

CAP. 24.

An Act in Addition to and in Amendment of "The Public Health Act," Chapter 53, Consolidated Statutes, 1903.
Passed 26th March, 1910.

Be it enacted by the Lieutenant Governor and Legislative Assembly, as follows:

1. Section 3 of said Chapter 53 of the Consolidated Statutes, 1903, is hereby repealed, and the following is substituted in lieu thereof:

"3. The Provincial Board of Health of New Brunswick shall consist of not more than nine members, one of whom shall be the Secretary. The Chancellor of the University of New Brunswick, and the Secretary for Agriculture shall be, ex officio, members of the Provincial Board, the seven other members thereof shall be appointed by the Lieutenant-Governor-in-Council from time to time, and shall continue to be members of such Board for three years, except that of the first Board appointed under this section, three of their number to be determined by lot, at the annual meeting next after the expiration of one year from the date of their appointment shall go out of office after such annual meeting; and three others to be determined by lot at the second annual meeting from the date of their appointment, shall go out of office after such last mentioned annual meeting; any retiring member shall be eligible for re-appointment; at least four members of the Board shall be duly registered medical practitioners.

The Provincial Board of Health of New Brunswick, as at present constituted, shall continue until the Lieutenant-Governor-in-Council shall constitute another Board under this section."

2. Section 11 of said Chapter 53 is hereby amended, by inserting the words, "or diphtheria," after the word "small-pox" in the first line of the section, and by inserting the word "Anti-toxin" after the word "vaccine," in the second line of the section.

3. Section 13 of said Chapter 53 is hereby amended by making said Section Sub-section (1) of said Section 13, and adding thereto the following Sub-section:

"(2) The said Provincial Board shall establish a scale of fees to be paid by Local Boards of Health, for services performed for Local Boards, by doctors, nurses, guards and other persons, other than health officials, whose remuneration is fixed or regulated under the authority of some other provision of this Act."

4. Section 20 of Chapter 53 is hereby amended, by making said Section Sub-section (1) of said Section 20, and adding thereto the following Sub-sections:

"(2) The two members of such Local Boards (other than those of cities and incorporated towns), shall be appointed annually at the first session of the County Council held in any year, and shall hold office until others are appointed in their stead; any retiring member shall be eligible for re-appointment."

"(3) Each Local Board of Health other than those of cities and incorporated towns, shall appoint one of its members Secretary, and one Treasurer, or one member to be Secretary-treasurer of such Board."

(a) The Secretary shall keep a record of all transactions of and regulations made by the Board, and shall keep on file all regulations and communications received from the Provincial Board.

(b) The Treasurer shall keep an account of all the financial transactions of the Board; shall receive all moneys payable to the same; no payments shall be made except on the order of the Board. The Board may require accounts to be verified by oath, to be taken before a Justice of the Peace."

"(4) All records, books of account and memoranda officially kept by any officer of the Board shall be the property of the Board, and shall at all times be open to the inspection of the Provincial Board or any Committee thereof appointed for that purpose."

"(5) Should the Local Board not appoint a Secretary and a Treasurer, or a Secretary-treasurer, the chairman shall act as such until such officer is appointed."

"(6) At least ten days before the meeting of the County Council, all books of record and account of such Local Board, shall be submitted for inspection and audit, to the County Auditor."

The chairman of such several Local Boards of Health of said Counties or parts of Counties, shall submit to the County Council, with the estimate required to be submitted under Section 73 of this Chapter, a detailed account of the receipts and expenditures of such Board, and of all outstanding indebtedness thereof.

5. Section 29 of said Chapter 53 is hereby amended, by adding thereto the following sub-section:

"(3) All such rules, orders and regulations made by the Lieutenant-Governor-in-Council, and all by-laws, rules, orders and regulations of the Provincial Board of Health, upon being published in the Royal Gazette as mentioned in this Section, shall have the same force and effect as though the same were embodied in and formed part of this Chapter."

6. Section 42, Sub-section (1) of said Chapter 53, is hereby amended, by striking out the words "parent, guardian," in the fourteenth line thereof.

7. Section 58 of said Chapter 53 is hereby amended, by making said Section Sub-section (1) of said Section 58, and adding thereto the following sub-section:

"(2) It shall be the duty of any physician on discovering in any health district, other than a city or incorporated town, that any person whom he is called upon to visit, is infected with small-pox, diphtheria, scarlet fever or scarletina, or any disease which, by the regulations of the Provincial Board of Health, is required to be quarantined, to at once quarantine the infected person, and placard the house, and immediately notify the secretary of schools and chairman of the Local Board of Health, and such chairman shall immediately take all necessary steps in regard thereto. The physician establishing such quarantine shall be paid by the Local Board of Health according to the scale of fees prescribed by the Provincial Board."

8. Section 63 of said Chapter 53 is hereby amended, by

striking out the words "forty dollars" at the end of the Section, and inserting the words "two hundred dollars" in lieu thereof.

9. Section 71 of said Chapter 53 is hereby amended, by adding thereto at the end of the Section, "and when so ordered to be assessed shall be paid to such Local Board of Health."

10. Section 72 of said Chapter 53 is hereby amended, by striking out the words "assessed and collected" in the third from the last line of such Section, and inserting in lieu thereof the words "ordered to be assessed."

11. Sub-section (3) of Section 73 of said Chapter 53 is hereby amended, by inserting after the word "Section" at the end of the third line in such sub-section, the words, "or any amount ordered by the Council to be assessed under Section 72 of this Chapter."

12. (1) The Lieutenant-Governor-in-Council may, on the request of any city or incorporated town or municipality, appoint a Chief District Health Officer for such city, town or municipality, at a salary of not more than fifteen hundred dollars a year, and such salary shall be paid as follows: One-third by the Receiver General, out of the public moneys of the Province, and the other two-thirds by the city, town or municipality for which such officer is appointed.

(2) Such Chief District Health Officer shall be a regularly registered physician and shall possess a diploma of Public Health from some recognized University, or shall obtain such diploma within eighteen months of his provisional appointment.

13. (1) Such Chief District Health Officer shall be the executive officer of the Local Board of Health of the City, Town or Health District for which he is appointed.

(2) It shall be the duty—

(a) To enforce the sanitary laws of the Province, and all sanitary rules, orders and regulations made by the Lieutenant-Governor-in-Council, and all by-laws, rules, orders and regulations of the Provincial Board of Health, and all regulations of the Local Board of Health of his District.

(b) To cause to be abated or removed, all nuisances in the City, Town or Local Health District.

(c) To regulate the location, construction, repair, use, emptying and cleaning of all water closets, privies, cess-pools, sinks, plumbing, drains, yards, pens, stables, or other places where offensive or dangerous substances or liquids do or may accumulate.

(d) To immediately notify the Local Board of Health of any outbreak of any infectious or contagious disease.

(e) To inspect and report upon the sanitary conditions of all schools, school buildings and premises, and all places of worship, halls, places of amusement, workshops and factories.

(f) To make a quarterly report upon the sanitary condition of the Health District, to the Local Board of Health, and transmit a copy of such report to the Secretary of the Provincial Board.

(g) To perform and take measures to afford facilities for gratuitous vaccination, and to take charge of the graver quarantinable diseases, i.e., Asiatic cholera, bubonic plague, small-pox and yellow fever.

(h) To afford such medical or other relief to and among the poor of the Health District as, in the opinion of the Local Board, the protection of the public health requires.

(i) To examine or cause to be examined the water supply, both public and private; the source and sanitary conditions of the milk supply, and be a general inspector of food.

(j) To investigate or cause to be investigated, all reports of infectious and contagious diseases coming to his knowledge, and keep a record of such reports in a book provided for this special purpose.

(k) On receiving information of the outbreak of any infectious, contagious or epidemic disease of a dangerous character, within the Health District, to at once visit the locality and enquire into the cause and endeavor to trace the source of such outbreak; to advise and instruct the persons competent to act as to the measures required to be taken to prevent the extension of the disease, and, as far as possible, assist in the execution of the same.

(l) To enquire into any offensive process of manufacture, trade or employment carried on within the District, and report to the Local Board of Health on the appropriate measures for the prevention of any nuisance or injury to health therefrom.

(3) The Chief District Health Officer shall be the medical adviser of the Local Board, and shall devote such time to the duties of his office as is necessary, and as is required by the Local Board of Health, and shall be subject to the control and direction of such Board, and shall act under the Board's instructions, and shall immediately report to the Board, when circumstances have required him to act on his own initiative.

(4) All Local Health Officers and Inspectors shall be under the authority and subject to the orders of the Chief District Health Officer.

14. In case an epidemic be threatened of any contagious or infectious disease required by "The Public Health Act," or by the regulations of the Provincial Board of Health, to be quarantined, the local Board of Health of any city or incorporated town may borrow money (not to exceed in the whole the sum of five hundred dollars), and issue a Certificate or Certificates of indebtedness therefor.

The amount so borrowed shall be included in the estimate required to be submitted to the Council of such city or town under the provisions of Section 71 of the "The Public Health Act," and shall thereupon be assessed, levied and collected as in said section provided.

15. In addition to all powers to make regulations which are vested in the Provincial Board of Health by said Chapter 53, the said Provincial Board may, by regulations, provide:

(a) For the dissemination of knowledge in regard to the best methods of combating Tuberculosis, and for the compulsory notification of all cases (with registration at a central office under the control of said Provincial Board).

(b) For the collecting and keeping of health statistics, and the adoption of a uniform nomenclature in connection therewith.

(c) For the guidance of Local Boards of Health, in the discharge of their duties, and advising such Boards as to the