

CHAPTER XII. PUBLIC HYGIENE.

§ 1. Public Health Legislation and Administration.

1. **General.**—(i) *Commonwealth.* The Commonwealth Department of Health, which was created on the 3rd March, 1921, and commenced its administration as from the 7th March, 1921, is controlled by the Commonwealth Minister for Health. The Department was formed by the extension and development of the Commonwealth Quarantine Service, the Director of Quarantine becoming the Commonwealth Director-General of Health and Permanent Head of the Department.

The functions of the Department are as follows :—

The administration of the Quarantine Act : The investigation of causes of disease and death and the establishment and control of laboratories for this purpose : The control of the Commonwealth Serum Laboratories and the commercial distribution of the products manufactured in those laboratories : The methods of prevention of disease : The collection of sanitary data, and the investigation of all factors affecting health in industries : The education of the public in matters of public health : The administration of any subsidy made by the Commonwealth with the object of assisting any effort made by any State Government or public authority directed towards the eradication, prevention, or control of any disease : The conducting of campaigns of prevention of disease in which more than one State is interested : The administrative control of the Australian Institute of Tropical Medicine : The administrative control of infectious disease amongst discharged members of the Australian Imperial Forces : The study of the behaviour of communicable diseases throughout the world and acting as an intelligence bureau for the collection and dissemination of information : The control of venereal disease and infectious diseases in the Mercantile Marine : The inspection of vessels, and the medical inspection of seamen under the Navigation Act : The control of the importation of food and drugs under the Commerce Act : Generally to inspire and co-ordinate public health measures : Any other functions which may be assigned to it.

As noted above, the Department controls the Australian Institute of Tropical Medicine at Townsville, and it directs the campaign in connexion with hookworm disease. These matters, together with the control exercised by the Department over malaria and bilharziasis introduced by returned soldiers and sailors, are dealt with separately in subsequent pages in this chapter (see § 5). Reference to the Commonwealth Serum Laboratories will be found in § 4, 5.

(ii) *New South Wales.* The Department of Public Health is controlled by the Minister of Public Health. The Director-General of Public Health is the chief executive officer, and is assisted by various staffs medical, bacteriological, chemical, veterinary, dairy inspection, meat inspection, sanitary, pure food, and clerical. The work of the Department extends over the whole of the State, and embraces all matters relating to public health and the general medical work of the Government, the Director-General of Public Health holding the position of Chief Medical Officer of the Government as well as being permanent head of the Department.

The Board of Health has certain statutory duties imposed upon it by various Acts of Parliament, and the Director-General is President of the Board. These duties consist largely in supervision of the work of local authorities (Municipal and Shire Councils), so far as that work touches upon public health matters connected with the following Acts :— Public Health Act 1902, Public Health (Amendment) Acts 1915 and 1921, Dairies Supervision Act 1901, Noxious Trades Act 1902, Cattle Slaughtering and Diseased Animals and Meat Act 1902, Pure Food Act 1908, and the Private Hospitals Act 1908. The Board further possesses certain powers connected with public health matters under the Local Government Act 1919. The Board of Health is a nominee Board, created in 1881 and incorporated in 1894.

The Director-General of Public Health acts independently of the Board of Health as regards the State hospitals and asylums and the various public hospitals throughout the State which receive subsidies from the Government.

(iii) *Victoria.* In this State the Public Health Acts 1915, 1919, and 1922 are administered by a Commission composed of the Chief Health Officer and six members appointed by the Governor-in-Council. The medical and sanitary staffs of the Commission consist of (a) the chief health officer, who is also chairman, (b) nine district health officers, (c) chief sanitary engineer and assistant sanitary engineer, three building surveyors and four building inspectors, and (d) twelve health inspectors. The main function of the Commission is to enforce the execution of the Health Acts by the local municipalities, but it has been found advisable to supplement this supervisory function by an active policy of inspection of the sanitary condition of various districts, and the sampling of articles of food. The supervision of the sanitary conditions of milk production is under the Dairy Supervision Branch of the Department of Agriculture, but distribution is supervised by the Commission. Acts administered by the Department of Public Health are:—The Health Acts (in which are now included the Adulteration of Wine Act, the Pure Food Act, the Meat Supervision Act) and the Cemeteries Act, which includes the Cremation Act. The Department administers also the Midwives Acts, the Goods Act, the Venereal Diseases Act, the Infectious Diseases Hospital Acts, the Heatherton Sanatorium Act, the Masseurs Act, and the Nurses Registration Act.

(iv) *Queensland.* The Public Health Acts 1900 to 1922 are administered by the Commissioner of Public Health under the Home Secretary. The executive staff of the Department includes a health officer, a medical officer for the tuberculosis bureau, five part-time medical officers for venereal diseases, nineteen food and sanitary inspectors, including assistant inspectors, and one staff nurse. There is, in addition, a rat squad in Brisbane. Northern offices, in charge of inspectors, are located at Rockhampton, Townsville, Cairns, and Mackay, and inspectors are stationed at Toowoomba. A laboratory of microbiology, in charge of a bacteriologist, is controlled by the Department, and performs a wide range of microbiological work for the assistance of medical practitioners and the Department.

One function of the Department is to stimulate and advise local sanitary authorities on matters pertaining to the Health Acts, and, where necessary, to rectify or compel rectification, at the cost of the local authority, of sanitary evils produced by local inefficiency or apathy. Its powers and responsibilities were widely increased by the Amending Acts of 1911, 1914, 1917, and 1922.

The inspectorial staff of the Department have been gazetted as Inspectors under the Liquor Acts 1912–1926 in order to deal with hotel premises under the provisions of the sanitation regulations issued for licensed victuallers' premises in 1928.

(v) *South Australia.* The Central Board of Health consists of five members, three of whom (including the chairman, who is the permanent head of the Department) are appointed by the Governor, while one each is elected by the city and suburban local Boards and the country local Boards. The Health Act 1898 to 1925 provides that the municipal and district councils are to act as local Boards of Health for their respective districts. There are 197 of these local Boards under the general control and supervision of the Central Board. A senior inspector and an inspector under the Health and Food and Drugs Acts periodically visit the local districts, and see generally that the Boards are carrying out their duties. The senior inspector, in company with an analyst, visits country districts and takes samples of milk, which are analysed on the spot. There are two nurse inspectors employed in advising and assisting local Boards in connexion with outbreaks of infectious diseases and in carrying out generally similar duties to those of male inspectors, with the exception of certain work under the Food and Drugs Act. In the outlying districts there is an officer of health and also fifteen inspectors directly responsible to the Board. The Venereal Diseases Act 1920, which provides for the prevention and control of venereal diseases, has not yet been proclaimed.

(vi) *Western Australia.* The legislation in this State comprises the Health Act 1911, with the amending Acts of 1912 (2), 1915, 1918, and 1919, which have been partly consolidated and reprinted as "The Health Act 1911–19." Further amending Acts were passed in 1920, 1921 and 1926. The central authority is the Department of Public Health, controlled by a Commissioner, who must be a qualified medical practitioner. The local

authorities comprise :—(a) Municipal Councils, (b) Road Boards where the boundaries of a Health District are coterminous with those of a Road District, and (c) Local Boards of Health, composed of persons appointed by the Governor. These local Boards are utilized only where neither Municipal Councils nor Road Boards are available. Generally speaking, the Act is administered by the local authorities, but the Commissioner has supervisory powers, also power to compel local authorities to carry out the provisions of the Act. In cases of emergency, the Commissioner may exercise all the powers of a local health authority in any part of the State.

All the usual provisions for public health legislation are contained in the Act, and, in addition, provision is made for the registration of midwifery nurses, the medical examination of school children, the control of public buildings (*i.e.*, theatres, halls, etc.), the control of food, and the provision of standards therefor. The amending Acts of 1915 and 1918 deal exclusively with venereal diseases.

(vii) *Tasmania.* The office of Director of Public Health was established under the Director of Public Health Act 1920, and the person holding the office of Chief Health Officer under the Public Health Act 1903 at the time of the passing of the first-named Act is the Director of Public Health, and is also the permanent head of the Department. The Director has very wide powers, and in the event of the appearance of dangerous infectious disease (small-pox, plague, etc.) in the State, is vested with supreme power, the entire responsibility of dealing with such an outbreak being taken over by him from the local authorities. Local executive is vested in local authorities, who possess all legal requirements for the efficient sanitary regulation of their districts. Controlling and supervisory powers over these bodies are possessed by the Department of Public Health, and many of the powers conferred upon them may be converted into positive duties. One function of the Department is to advise local authorities on matters pertaining to the Health Act, and, where necessary, to rectify sanitary evils produced by local inefficiency or apathy. The Department has three full-time inspectors, who assist and instruct the local sanitary inspectors, but full-time district health officers are not provided for. The number of local authorities under the Public Health Act has been reduced to forty-nine since the Local Government Act 1906 came into force. All parts of Tasmania are now furnished with the administrative machinery for local sanitary government.

The Public Health Acts 1917 and 1918 deal with venereal diseases. Regulations under the Public Health Act 1903, as amended, for checking or preventing the spread of any infectious disease, came into force in February, 1918.

The Places of Public Entertainment Act 1917 is administered by the Director of Public Health under the Minister. This Act provides, *inter alia*, for the licensing and regulation of places of public entertainment, for the appointment of a censor or censors of moving pictures, and for the licensing of cinematograph operators. Comprehensive regulations have been framed under the Act. Inspectors under the Public Health Act 1903, are Inspectors of Places of Public Entertainment under this Act.

(viii) *Federal Capital Territory.* The formation of a Department of Health as part of the administrative machinery of the Federal Capital Commission was authorized during 1927, and initiated as from 1st October of that year by the appointment of a medical officer of health. The staff at present maintained is a part-time medical officer, a health inspector, and a clerical officer. The functions of the Department include inspection and report upon all matters affecting the health of the community, the registration and control of shops, factories, etc., and generally the detailed administration of the Public Health Ordinance 1928.

§ 2. Inspection and Sale of Food and Drugs.

1. *General.*—Under the Acts referred to later, and the regulations made thereunder, the importation of articles used for food or drink, of medicines, and of other goods enumerated, is prohibited, as also is the export of certain specified articles, unless there is applied to the goods a "trade description" in accordance with the Act. Provision is made for the inspection of all prescribed goods which are imported or which are entered for export.