amendment  
of s. 223.

**68.** After section two hundred and thirty-five of the Principal Act, the following section is inserted:—

“[235A.] In any case of an offence punishable on summary conviction under this Act, unless some other time is stated for making complaint thereof, proceedings may be taken within six months from the date when the Commissioner or Local Authority first became aware of the commission of such offence, and a certificate signed by the Commissioner or by the chairman or clerk of the

Limitation  
of time for  
proceedings  
to be  
initiated.



Local Authority stating the date when he first became aware of the commission of an offence shall be accepted as *primâ facie* evidence of that fact."

Amendment  
of s. 237.

**69.** In paragraph one of section two hundred and thirty-seven of the Principal Act, after the word "Treasurer" the words "or with the approval of the Governor in Council by the sale of Debentures" are inserted.

In paragraph two of the said section the word "ratepayers" is repealed, and the word "electors" is inserted in lieu thereof.

Ratification.

**70.** Every Joint Health Board heretofore constituted by Order in Council under the provisions of section nineteen of the Principal Act shall be and be deemed to have been lawfully constituted, and all regulations made or purporting to have been made under the Principal Act for the prevention and destruction of rats, fleas, and plague-carrying insects, and all variations of such regulations, shall be and be deemed to have been lawfully made; and all things done or contracted to be done, and all proceedings taken, precepts issued, and obligations incurred by any such Board under or in pursuance of the Order in Council constituting the same, or by any such Board or any Local Authority, whether acting in aid of such Board or of its own motion, in or for the purpose of the execution of any such regulations, shall be deemed to be and to have been lawfully done, contracted, taken, issued, and incurred, and the same and every of them are and is ratified and confirmed; and every such Board shall continue to exercise such powers and authorities and shall continue to be subject to such duties and obligations as are vested in and imposed upon it by such Order in Council until the Governor in Council by another Order in Council otherwise directs.

Reprinting  
Act.

**71.** In all copies of "*The Health Acts, 1900 to 1917*," as amended by this Act, hereafter printed by the Government Printer, the sections, subsections, and numbered or lettered paragraphs thereof shall be renumbered or relettered so as to be in consecutive numerical or alphabetical order throughout, and all specific references to any section, subsection, or paragraph by its number or letter in any enactment therein contained shall be amended by the substitution of the proper number or letter of the reprinted Act.