

The Public Health Act 1885, Tasmania

1885 – 1904

URL: http://www.austlii.edu.au/au/legis/tas/num_act/tpha188549vn18214/

Details

The Public Health Act 1885 also known by the full title 'An Act to provide for the Conservation of the Public Health' (Act no. 49 Vict. No.18). This extensive document was produced in response to a devastating series of epidemics in the 1880s and acted to create local boards of health. This act was repealed by the Public Health Act 1903 (Act no. 3 Edw. VII No.37) on 6 January 1904.

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Part 1 of this act is solely concerned with the establishment, management and regulation of boards of Health.

Part 2 of the act attempted to prevent the sale of spoiled, rotten, and harmful adulteration of food and drink.

Part 3 of the act requires people who want to provide 'care' to an infant to be registered and keep records of the children in their 'care'. The local board of health could register and remove people from the list of approved 'care' providers.

Part 4 of the legislation instructs Health Officers to contact the central Tasmanian Health Board as soon as any sign of epidemic or contagious disease appears in their municipality. The central board may then direct a number of actions to be taken to limit the spread of disease including the disinfection of public and private places, the construction of public and private toilets, regulations around burial of the deceased and the number of people to be held in institutions presumably to avoid overcrowding.

Part 5 of the legislation details what were called 'nuisances', defined as people who carried out particular trades or businesses without permission from the local health board. These occupations included:

- Works for the boiling down of meat, bones, blood, or offal;
- Bark Mills;
- Bone mills or bone manure depots;
- Manure works;
- Fellmongeries, tanneries, or wool-scouring establishments;
- Glue Factories;
- Marine stores;
- Piggeries;
- Soap or candle works or factories;
- Sugar works;
- Fish-curing establishments;
- Places for the storing, drying, or preserving of bones, hides, hoofs, or skins; or
- Any other noxious or offensive trade, business, or manufacture

Part 6 of the legislation regulates domestic homes. Empowering the Local Board of Health to condemn houses they feel are unsafe, to press charges against landlords or others for overcrowding, to regulate the building of new homes and bans people from living in cellars or underground rooms.

Part 7 of the legislation deals with the regulation of non-domestic buildings that would have people living in them, such as schools, orphanages, hospitals and asylums. The regulation requires plans for new buildings or extensions to be passed by the Central or Local Board of Health. The Boards of Health could make requests related to ventilation, draining, fire extinguishing equipment, toilets, entrances and exits.

This section of the legislation goes on to make provision for the Boards of Health to close wells, fine people for inappropriately disposing of human waste, regulate the construction and maintenance of sewers and drains, the paving of cellars, order fencing to be placed around construction sites, order the building and maintenance of toilets, order toilets for both sexes in buildings where more than 10 people are regularly gathered or employed, determine which areas of the city may contain pigs and animals, the construction and maintenance of cow sheds and stables, the regulation and maintenance of abattoirs, collection and management of household rubbish

Part 8 of the legislation addresses the legal process for enforcing the legislation, as well as legal consequences for breaches of the legislation.

More info

Chronology

- **The Public Health Act 1885, Tasmania (1885 – 1904)**
 - The Public Health Act 1903, Tasmania (1904 - 1935)

Related Entries

Is amended by

- [The Public Health Act 1887, Tasmania \(1887 - 1904\)](#)
- [The Public Health Act 1889, Tasmania \(1889 - 1904\)](#)
- [The Public Health Amendment Act 1896, Tasmania \(1896 - 1904\)](#)

Resources

- [Evolution of Australia's Public Health Infrastructure: Milestones](#), Public Health in Australia, 1997

You can view this page online by visiting <https://www.findandconnect.gov.au/entity/the-public-health-act-1885/>