



# VICTORIA GOVERNMENT GAZETTE.

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## Health Acts.

### CONSOLIDATED INFLUENZA REGULATIONS.

**U**NDER the powers in that behalf conferred by Section 19 of the *Health Act 1915* on the Minister of Health to exercise the powers, rights, and authorities vested in the Board of Public Health, I, the undersigned, the Honorable John Bowser, His Majesty's Minister of Health for the State of Victoria, do make the regulations following, under the authority exercisable by the said Board by Section 173 of the said Act in consequence of an order in that behalf made under Section 172 by the Governor in Council such Board so enabling:—

#### Short Title and Repeal.

1. These Regulations may be cited as the Consolidated Influenza Regulations 1919, and shall come into force forthwith upon publication in the *Government Gazette*. Upon the coming into force of these Regulations the regulations mentioned in the First Schedule hereto shall stand revoked.

#### Interpretation.

2. In the construction of these Regulations—

“Infected Area” means any area within a radius of fifteen miles from any house, building, or place wherein a case of Influenza has occurred with respect to which a medical practitioner or Registrar of Births and Deaths in conformity with the requirements of Section 178 of the Health Act has heretofore since the first day of January reported or hereafter may report.

“Metropolitan Area” means the area being or situated within a radius of fifteen miles from the Post Office at the corner of Elizabeth and Bourke streets, Melbourne.

“Occupier” means any person or body corporate or unincorporate having the right to control or regulate the admission of persons to any place or ground.

“Proper Health Authority” includes the Minister of Health, the Chairman of the Board of Public Health, the Mayor of a City, Town, or Borough, or the President of a Shire.

Persons shall for the purpose of these Regulations be deemed to assemble in excessive numbers when more than twenty persons congregate in a manner so as to leave less than 25 superficial feet available for each individual present.

#### *In an Infected Area Persons Forbidden to Assemble in Open Places in Excessive Numbers.*

3. In an infected area persons are forbidden to assemble in any open place (whether wholly or partially) in excessive numbers for any purpose whatever.

*In an Infected Area Persons not to Assemble in Enclosed Place in Numbers Exceeding Twenty and then only where Twenty-five Superficial Feet Available for Each Person. In Places of Worship, Eating Houses, Work-rooms, &c., Number may be Exceeded on like conditions.*

4. Persons in an infected area are hereby forbidden to assemble for a common purpose (ostensible or otherwise) within any enclosed building or place whether public or private in a manner so as to leave less than 25 superficial feet standing room available for each individual present and then only in numbers not exceeding twenty at any one time. This provision so far only as it forbids the assemblage of more than twenty persons at the one time shall not apply to persons meeting in some building dedicated to sacred use for Divine Worship provided that such persons at all times during the meeting wear a mask of an approved kind nor to persons actually employed at their profession, trade, or calling assembling in the place accustomed nor to persons resorting *bonâ fide* for the purpose of obtaining a meal to any room set apart for the consumption of food in any club, hotel, eating house, tea room, or other like establishment. Provided nevertheless that the several exceptions hereinbefore expressed shall be read as conditional on the proper health authority not having in the particular case notified that the meeting of persons in that particular building is prohibited either absolutely or in numbers in excess of twenty or unless certain conditions are observed or requirements attended to. In the case of an

absolute prohibition no persons shall thereafter assemble until the prohibition is removed. If partial, persons shall not assemble in excess of twenty. Where the prohibition is conditional persons shall not assemble either at all or (if not prohibited) in excess of twenty unless the conditions are observed or/and the requirements attended to.

*O Power Conferred to Close Places of Worship, &c., if Conditions as to Masks not Observed.*

5. In the event on any occasion of persons assembling for Divine Service or Worship within any building or enclosed place (whether dedicated to sacred use for Divine Worship or not) in numbers exceeding twenty if any of the persons shall during the time of their continuance in the building with others present negligently or wilfully fail to at all times wear a mask as required by the last preceding clause a Proper Health Authority may thereupon and he is hereby authorized to take the necessary action to close and keep closed such building or place from further use as a meeting place for Divine Worship or other purpose whether Divine or temporal by any persons whether their number amount only to twenty or less and this notwithstanding anything to the contrary in the last preceding clause contained.

*In Infected Area Certain Places of Amusement to be Closed.*

6. In the case of an infected area the several classes or kinds of places mentioned in the Second Schedule hereto shall be closed and not used until notice permitting such use is published in the *Government Gazette*.

*Official Notification that Place is an Infected Area not an Excuse for Places of Amusement not being Closed but Local Officials to so Notify Occupiers as Quickly as Possible.*

7. Forthwith (in the case of a theretofore clean area) upon a report being despatched by any medical practitioner or Registrar of Births and Deaths of the occurrence of Influenza in any district or place made in pursuance of the obligations imposed by Section 178 of the *Health Act 1915* the local municipal officials and the proper Central Government authority in the neighbourhood cognizant of its despatch shall take prompt steps to notify the persons controlling the places in the last preceding clause referred to of that fact either verbally or in writing, but the non-receipt of any such notification from an official source shall not be an excuse if the person concerned had knowledge otherwise that a report had been despatched.

*In an Infected Area Billiard Rooms not to be used or be resorted to by others than Players, and then not more than two for each table there.*

8. In an infected area every holder of a billiard-table licence with regard to every billiard room or saloon with respect to which such licence is available as well as every licensed victualler on whose premises is kept and maintained any billiard or bagatelle table shall not permit to be present in the billiard room or saloon at the same time any persons other than one marker for each table in use in the room and the persons actually engaged in playing the game of billiards who shall not exceed more than two at each table for the time being in use. No spectators shall at any time be allowed to resort to or frequent the room. Nothing in this regulation shall extend to limit the applicability of the prohibition against persons in an infected area assembling in any house building or place in numbers exceeding twenty at any one time contained in clause 4 of these Regulations.

*In an Infected Area Occupiers of Sports Grounds, &c., to see that Persons do not Assemble thereon in Excessive Numbers.*

9. In an infected area every occupier of any place or ground (including a swimming bath) used for the purpose of playing or indulging in any out-door game or exercise to which persons other than the players or persons exercising are admitted, either on payment or otherwise, shall with respect to the disposition, management, and control of the persons resorting to the place or ground ostensibly for the purpose of watching the exercise there indulged in or the game there being played, or intended so to be, shall observe or cause to be observed the following regulations:—

- (a) That not more persons are admitted to the place or ground than the open space thereof properly available for the accommodation of spectators (excluding buildings) is sufficient to prevent an assemblage in excessive numbers.
- (b) Prevent any roofed stand or other such convenience availed of for a like purpose on the place or ground to be used or resorted to by persons admitted on the premises.
- (c) Prevent any unroofed stand or other such convenience as aforesaid being occupied by persons in excessive numbers.

*Closing Sports Grounds, &c., if Prohibition against Assemblage of Persons in Excessive Numbers, &c., not Observed.*

10. In the event of the occupier of any place or ground aforesaid failing to observe or cause to be observed the requirements of the Regulations (the conduct of such owner intended to control) aforesaid the proper health authority may notify such occupier that the meeting of persons in excess of twenty on such place or ground is prohibited for the future and thereupon no persons shall assemble on such place or ground in excess of twenty nor shall the occupier permit such assemblage.

*Influenza Patients, Convalescents, or Contacts not to Proceed from Infected Area or to come into Victoria.*

11. No person suffering from Influenza and no person who has knowingly come in contact within three days from such contact with a person so suffering and no person while deemed to be convalescent from such disease (and every person who has been ill with the disease shall be deemed such until the expiration of seven days after his or her temperature becomes normal) shall proceed from an infected area to a place beyond or pass through an uninfected area within Victoria and no such person shall cross from either of the adjacent States into any part of Victoria.

*Within Metropolitan Area all Bars in Clubs and Hotels Closed and all Wine Shops.*

12. Every bar on any registered club or in any licensed victualler's premises within the Metropolitan area and the premises of the holder of every Australian wine licence within such area shall until permission to re-open is given by notice in the *Government Gazette* be forthwith closed and kept closed during the whole twenty-four hours of each and every day notwithstanding anything in the Licensing Act or in any licence thereunder contained.

*Within Metropolitan District Clubs Licensed Victuallers and Holders of Wine Licence not to Permit Persons to resort to Bar.*

13. No licensed victualler or holder of an Australian wine licence within the Metropolitan area (in these Regulations referred to as the "licensee") and no club in such area shall permit any person not being the hired servant of such licensee or club to resort to the bar or other accustomed place of sale of liquor for any purpose whatsoever.

*Licensees within Metropolitan Area Forbidden to Sell Spirituous or Fermented Liquors except when for Delivery at Place not less than Half-a-Mile from Premises.*

14. No licensee within the Metropolitan area shall supply or permit to be supplied on or from his licensed premises to any would-be customer any spirituous or fermented liquors to be drunk on or off such premises: Provided that nothing in this clause contained shall prevent any such licensee taking orders either in writing or by telephone for the delivery in bottles of liquor at some place not less than half-a-mile distant from such premises by himself or his agent, and any such delivery in accordance with such order shall not be unlawful.

*Licensee to Keep Register of Sales of Liquor under Preceding Clause.*

15. Every licensed person who under the last preceding clause sells liquor in bottles for consumption beyond his licensed premises shall keep a register of all such sales with the name and address of the person obtaining the liquor with particulars of the nature and quantity of liquor dealt in, which register shall be at all times available for inspection to any member of the police force or any person authorized by a proper health authority.

*Limitation of Prohibition in case of Sale of Liquor to bonâ fide Lodger or to a bonâ fide Boarder at Meal.*

16. Nothing hereinbefore contained shall be construed as forbidding the licensee of premises selling or disposing of liquor to bonâ fide lodgers for consumption on the premises by them at any time of the day or when it has heretofore been the practice to habitually supply bonâ fide set meals to sell dispose of or supply liquor to a boarder for consumption with a bonâ fide meal there partaken of by such boarder between noon and 2 p.m. or between 6 p.m. and 8 p.m. "Boarder" in this clause shall include a person resorting to the premises in good faith for a meal on a single occasion.

*Persons other than Inmates or bonâ fide Boarders, Forbidden to Resort to Licensed Premises in Metropolitan Area.*

17. In the Metropolitan area persons not being bonâ fide lodgers or intending lodgers or not being members of the household are forbidden to visit or resort to licensed victuallers' premises or the premises of the holder of an Australian wine licence not moved in good faith to resort thereto for a meal the same being a place where set meals have heretofore been accustomed to be supplied.

*Horse, Pony, or Trotting Race Meetings Prohibited within the State.*

18. All meetings within the State of Victoria for the purpose of holding any horse, pony, or trotting race or races are hereby prohibited, and all race-courses or places used for the purpose of horse, pony, or trotting races within the State shall be closed and not used for such purposes until notice permitting such use is published in the *Government Gazette*.

*Persons Forbidden to Assemble for Horse Racing Purposes on Race-courses within the State.*

19. Persons are forbidden to assemble on a race-course within the State for the purpose of attending any horse, pony, or trotting race or races until the prohibition is withdrawn by notice in the *Government Gazette*.

SCHEDULES.

*First Schedule.*

Title of Regulation.	Date of <i>Government Gazette</i> in which published.
Influenza Regulations (Closing Places of Entertainment) 1919 .. .. .	28th January, 1919
Influenza Emergency Regulations 1919 .. .. .	30th January, 1919
Influenza Regulation (Closing of Places of Entertainment) 1919 (No. 2) .. .. .	7th February, 1919
Influenza Emergency Regulations 1919 (No. 2) .. .. .	12th February, 1919

*Second Schedule.*

All Theatres, Picture Theatres, Music or Concert Halls, and all Public Buildings where persons assemble for the purposes of entertainment or instruction.

Made at Melbourne this 19th day of February, 1919.

JOHN BOWSER,  
Minister of Public Health.

