

as a whole or in part there are also parts of the Municipal Corporations Act and the Shipping and Seamen Act dealing with matters relating to public health.

The local authorities are also called upon to administer various parts of a number of the above-named Acts. It is found that there are provisions dealing with several matters in more than one Act which run concurrently, and it is by no means clear as to whether the duty is cast upon the local authority or the Health Department to carry out certain very important duties. As an example, section 279 of the Municipal Corporations Act reads, "The Council may do all things necessary from time to time for the preservation of the public health and convenience, and for carrying into effect the provisions of the Public Health Act, 1908, so far as they apply to boroughs"; while several sections of the Public Health Act, 1908, provide that the District Health Officer may do practically the same things. By section 79 of the Public Health Act, 1908, both authorities are empowered and directed to do the same work. In this regard there exists a dual authority which probably results in overlapping at times, and possibly neglect on other occasions. Evidence of both results have been given by witnesses.

In a special report submitted to the City Council of Wellington Mr. W. H. Morton, City Engineer, recommends, "That the local as well as the other authorities should have their duties more clearly defined," and this view is endorsed by the other experienced witnesses who appeared before the Commission. Section 7 of the Public Health Act, 1908, is quoted as an instance of the seeming overlapping of the powers of the District Officer and the local authority. As one witness puts it, "The present system is one of divided control, doubtful initiative, and joint responsibility." Section 28 of the Public Health Act, 1918, gives power for the Minister to delegate to the local authority the powers conferred by the principal Act on the District Health Officer, or on the Hospital and Charitable Aid Boards' officer, but this appears to the Commission to be an entirely unsatisfactory manner of dealing with these important matters. There will be less likelihood of neglect where the whole responsibility for a course of action is placed directly upon one authority. It is of interest to note that whereas the English Public Health Act, 1875, says, "Every local authority shall appoint fit and proper persons to be Medical Officers or Officers of Health," in the New Zealand statute the word used is "may," and in practice the section of our Act has been non-operative. In England the local government may constitute contiguous local authorities the sanitary authority for a port, but in New Zealand we have apparently neglected the matter of establishing any port sanitary authorities.

There is need for amendment of our public-health law in the following, among other, directions:—

- (1.) To make provision for stricter regulation of the movement of persons resident or employed in premises or on ships where an infectious disease had appeared.
- (2.) To extend the right of entry for the inspection of dwellinghouses beyond the hours now fixed—"11 a.m. till 4 p.m."
- (3.) To make provision for the definite appointment of women as Health Inspectors.
- (4.) To require the making of model by-laws and regulations by the Health Department for the guidance of local authorities.
- (5.) To require all cities to make and apply a lodginghouse by-law or by-laws.
- (6.) To empower the Health authorities to require the cleansing of the interiors of private dwellings and lodginghouses where such may be dangerous to the public health.
- (7.) To make clear in sections 7 and 12 of the Public Health Amendment Act, 1918, what authority shall make the regulations therein referred to.

What has impressed the Commission, after taking a good deal of evidence on the subject, is the extreme complexity and diffuseness in this department of law, making it most difficult for any but specialists to have a knowledge of the requirements and obligations of the various statutes. This is undoubtedly an undesirable state of affairs, seeing that matters of public health affect and ought to concern