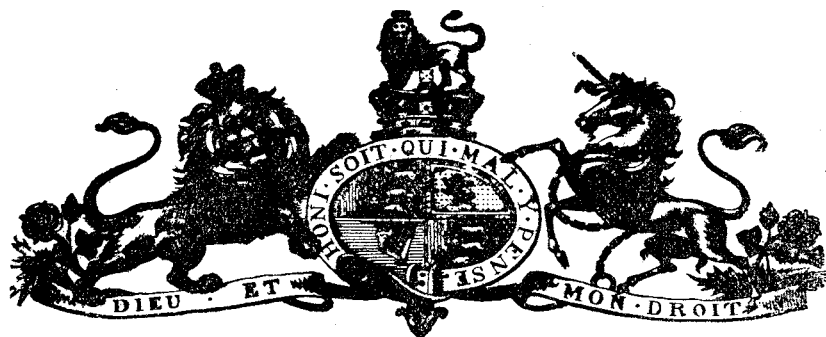


T A S M A N I A.



1884.

ANNO QUADRAGESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 37.



AN ACT to make provision for the enforcement of certain Sanitary Regulations within the City of *Hobart*. A.D. 1884.
[24 November, 1884.]

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 Public Health (*Hobart*) Act.” Short title.

2 In the construction and for the purposes of this Act, the following words shall have the meanings hereunder assigned to them :— Interpretation.

“Cesspool” shall mean any fixed receptacle for nightsoil below the ground, whether simply a hole dug in the ground or constructed of brick, stone, cement, or other material, but shall not include any pail, bucket, or other portable receptacle :

“Owner” shall mean the person for the time being entitled to receive the rent of the land or premises in connection with which the word is used, whether on his own account or as the agent of or as trustee for any other person, or who would be entitled to receive the same if the lands or premises were let at a rent.

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Penalty for construction of new cesspools.

3 From and after the passing of this Act no cesspool for the reception of nightsoil below the ground shall be constructed within the City of *Hobart*; and if after the passing of this Act any cesspool for the reception of nightsoil below the ground be so constructed, the owner of the land on which such cesspool is situated shall, on conviction, forfeit and pay a penalty not exceeding Ten Pounds.

Cesspools to be filled up when public nuisances.

4 From and after the passing of this Act, if the owner of land within the City of *Hobart* whereon there shall be a cesspool for the reception of night-soil, which cesspool in the opinion of the Officer of Health shall be in such a condition or position as to be calculated to generate disease, or be a public nuisance, shall be required, by notice from the Town Clerk, to fill up the same within a time to be expressed in such notice, not being more than One month from the date thereof, such owner shall be liable to a penalty not exceeding Two Pounds for every day from the expiration of the time mentioned in such notice that such cesspool shall not be filled up as thereby required.

Penalty.

All cesspools to be closed before 1887.

5 All cesspools at present constructed for the reception of nightsoil, and situate within the City of *Hobart*, shall be closed and filled up before the First day of *January*, 1887; and if after the First day of *January*, 1887, any such cesspool be not filled up, the owner of the land whereon such cesspool is situated shall be liable to a penalty not exceeding Five Pounds for every day such cesspool remains unfilled.

Penalty.

Bye-law for keeping pigs within limits.

6 The Municipal Council of the City of *Hobart* may, by Bye-law, fix limits within the jurisdiction of such Municipal Council within which it shall not be lawful to keep any swine or pig.

Penalty on exposure of infected persons and things.

7 Any person who—

- i. While suffering from any dangerous infectious disorder, wilfully exposes himself without proper precautions against spreading the said disorder in any street, public place, shop, inn, place of common resort, or public conveyance, or enters any public conveyance, ship, or vessel without previously notifying to the owner, conductor, driver, guard, or master thereof that he is so suffering; or
- ii. Being in charge of any person so suffering, so exposes such sufferer or permits such sufferer to be so exposed; or
- iii. Gives, lends, sells, transmits, or exposes without previous disinfection, any bedding, clothing, rags, or other things which have been exposed to infection from any such disorder;

shall be liable to a penalty not exceeding Five Pounds; and a person who, while suffering from any such disorder enters any railway carriage or public conveyance without previously notifying to the owner, guard, or driver that he is so suffering, shall, in addition, be ordered by the Court to pay such owner or driver the amount of any loss and expense he may incur in carrying into effect the provisions of this Act with respect to disinfection of the conveyance.

Penalty on failing to provide for disinfection of public conveyances.

8 Every owner or driver of a public conveyance shall disinfect such conveyance immediately after it has to his knowledge conveyed any person suffering from a dangerous infectious disorder; and if he fail to do so to the satisfaction of the City Inspector, he shall be liable to a

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penalty not exceeding Five Pounds ; but no such owner or driver shall be required to convey any person so suffering until he has been paid a sum sufficient to recover any loss or expense incurred by him in carrying into effect the provisions of this Section. A.D. 1884.

9 Any person who knowingly lets for hire any house, room, or part of a house in which any person has been suffering from any dangerous infectious disorder without having such house, room, or part of a house, and all articles therein liable to retain infection, disinfected to the satisfaction of a legally qualified medical practitioner, as testified by a certificate signed by him, shall be liable to a penalty not exceeding Twenty Pounds. Penalty on letting houses in which infected persons have been lodging.

For the purposes of this and the next following Section the keeper of an inn shall be deemed to let for hire part of a house to any person admitted as a guest into such inn.

10 Any person letting for hire, or showing for the purpose of letting for hire, any house or part of a house who, on being questioned by any person negotiating for the hire of such house or part of a house as to the fact of there being or within Six weeks previously having been therein any person suffering from any dangerous infectious disorder, knowingly makes a false answer to such question, shall be liable to a penalty not exceeding Twenty Pounds, or to imprisonment, with or without hard labour, for a period not exceeding One month. Penalty on persons letting houses making false statements as to infectious disease.

11 All offences against this Act shall be heard and determined, and all penalties or sums of money imposed or made payable by this Act shall be recovered, in a summary way before any Two or more Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act* ; and any person aggrieved by any judgment, conviction, or order made as aforesaid may appeal against the same in the mode prescribed by *The Appeals Regulation Act*. Complaints to be heard before Justices. 19 Vict. No. 8. 19 Vict. No. 10.

