

Celebrating the centenary of the Health

(New Zealand Parliament, 2020f)
[Pandemics]

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New Zealand's health sector as we know it today was shaped by the Health Act 1920. Even a century on, it continues to have an impact on how health systems operate in our country.



Child in hospital bed, 1920, Wellington.

Source: Te Papa (B.043538)

Shaping our health laws

5th

Lessons from the 1918 influenza pandemic called for major changes to New Zealand's existing health law, **the Health Act 1900** ([nzlii.org/nz/legis/hist_act/pha190064v1900n25203/](https://www.parliament.nz/legis/hist_act/pha190064v1900n25203/)).

The pandemic is estimated to have killed over 9000 New Zealanders during the two waves of the pandemic. Over 800 were soldiers, who died both abroad and in domestic camps, but the vast majority were New Zealand civilians. After the pandemic, a Royal Commission of inquiry was appointed and heard evidence in New Zealand's four main centres – so many people wanted to submit to the inquiry that the life of the Commission was extended twice.

The Commission's report made a number of recommendations based on the health response to the pandemic, which fed into what became the Health Act 1920. These included:

Privacy - Terms

- Consolidating all Acts and parts of Acts relating to public health
- Remodelling the Health Department
- Clarifying the respective powers and duties of the Health Department and local authorities “so that the one should not be able to say that it was the business of the other, as occurred on the occasion of the epidemic”.

The Health Act received its Royal Assent on 5 November 1920. (http://www.nzlii.org/nz/legis/hist_act/ha192011gv1920n45141/)

Changing the face of health in New Zealand

The Act made wide-ranging changes to health in New Zealand. It gave greater powers to the Board of Health, increased the autonomy of local authorities, and considerably reduced the powers of medical officers of health (formerly the district health officers), who became more like advisors to local authorities.

Other major changes included:

- Empowering local authorities to pass bylaws dealing with public health.
- Previous public health acts had made vaccination of infants’ mandatory, and created penalties for those who refused official orders to be vaccinated. The 1920 act empowered the Governor-General to make regulations on vaccination during an infectious disease outbreak, but by repealing the 1908 act, it removed compulsory measures. From 1920, the Department of Health had to persuade parents to consent to having their children immunised.
- Despite losing many of their former powers, medical officers of health retained some statutory powers. Most significantly, officers were granted wide-ranging powers in the event of an outbreak of infectious disease. These included commandeering land, buildings, and animals, requiring disinfection to be undertaken, controlling movement, and restricting congregations of people.

How the Health Act works today

Although it is no longer in force, the 1920 Act remains a major landmark in New Zealand's health history. For example, many of the powers of medical officers of Health granted under this Act still exist today.

It was created so well that it survived with only minor amendments until it was replaced with the **Health Act 1956** (<http://www.legislation.govt.nz/act/public/1956/0065/latest/whole.html>) (which is still in force today), and which still follows the general outline of the 1920 Act.

 **Report of the Influenza Epidemic Commission, tabled May 1919**
(<https://paperspast.natlib.govt.nz/parliamentary/AJHR1919-I.2.2.4.45>)

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YES



NO



UNSURE