

(j) by omitting subsection (2) and substituting therefor the following subsection:—

“(2) Any such regulations may—

- I Make different provision with respect to different inflammable liquids or dangerous commodities or with respect to different classes of inflammable liquids or dangerous commodities and prescribe the method by which it is to be ascertained into which of any such classes any inflammable liquid or dangerous commodity falls:
- II Confer powers and rights, and may impose duties and obligations, on a marine authority or a prescribed officer thereof: and
- III Impose penalties not exceeding fifty pounds, either generally or in particular cases, for the breach of any such regulations.”.

Consequential amendment.

15 The schedule to the Principal Act is repealed.

TUBERCULOSIS.

No. 5 of 1958.

AN ACT to amend the *Tuberculosis Act 1949*.
[26 June 1958.]

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:—

Short title and citation.

1—(1) This Act may be cited as the *Tuberculosis Act 1958*.

(2) The *Tuberculosis Act 1949*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended—Interpreta-
tion.

(a) by inserting after the definition of "child" the following definition:—

“ ‘detention order’ means such an order as is referred to in subsection (1) of section eight A ;”;

(b) by inserting after the definition of "municipal health officer" the following definition:—

“ ‘place of detention’ means a place in or at a tuberculosis hospital set apart under this Act for the detention of persons in respect of whom detention orders are in force;” and

(c) by adding at the end of the section the following definition:—

“ ‘tuberculosis hospital’ means an institution prescribed as a tuberculosis hospital or an institution in which there is accommodated a patient suffering from tuberculosis.”.

3 Section six of the Principal Act is amended by inserting in subsection (1), after the word "thereof", the words "or if he knows or has reason to believe that any person has suffered from tuberculosis, and has reason to believe that that person may be again or may be still so suffering,".

Notice re-
quiring indivi-
duals to
undergo
certain
examina-
tions.

4 After section eight of the Principal Act the following section is inserted:—

“ 8A—(1) On the conviction of any person for an offence under this Act committed while he is ordered under section eight to be detained in an institution or place, or while he is a patient in a tuberculosis hospital, the court, without, or in addition to, the imposition of a penalty for that offence, may make an order authorizing him, while he is ordered under section eight to be detained in a tuberculosis hospital or while he is a patient in a tuberculosis hospital, to be detained in the place of detention in or at that hospital.

Detention of
patients in
places of
detention.

“ (2) A detention order ceases to have effect at the expiration of such period (not exceeding six months) from the date of the making thereof as may be specified therein.

“ (3) The provisions of the *Justices Procedure Act 1919*, in their application to proceedings under this section, have effect as if an order made under this section were an order within the meaning of that Act.

“ (4) Where a detention order is made in respect of a person who by an order in force under section eight is required to be detained at an institution or place, other than a tuberculosis hospital in or at which there is a place of detention, the court making the detention order may order him to be

removed to such tuberculosis hospital as the court may determine in or at which there is a place of detention, and to be detained in that hospital while the order made under section eight remains in force.

“(5) An order made under subsection (4) of this section has the like effect as if it had been made by the board under subsection (10) of section eight, and, except for the purposes of section ten, shall be deemed to be such an order.

“(6) A detention order, while it is in force, is sufficient authority for the Director or the person in charge of the tuberculosis hospital in which the person in respect of whom the order was made has been ordered to be detained under section eight, or in which he is a patient, or any person acting under the direction of the Director or of the person in charge of the tuberculosis hospital, or any police officer, to remove the person in respect of whom the order was made to, and to place and detain him in, the place of detention in or at that hospital.

“(7) No person who is removed to, or detained in, a place of detention pursuant to a detention order shall, while the order continues in force, except with the consent of the Director or the person in charge of the tuberculosis hospital in or at which the place of detention is situated, leave or attempt to leave that place.

“(8) Nothing in the *Hospitals Act 1918* shall be deemed to impose on any person any duty or obligation to receive for treatment for tuberculosis in any hospital in or at which there is no place of detention any person in respect of whom a detention order is in force.”

5 After section eleven of the Principal Act the following section is inserted:—

“11A—(1) No person shall, without proper authority—

(a) bring, or cause or procure to be brought, any intoxicating liquor into a tuberculosis hospital; or

(b) supply, or cause or procure to be supplied, any intoxicating liquor to any patient therein, except on the instructions of a medical practitioner attending the patient.

“(2) No person employed in or about a tuberculosis hospital shall, without proper authority, knowingly permit any intoxicating liquor to be brought into the hospital.

“(3) No patient in a tuberculosis hospital shall, without proper authority, have in his possession any intoxicating liquor unless it has been supplied to him in accordance with the provisions of this section.

“(4) No patient in a tuberculosis hospital shall—

(a) behave in a violent, riotous, offensive, disorderly, or indecent manner;

(b) wilfully act to the annoyance or disturbance of any other patient therein; or

- (c) wilfully obstruct or interfere with any person in the performance of anything which he is empowered or required to do by virtue of his employment in or about a tuberculosis hospital.

“(5) In this section ‘proper authority’ means an authority in writing signed by the Director or by such other person as he may have authorized in writing to give such an authority.”.

6 Section fifteen of the Principal Act is amended—

Regulations.

- (a) by inserting after paragraph (d) thereof the following paragraphs:—

“(da) prescribing the tuberculosis hospitals in or at which places of detention may be set apart, and authorizing the Director, in such manner and subject to such conditions as may be prescribed, to determine the place at, or the part of, any such hospital that is to be set apart as a place of detention;

“(db) providing for and regulating the management of places of detention, and regulating the detention of persons in those places;”;

- (b) by adding at the end of the section the following subsection:—

“(2) No institution shall be prescribed as a tuberculosis hospital unless the Governor is satisfied that it is regularly used for the reception and treatment of patients suffering from tuberculosis.”.

7 Section sixteen of the Principal Act is amended by omitting therefrom the numerals “1958” and substituting therefor the numerals “1963”.

Expiry of Act.