

PUBLIC HEALTH

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Public Health Act 1925

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Public Health Act 1925

TABLE OF AMENDMENTS

The Public Health Act 1925 No 10 was certified and commenced on 30 July 1925.

Amending Legislation	Certified	Date of Commencement
Public Health Ordinance 1936 No 8		4 July 1936
Executive Council Ordinance 1966 No 3	17 February 1966	17 February 1966 (GN 47/1966)
Public Health Ordinance 1967 No 21	16 October 1967	16 October 1967 (GN 227/1967)
Ordinances Revision Ordinance 1967 No 25	29 December 1967	29 December 1967 (GN 315/1967)
Litter Prohibition Act 1983 No 6	14 October 1983	14 October 1983
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

An Act to make provision for the safety of the public health of the Republic of Nauru.

Adopted by the Parliament of Nauru as follows:

1 Short title and commencement

This Act may be cited as the *Public Health Act 1925* and came into effect on 30 July 1925.

[s 1 (formerly section 2) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

2 Government Medical Officer

The Government Medical Officer, whenever referred to in this Act, shall mean the Medical Officer for the time being carrying out the duties of Government Medical Officer.

[s 2 (formerly section 3) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

3 Definitions

In this Act:

‘*Close settlement area*’ means any area declared by the Cabinet by notice in the Gazette to be a close settlement; and

‘*Stock*’ includes any pig.

[s 3 (formerly section 3A) insrt No 8 of 1936, opn 4 July 1936; am No 3 of 1966 Sch 1, opn 17 Feb 1966; renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

4 Inspection of close settlement area

The Government Medical Officer shall, as directed by the Administrator, make an inspection of any close settlement area, and furnish a written report thereon.

[s 4 (formerly section 3B) insrt No 8 of 1936, opn 4 July 1936; renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

5 Notice to exclude stock from close settlement area

The Administrator, upon receiving a report from the Government Medical Officer, may, by notice, require any holder of a leasehold in a close settlement area to take such measures as the Cabinet thinks fit, for the exclusion of stock from any close settlement area.

[s 5 (formerly section 3C) insrt No 8 of 1936, opn 4 July 1936; am No 3 of 1966 Sch 1, opn 17 Feb 1966; renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

6 Failure to comply with notice

Any leaseholder who fails to comply with the notice referred to in Section 5 shall be guilty of an offence, and shall be liable on summary conviction to a penalty not exceeding \$4.

[s 6 (formerly section 3D) insrt No 8 of 1936, opn 4 July 1936; renum and am No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

7 Houses, etc to be kept clean

All houses, premises, and the grounds in which they stand shall be kept clean.

[s 7 (formerly section 4) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

8 Stagnant water

No stagnant water shall be allowed to lie in such grounds for more than 24 hours unless treated to the satisfaction of the Government Medical Officer by efficient drainage, or with petroleum or other suitable oil.

[s 8 (formerly section 5) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

9 Receptacles capable of holding water

No tins, bottles, coconut shells or husks, or other receptacles capable of holding water shall be allowed to remain upon such premises or grounds.

[s 9 (formerly section 6) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

10 Water tanks or vessels to be covered or treated

All tanks and vessels used for retaining water shall be efficiently covered with mosquito-proof gauze, or shall be treated with kerosene or other suitable oil to the satisfaction of the Government Medical Officer.

[s 10 (formerly section 7) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

11 Proof of non-compliance

Where mosquito larvae be found in any receptacle of any kind, or in any stagnant water, it shall be accepted as proof that the provisions of Sections 8, 9 and 10 have not been satisfactorily complied with.

[s 11 (formerly section 8) renum and am No 25 of 1967 s 5 and Sch 3, s 6 and Sch 4, opn 29 Dec 1967]

12 Guttering and pipes to be kept clean

The guttering and down pipes connected with the roofs of all houses and premises shall be kept clean and efficient.

[s 12 (formerly section 9) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

13 Inspection of premises

The Government Medical Officer, or any member of his or her staff thereto authorised by him or her in writing may, at all such times as he or she shall think fit, enter upon any premises for the purpose of inspection.

[s 13 (formerly section 10) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

14 Inspection and cleaning of lands

The Government Medical Officer and his or her staff may enter upon any unoccupied or apparently unoccupied lands for the purpose of inspecting and cleaning the same. The owner of such lands shall be liable for any expenses thereby incurred. A person assaulting or obstructing any officer acting under this Section or Section 13 shall be guilty of an offence against the provisions of this Act.

[s 14 (formerly section 11) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

15 [Repealed]

[s 15 (formerly section 12) rep Act 6 of 1983 s 9, opn 14 Oct 1983]

16 Protection and destruction of foodstuffs

- (a) All persons who sell or deal in foodstuffs of a perishable nature shall keep such goods properly protected from flies.
- (b) Where the Government Medical Officer be satisfied that any such foodstuffs have not been so protected, he or she may order the immediate destruction thereof.

[s 16 (formerly section 13) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

17 Destruction of trees or plants which retain water

The Cabinet, on the recommendation of the Government Medical Officer, may order the destruction of trees or plants which retain water.

[s 17 (formerly section 14) am No 3 of 1966 Sch 1, opn 17 Feb 1966; renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

18 Prohibition of sale of foods unfit for human consumption

The Government Medical Officer may prohibit the sale of fruit, vegetables, and other foods that may be unfit for human consumption and a person selling any articles of which the sale has been so prohibited shall be guilty of an offence against the provisions of this Act. The Government Medical Officer may order the removal or immediate destruction of any foodstuffs he or she may consider to be unfit for human consumption.

[s 18 (formerly section 15) renum No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

19 Penalty

The penalty for any infraction of this Act shall be a fine not exceeding \$20 and/or imprisonment not exceeding 1 month.

[s 19 (formerly section 16) renum and am No 25 of 1967 s 5 and Sch 3, opn 29 Dec 1967]

20 Liability for offences

- (a) For any offence against the provisions of Sections 7, 8, 9, 10, 11 and 12 inclusive, the person primarily liable shall be the occupier of the house, premises, or lands upon which or in respect of which such offence was committed.
- (b) Should there be no such occupier, the owner of the said house, premises, or lands shall become liable in respect of such offence.

[s 20 (formerly section 17) renum and am No 25 of 1967 s 5 and Sch 3, s 6 and Sch 4, opn 29 Dec 1967]

21 Regulations

The Cabinet may make regulations not inconsistent with this Act prescribing all matters necessary or convenient to be prescribed for giving effect to this Act and, in particular, may make regulations providing for and in relation to:

- (a) the prevention of disease;
- (b) the maintenance of health;
- (c) sanitation in respect of any place, premises, vehicle or receptacle;
- (d) the control and inspection of:
 - (i) the preparation, sale and distribution of food;

- (ii) the slaughtering of animals;
- (iii) eating houses and food shops; and
- (iv) barber shops; and
- (e) the imposition of penalties not exceeding \$100 for offences against the regulations or, where the offence is a continuing one, for penalties not exceeding \$10 for every day during which the offence continues.

[s 21 insrt No 21 of 1967, opn 16 Oct 1967]