

Bill No. 18 of 1942.

A BILL TO AMEND THE PUBLIC HEALTH ACT.

NOTE.

This Bill amends *The Public Health Act*.

A definition of "Nuisance" is added in the interpretation section.

The amendments to section 22*l* will enable the Department to establish different fiscal years for different health districts rather than having their fiscal years ending uniformly on December thirty-first. This is advisable as it enables members of the Department to attend annual meetings of the districts, and supervise their accounting.

The new section 28*b* places on the person charged in a prosecution under this Act the burden of proving that he is the holder of any certificate or license required by this Act. The lack of this provision creates great difficulty in enforcement.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 18 of 1942.

An Act to amend The Public Health Act.

(Assented to _____, 1942.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Public Health Act Amendment Act, 1942.*"

2. *The Public Health Act*, being chapter 58 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 2 by adding thereto immediately after paragraph (k) thereof the following new paragraph:

"(kk) 'Nuisance' means any condition existing in any locality which is or which may become injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease;".

3. The said Act is further amended as to section 22l by striking out subsections (2), (3) and (4) thereof and by substituting therefor the following:

"(2) In the order constituting a district the Minister may,—

"(a) make an estimate of the annual cost of the operation of the district, which shall be the annual estimate for that district from year to year until varied by a further order;

"(b) determine the date on which the fiscal year of the district is to end;

"(c) prescribe the proportions in which, and the dates on which the municipalities included in the district shall make their quarterly contribution towards the estimated cost of operation.

"(3) Upon the constitution of a district, the Minister shall,—

"(a) make an interim estimate of the proportionate cost of the operation of the district from the date of its constitution to the date fixed for the ending of the fiscal year;

"(b) give such directions as he deems necessary and expedient concerning the manner in which and the

dates on which the municipalities liable shall contribute their proportionate shares of this interim estimate.

“(4) One-half of the cost of operation of the district shall be borne and paid by the municipalities which are wholly or partially included within the district in the proportions prescribed by the Minister in the order, and shall be payable to the Provincial Treasurer in quarterly instalments at the times and in the manner set out in the order constituting the district or as varied by any subsequent order.

“(5) The Lieutenant Governor in Council may make regulations as to the manner in which the affairs and business of the district shall be conducted, and the manner in which the District Health Board and its officials shall discharge their functions and duties.”

4. The said Act is further amended by adding thereto immediately after section 28*a* the following new section:

“28*b*. In any prosecution under this Act or under the Regulations of the Provincial Board, the burden of proof that any person is properly registered or that any person is the holder of any license, permit or certificate pursuant to the provisions of this Act or the Regulations, shall be upon the person charged.”

5. This Act shall come into force on the day upon which it is assented to.

SECOND SESSION
NINTH LEGISLATURE
6 GEORGE VI
1942

BILL

An Act to amend The Public
Health Act.

Received and read the

First time

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
1942