



AN BILLE SLAINTE, 1950.
HEALTH BILL, 1950.

EXPLANATORY MEMORANDUM.

1. This Bill provides for miscellaneous amendments of the Health Act, 1947, and for some additions to that Act.

2. Provision is included in section 4 to enable a health authority to make an arrangement with an urban sanitary authority under which the latter may provide any service which the health authority are empowered to operate under the Health Act, 1947. An ambulance service, which can conveniently be operated in conjunction with a sanitary authority's fire brigade service, is a case where it would be advantageous to use this power.

3. Amendments are proposed to certain provisions of Part III of the Act of 1947. It is proposed to repeal section 25 (which provides for compulsory medical inspection of children in certain circumstances) and section 26 (which empowers health authorities to require school managers to afford facilities for medical inspection of pupils) and to amend the rest of Part III to make it clear that it cannot be read as giving health authorities compulsory powers. It should be noted that sections 25 and 26 of the Act of 1947 were never brought into force.

4. By section 6 of the Bill, it is proposed to amend section 38 of the Act of 1947 (which empowers chief medical officers of health authorities compulsorily to isolate persons who are probable sources of infection) by removing appellate functions in relation to such detentions from the Minister for Health. It is proposed that an appeal against detention shall be made in future to a member of a medical appeal panel.

5. Sundry amendments of various provisions of the Act of 1947 are proposed in sections 7 to 12. These are designed to make easier the working of the original provisions. The inclusion in section 9 of a new definition of "substance" for the purposes of section 65 of that Act is connected with the new powers to be taken for the control of the use, etc., of radio-active substances under section 14 of the Bill.

6. Section 13 (regulations as to filling material) is intended to replace section 67 of the Act of 1947. That section enables the Minister for Health to make regulations prescribing standards of cleanliness for filling material used for bedding, upholstery, etc., and prohibiting the sale or use of sub-standard filling material. It is proposed to extend the Minister's powers to enable the regulations to prohibit the sale of finished articles containing dirty filling material. The section is also being extended so as to apply to material used to fill soft toys, to enable provision to be made in the regulations for the marking or labelling of articles containing filling material and to allow for the keeping of records by persons dealing in filling material or articles containing filling material.

7. Under section 14, it is intended to give the Minister for Health power to control the storage, use and disposal of medical radio-active substances and the manufacture, importation, distribution, sale, offering or keeping for sale, use, exportation or other disposal of medical irradiating apparatus. The preparation, importation, distribution and sale of medical radio-active substances can be

controlled under section 65 of the Health Act, 1947. Radioactivity, emanating mainly from the natural element radium, has been used in medicine for many years but due to the rarity and cost of radium there was little danger that it would become available for use except in well equipped institutions by trained specialists. Recent developments in atomic fission have, however, provided a means whereby adequate supplies of radio-active substances for medical use can be produced comparatively cheaply. There is, therefore, some danger that, in future, such substances might come into the hands of persons not properly trained to use them, with consequent danger to the health of those persons and others. This section also includes provisions to enable the Minister to make regulations to safeguard the health of persons engaged in occupations outside medicine which might involve the use of radio-active substances or irradiating apparatus and of other persons whose health might be endangered by such use.

8. Section 15 proposes to empower the Minister for Health to make regulations transferring medical assistance functions from a public assistance authority to a health authority. This power is required to resolve administrative difficulties in connection with the development of the health services.

9. Under section 16, health authorities and public assistance authorities will be empowered to provide post-graduate medical education for their medical officers. Section 17 is designed to clarify the position in regard to the acceptance of probationer nurses for training in local authorities' institutions. The control by health officers of the use of certain fumigants is envisaged under section 18. Section 19 is designed to clear up certain anomalies in relation to the incidence of the chargeability on local rates of superannuation payments in respect of officers transferred to health authorities under Part VII of the Health Act, 1947.

An Roinn Sláinte.
Samhain, 1950.