**QUARANTINE BILL 1896**

**Legislative Council, 7 October 1896, pages 213-4**

Second reading

**The CHIEF SECRETARY** moved the second reading. The necessity for the Bill had been shown by instances that had occurred, particularly at Port Pirie. Unless a vessel came from an infected port, or had touched at one during the voyage, it was possible for the passengers and goods to be landed before any certificate or pratique was granted by the Board of Health. There was a case at Port Pirie last year, when a captain left his vessel and landed without being examined by the officer of the Board of Health. Dr. Stewart complained to the Central Board of Health, and the opinion of the law officers of the Crown was sought. The question put was, “Whether it would be an offence under the Act to so land from a ship, not having come from or touched at any place notified by the Governor as being an infected place.” The Crown Solicitor advised, “I cannot find anything in the Act which makes every ship liable to quarantine. As the ship in question did not sail from an infected port as declared by the Governor, nor touch at any, I cannot see that any offence has been committed. The Act seems to me to be defective in that it nowhere provides that no one shall leave the ship until the Health Officer has boarded her and given a clean bill of health. In this respect the Act seems to require amending, as I very much doubt whether the power to make orders by proclamation in respect of all ships is contained in the Act.” The following minute was sent on to the Government by the President of the Board of Health, Dr. Whittell:—“I am requested by my Board to represent to the Government the danger to the colony of allowing any person to leave a ship arriving at our ports before pratique has been awarded, and to urge that as soon as possible a new clause be added to the Quarantine Act as suggested by the Crown Solicitor.” The Government decided to comply with the request and bring in an amending Act. There was a more recent case at Port Pirie. Pratique was granted by a pilot without the Health Officer, Dr. Stewart, boarding. The notice of the Board of Health was drawn to the matter, and another minute was sent to the Government by the President of the Board, referring to the previous advice and opinion of the Crown Solicitor, and continuing:—“It appears, therefore, to be the law that a ship not coming within the definition ‘liable to perform quarantine’ arriving off, say, Glenelg can put all its passengers on land and sail on to the Semaphore without any visit from the Health Officer. I am therefore requested by my Board to represent to the Hon. the Chief Secretary the urgent necessity that the amending Act ordered by the Hon. the Attorney-General to be prepared be proceeded with at the earliest opportunity.” The Bill provided that, whether a vessel was liable to perform quarantine or not, inspection by the proper Health Officers should be made before there could be passengers or goods landed. Clause 2 said:—“No person or thing shall land or be landed from any vessel arriving by sea at any port or place in South Australia before the Health Officer has granted a clean bill of health in respect of such vessel without a permit from the President of the Central Board of Health. Clause 3 provided the penalty for a breach of that provision. The penalty was not more than £100. The clause provided the usual formula. Clause 4 provided that should it be necessary at any time for the Government to exempt any vessel from the operations of the Act they could do so by proclamation.

The Hon. Dr. CAMPBELL secured the adjournment of the debate till Tuesday, October 13.