

10 GEO. VI. No. 40, 1946. *Health Acts Amendment Act.*

HEALTH.

- (1) *The Health Acts Amendment Act of 1946* 10 *Geo. VI. No. 40*
- (2) *The Health Acts Amendment Act of 1946 (No. 2)* 11 *Geo. VI. No. 9*

An Act to Amend "The Health Acts, 1937 to 1945," in certain particulars.

10 GEO. VI. NO. 40. THE HEALTH ACTS AMENDMENT ACT OF 1946.

[ASSENTED TO 14TH NOVEMBER, 1946.]

BE 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:—

1. (1.) This Act may be cited as "*The Health Acts Amendment Act of 1946*," and shall be read as one with *"*The Health Acts, 1937 to 1945*," herein referred to as the Principal Act. Short title and construction.

(2.) The Principal Act and this Act may collectively be cited as "*The Health Acts, 1937 to 1946*." Collective title.

Amendments of the Principal Act.

2 Paragraph (a) of subsection one of section one hundred and twenty-three of the Principal Act is amended by repealing the words "more than ten per centum by weight of". Amendment of s. 123(1).

3. The following paragraph is inserted after paragraph (i.) of subsection one of section one hundred and twenty-four of the Principal Act, namely:— Amendment of s. 124(1).

"(ia.) Any utensil, receptacle, or other thing whatsoever for use in or in connection with storing, holding, carrying, conserving, preserving, serving, consuming, cooking, or preparing in any other manner whatsoever water for domestic purposes or food which consists wholly or in part of lead or of any metal containing lead, or coated with lead, or coated with any alloy containing lead."

4. The following section is inserted after section one hundred and twenty-nine of the Principal Act, namely:— New s. 129A inserted.

"[129A.] (1.) No person shall use or permit or allow to be used in or for the purpose of constructing, maintaining, or repairing, or permit or allow to remain in the structure of— Prohibition of the use of leaded metal for structural purposes in certain buildings.

(a) Any portion easily accessible to children of the exterior or interior of any outside wall or

* 1 G. 6 No. 31 and amending Acts.

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of any partition or other interior wall or floor of any house, flat, tenement building, hall, school, or other building whatsoever intended for the use of human beings ;

- (b) Any portion easily accessible to children of any down-pipe of any building specified in paragraph (a) of this subsection,

any metal, metal sheet, or metal sheets containing lead, or coated with lead, or coated with any alloy containing lead.

Any person who contravenes a provision of this subsection shall be guilty of an offence and liable to a penalty of not more than one hundred pounds and liable in addition to a penalty of not more than twenty pounds for each and every day during which such offence is continued after he has been convicted thereof.

(2.) Moreover if any metal, metal sheet, or metal sheets is or are at any time found in any wall or down-pipe of any building contrary to any provision of subsection one of this section, the owner at such time of such building shall be guilty of an offence and liable to a penalty of not more than one hundred pounds and liable in addition to a penalty of not more than twenty pounds for each and every day during which such offence is continued after he has been convicted thereof."

New s. 129B inserted.

5. The following section is inserted after section 129A of the Principal Act as previously inserted by this Act, namely :—

Prohibition of use of means for conservation of water contaminated by lead.

" [129B.] A building shall not have any down-pipe or other thing for the purpose of carrying, or so fitted as to be capable of carrying, to any tank or other receptacle water from any portion of its roof or guttering if such portion of its roof or guttering or any portion of such down-pipe or thing is constructed of any metal, metal sheet, or metal sheets containing lead, or coated with lead, or coated with any alloy containing lead.

The owner of any building which has any down-pipe or other thing for the purpose of, or so fitted as to be capable of, carrying water in contravention of this subsection shall be guilty of an offence and liable to a penalty of not more than one hundred pounds and, in addition, to a penalty of not more than twenty pounds for each and every day during which he continues such offence after he is convicted thereof."

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6 The following section is inserted after section 129B of the Principal Act as previously inserted by this Act, namely:—

“ [129C.] (1.) Any portion of the structure of any wall or down-pipe of any building formed of any metal, metal sheet, or metal sheets in contravention of section 129A of this Act, or any down-pipe or other thing had by any building in contravention of section 129B of this Act shall be deemed to be a nuisance liable to be dealt with in manner provided by this Act.

New s. 129c inserted.

Unlawful use of leaded metal or metal sheets a nuisance.

(2.) The liability to abate any such nuisance and to prevent its continuance or recurrence shall be a liability additional to the liability to any penalty recoverable under the said sections 129A and 129B, or either of them.

(3.) In proceedings for the recovery of any penalty imposed by section 129A or 129B of this Act the justices in addition to imposing such penalty as they shall think just, may make upon the defendant the like order relating to the abatement of the nuisance arising from the offence as they would have power to make if such proceedings were the hearing and determination of a complaint duly made in relation to such nuisance.”

An Act to Amend “The Health Acts, 1937 to 1946,” in certain particulars.

11 GEO. VI.
No. 9.
THE HEALTH
ACTS
AMENDMENT
ACT OF
1946
(No. 2).

[ASSENTED TO 20TH DECEMBER, 1946.]

BE 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:—

1. (1.) This Act may be cited as “*The Health Acts Amendment Act of 1946 (No. 2)*,” and shall be read as one with * “*The Health Acts, 1937 to 1946*,” herein referred to as the Principal Act.

Short title and construction.

(2.) The Principal Act and this Act may collectively be cited as “*The Health Acts, 1937 to 1946*.”

Collective title.

(3.) This Act shall come into force upon a date to be fixed by the Governor in Council by Proclamation published in the *Gazette*.

Commencement of Act.

* 1 G. 6 No. 31 and amending Acts.