



**AN BILLE RIALTAIS AITIUIL (SEIRBHISI
SLANTAIOCHTA), 1947.**

LOCAL GOVERNMENT (SANITARY SERVICES) BILL, 1947.

EXPLANATORY MEMORANDUM.

1. The Public Health Bill, 1945, having been withdrawn and a Department of Health having been established, it becomes necessary to introduce a separate measure embodying those portions of the original Bill which relate to matters which continue to be the responsibility of the Minister for Local Government.

2. These matters include: (a) Drainage, (b) Water Supplies, (c) Temporary Dwellings and the use of land for camping, (d) Baths, Washhouses and Bathing Places, (e) the disposal of bodies of deceased persons and (f) certain miscellaneous provisions.

3. Part II of the Bill deals with the drainage of premises. Its provisions are directed towards securing the connection of premises with sewerage systems where these have been provided by the local authority. Under existing law difficulty is experienced at times in inducing house-owners to connect and they can be compelled to connect only in cases where no drainage of even the most elementary kind is already existent. It is felt that when a modern sewerage system has been installed standards of sanitation should be raised and that drainage by means of cesspools should be discontinued.

4. Part III relates to Water Supplies. The only existing provision under which a sanitary authority can require a building to be provided with a water supply is Section 72 of the Public Health Act, 1878. This Section has in practice proved defective and the provisions of Part III of the present Bill will substitute a simplified procedure applicable to all buildings in an area where a public water supply is available.

5. Owing to the increase in recent years of the practice of camping in huts, tents and caravans, it is considered that sanitary authorities should have power to make regulations to prevent abuses which may arise. The only existing power is contained in Section 20 of the Local Government Act, 1925, which was intended to deal with itinerants who camp by the roadside. Part IV of the Bill will enable sanitary authorities to regulate matters arising from holiday camping without interfering with the enjoyment of healthy pleasure.

6. Part V of the Bill consolidates the law relating to baths, washhouses, bathing places, etc., which is at present contained in the Baths and Washhouses Act, 1846, Section 77 of the Towns Improvement Act, 1854, and Sections 92 and 93 of the Public Health (Amendment) Act, 1907. It also extends the existing powers of sanitary authorities by enabling them to provide swimming places outside their administrative area, to arrange for instruction in swimming and life-saving, to provide life-guards at bathing resorts and to make bye-laws for the regulation of bathing places.

7. Part VI deals with burial grounds. It provides that burials may take place only in recognised cemeteries, unless with the consent of the Minister; it makes provision for the maintenance and care of graves for a consideration in burial grounds maintained by local authorities; and makes it necessary to secure a licence from the Minister in case exhumation is desired. The existing provisions controlling the exhumation of bodies after burial elsewhere than in burial grounds maintained by sanitary authorities are uncertain and unsatisfactory.

8. Part VII contains provisions in relation to a number of miscellaneous matters regarding which existing legislation requires to be amended.

Section 48 enables a sanitary authority to provide grounds and other facilities for games and recreations: the existing law gives insufficient power in the matter.

Under existing law difficulty is sometimes experienced by sanitary authorities in dealing with nuisances caused by stagnant pools or floods resulting from obstructions in watercourses. Section 49 gives the necessary power to the sanitary authority.

Section 50 simplifies procedure in connection with the making of Area of Charge Orders for special expenses. At present it is necessary for the Minister to make an Order in every case although the practice is becoming general of charging such expenses over the County Health District. The Section provides that in future a Sealed Order will be required only if the sanitary authority request that the special expenses shall be charged on a restricted area.

Section 51 extends the powers given by Section 29 of the Public Health Act, 1878. That section prohibits the erection of a building over any sewer of an urban sanitary authority. Section 51 extends this prohibition to water mains and sewers of urban or rural sanitary authorities.

For the purpose of bringing all sanitary provisions together, Section 53 re-enacts Section 17 of the Local Government Act, 1925 (which is repealed by the Bill).

Section 54 gives a general application to the parts of the Public Health (Amendment) Act, 1907, which were formerly applicable only in areas to which they had been applied by Order of the Minister.

*Roinn Rialtais Aitiúil,
Aibreán, 1947.*