

PUBLIC HEALTH (AMENDMENT) BILL.

*Schedule of the Amendment referred to in Legislative Council's
Message of 5 April, 1960.*

Page 4, clause 2. *After* line 18, *at end* of clause 2 *add* the following:—

“(3) The powers conferred on a legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the legally qualified medical practitioner in relation to the performance of the operation of transfusion of human blood upon a minor.”

75143

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
5408 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 March, 1960.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with
an Amendment.*

J. R. STEVENSON,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 5 April, 1960.*

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. , 1960.

An Act relating to the immunisation of children against certain diseases and the giving of blood transfusions to children; for these purposes to amend the Public Health Act, 1902-1952; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Health (Amendment) Act, 1960".

Short title
and
citation.

75143— 181

(2)

NOTE.—The words to be inserted are printed in **black letter**.

Public Health (Amendment).

(2) The Public Health Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Public Health Act, 1902-1960.

2. The Public Health Act, 1902-1952, is amended by inserting next after section thirty-nine the following new sections :—

Amendment of Act No. 30, 1902.
New secs. 39A, 39B.

39A. (1) In this section—

Immunisation of minors against infectious diseases.

10 “Council” means a council as defined by section four of the Local Government Act, 1919, as amended by subsequent Acts, undertaking the immunisation of persons against an infectious disease under and in accordance with the provisions of section 299A of the said Act, as so amended.

15 “Infectious disease” means diphtheria or poliomyelitis, or any other disease declared by the Governor pursuant to subsection two of this section to be an infectious disease for the purposes of this section.

20 (2) The Governor may by proclamation in the Gazette declare that any disease therein named is an infectious disease for the purposes of this section; and he may in like manner revoke or vary any such declaration.

25 (3) A council and any legally qualified medical practitioner whether acting for or on behalf of a council or otherwise may immunise any minor against an infectious disease if—

30 (a) the council or legally qualified medical practitioner after diligent search and inquiry has been unable to find the parents or surviving parent of such minor or any other person legally entitled to consent to the immunisation of such minor against an infectious disease; and

(b)

Public Health (Amendment).

(b) the consent of the person for the time being having the care or custody of such minor has been obtained to such immunisation.

5 (4) Any consent given by the person for the time being having the care or custody of a minor to the immunisation of such minor against an infectious disease shall, for the protection of the council or legally qualified medical practitioner immunising such minor in accordance with such consent and of any person concerned
10 with such immunisation, have the same effect as if such consent had been given by the parents of such minor.

15 (5) The powers conferred on a council and any legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the council and legally qualified medical practitioner in relation to the immunisation of minors against an infectious disease.

20 39B. (1) A legally qualified medical practitioner may perform the operation of transfusion of human blood upon a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation if : —

25 (a) such parents, parent or other person when requested so to do have or has not consented to such operation, or after such search and inquiry as is reasonably practicable in the emergency such parents, parent or other person cannot be found; and

30 (b) such legally qualified medical practitioner and at least one other legally qualified medical practitioner have agreed—

(i) upon the condition from which the minor is suffering; and

35 (ii) that such operation is a reasonable and proper one to be performed for such condition; and

(iii)

Public Health (Amendment).

(iii) that such operation is essential in order to save the life of such minor; and

5 (c) such legally qualified medical practitioner has had previous experience in performing the operation of transfusion of human blood and before commencing such operation has assured himself that the blood to be transfused is compatible with that of the minor.

10 (2) Where an operation of the nature referred to in subsection one of this section has been performed on a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation and in respect of such operation the requirements and conditions of the said subsection have been complied with such operation shall be
15 deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

20 (3) **The powers conferred on a legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the legally qualified medical practitioner in relation to the performance of the operation of transfusion of human blood upon a minor.**

PUBLIC HEALTH (AMENDMENT) BILL.

*Schedule of the Amendment referred to in Legislative Council's
Message of 5 April, 1960.*

Page 4, clause 2. *After* line 18, *at end* of clause 2 *add* the following:—

“(3) The powers conferred on a legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the legally qualified medical practitioner in relation to the performance of the operation of transfusion of human blood upon a minor.”

PUBLIC HEALTH (AMONGST) BILL

Section 1. (1) The purpose of this Bill is to provide for the better regulation of the practice of medicine and the registration of medical practitioners in the United Kingdom.

(2) The Board of Medical Education shall have power to make regulations for the better regulation of the practice of medicine and the registration of medical practitioners in the United Kingdom.

(3) The Board of Medical Education shall have power to make regulations for the better regulation of the practice of medicine and the registration of medical practitioners in the United Kingdom.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 March, 1960.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with
an Amendment.*

J. R. STEVENSON,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 5 April, 1960.*

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. , 1960.

An Act relating to the immunisation of children against certain diseases and the giving of blood transfusions to children; for these purposes to amend the Public Health Act, 1902-1952; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Health (Amendment) Act, 1960".

75143— 181

(2)

Short title
and
citation.

NOTE.—The words to be inserted are printed in **black letter**.

This Public Bill originated in the Legislative Assembly and having this day passed is now ready for presentation to the Executive Council for its concurrence.

Public Health (Amendment).

(2) The Public Health Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Public Health Act, 1902-1960.

2. The Public Health Act, 1902-1952, is amended by inserting next after section thirty-nine the following new sections :—

Amendment of Act No. 30, 1902. New secs. 39A, 39B.

39A. (1) In this section—

Immunisation of minors against infectious diseases.

10 “Council” means a council as defined by section four of the Local Government Act, 1919, as amended by subsequent Acts, undertaking the immunisation of persons against an infectious disease under and in accordance with the provisions of section 299A of the said Act, as so amended.

15 “Infectious disease” means diphtheria or poliomyelitis, or any other disease declared by the Governor pursuant to subsection two of this section to be an infectious disease for the purposes of this section.

20 (2) The Governor may by proclamation in the Gazette declare that any disease therein named is an infectious disease for the purposes of this section; and he may in like manner revoke or vary any such declaration.

25 (3) A council and any legally qualified medical practitioner whether acting for or on behalf of a council or otherwise may immunise any minor against an infectious disease if—

30 (a) the council or legally qualified medical practitioner after diligent search and inquiry has been unable to find the parents or surviving parent of such minor or any other person legally entitled to consent to the immunisation of such minor against an infectious disease; and

(b)

Public Health (Amendment).

(b) the consent of the person for the time being having the care or custody of such minor has been obtained to such immunisation.

5 (4) Any consent given by the person for the time being having the care or custody of a minor to the immunisation of such minor against an infectious disease shall, for the protection of the council or legally qualified medical practitioner immunising such minor in accordance with such consent and of any person concerned
10 with such immunisation, have the same effect as if such consent had been given by the parents of such minor.

15 (5) The powers conferred on a council and any legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the council and legally qualified medical practitioner in relation to the immunisation of minors against an infectious disease.

20 39B. (1) A legally qualified medical practitioner may perform the operation of transfusion of human blood upon a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation if : —

25 (a) such parents, parent or other person when requested so to do have or has not consented to such operation, or after such search and inquiry as is reasonably practicable in the emergency such parents, parent or other person cannot be found; and

30 (b) such legally qualified medical practitioner and at least one other legally qualified medical practitioner have agreed—

(i) upon the condition from which the minor is suffering; and

35 (ii) that such operation is a reasonable and proper one to be performed for such condition; and

(iii)

Public Health (Amendment).

(iii) that such operation is essential in order to save the life of such minor; and

5 (c) such legally qualified medical practitioner has had previous experience in performing the operation of transfusion of human blood and before commencing such operation has assured himself that the blood to be transfused is compatible with that of the minor.

10 (2) Where an operation of the nature referred to in subsection one of this section has been performed on a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation and in respect of such operation the requirements and conditions of the said subsection have been complied with such operation shall be
15 deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

20 (3) **The powers conferred on a legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the legally qualified medical practitioner in relation to the performance of the operation of transfusion of human blood upon a minor.**

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 March, 1960.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

Clerk of the Parliaments.

*Legislative Council Chamber,
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, 1960.

New South Wales



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Public Health (Amendment).

(b) the consent of the person for the time being having the care or custody of such minor has been obtained to such immunisation.

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10 with such immunisation, have the same effect as if such consent had been given by the parents of such minor.

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15 powers of the council and legally qualified medical practitioner in relation to the immunisation of minors against an infectious disease.

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25

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(ii) that such operation is a reasonable and proper one to be performed for such
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Public Health (Amendment).

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5 (c) such legally qualified medical practitioner has had previous experience in performing the operation of transfusion of human blood and before commencing such operation has assured himself that the blood to be transfused is compatible with that of the minor.

10 (2) Where an operation of the nature referred to in subsection one of this section has been performed on a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation and in respect of such operation the requirements and conditions of the said subsection have been complied with such operation shall be
15 deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

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No. , 1960.

A BILL

Relating to the immunisation of children against certain diseases and the giving of blood transfusions to children; for these purposes to amend the Public Health Act, 1902-1952; and for purposes connected therewith.

[MR. SHEAHAN;—9 *March*, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

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15 (5) The powers conferred on a council and any legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the council and legally qualified medical practitioner in relation to the immunisation of minors against an infectious disease.

20 39B. (1) A legally qualified medical practitioner may perform the operation of transfusion of human blood upon a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation if :—

Blood transfusions for minors.

25 (a) such parents, parent or other person when requested so to do have or has not consented to such operation, or after such search and inquiry as is reasonably practicable in the emergency such parents, parent or other person cannot be found; and

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15 deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

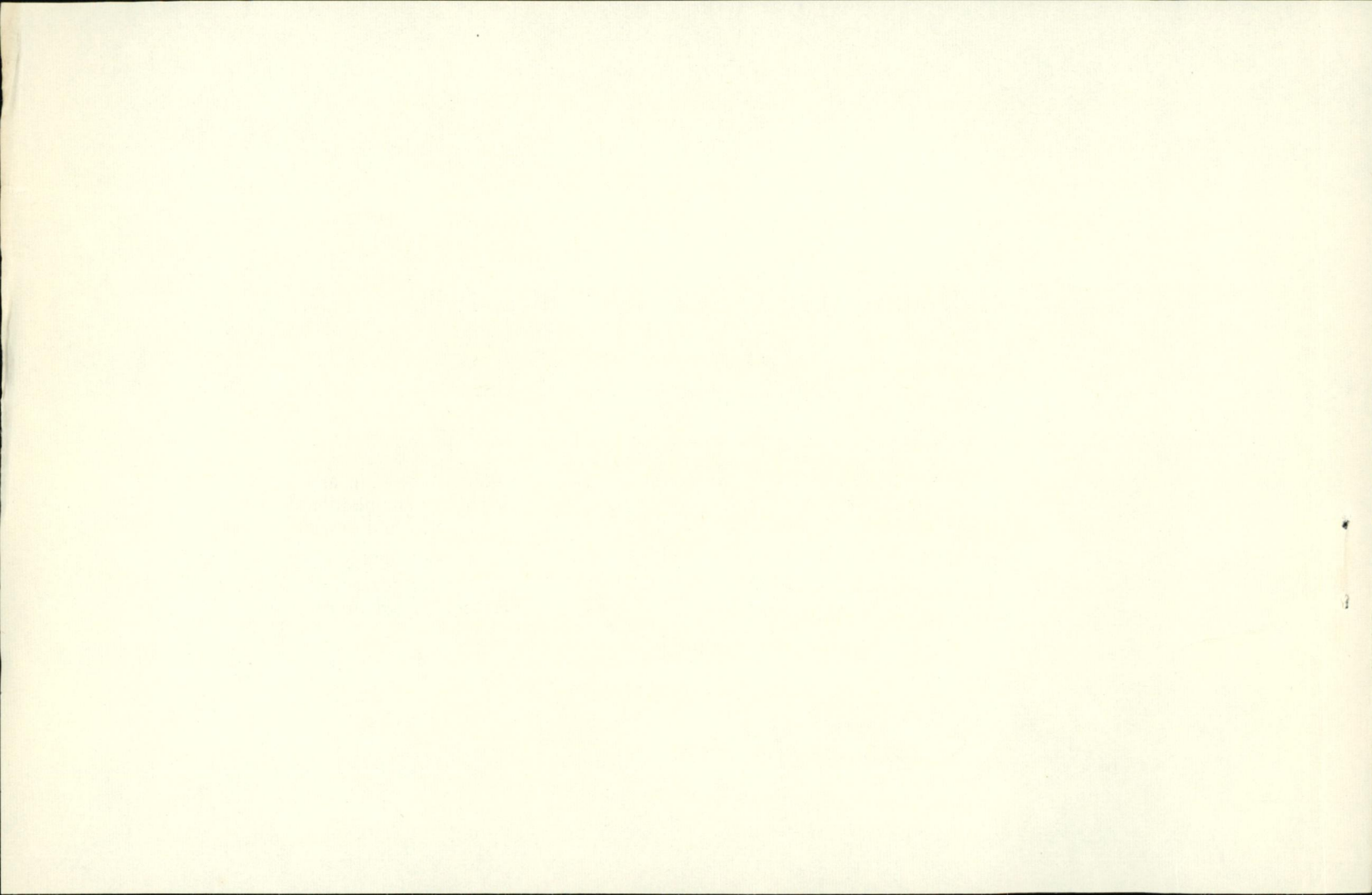
[6d.]

PUBLIC HEALTH (AMENDMENT) BILL, 1960.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to enable minors to be immunised against certain infectious diseases in any case where the council or medical practitioner undertaking such immunisation has been unable to find the parents or guardians of such minors ; and
- (b) to authorise medical practitioners, in certain circumstances and subject to certain conditions, to give blood transfusions to minors where the consent of the persons legally entitled to give such consent cannot be obtained or has been refused.



PROOF

No. , 1960.

A BILL

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25 (a) such parents, parent or other person when requested so to do have or has not consented to such operation, or after such search and inquiry as is reasonably practicable in the emergency such parents, parent or other person cannot be found; and

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(i) upon the condition from which the minor is suffering; and

35 (ii) that such operation is a reasonable and proper one to be performed for such condition; and

(iii)

Public Health (Amendment).

(iii) that such operation is essential in order to save the life of such minor ; and

5 (c) such legally qualified medical practitioner has had previous experience in performing the operation of transfusion of human blood and before commencing such operation has assured himself that the blood to be transfused is compatible with that of the minor.

10 (2) Where an operation of the nature referred to in subsection one of this section has been performed on a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation and in respect of such operation the requirements and conditions of the said subsection have been complied with such operation shall be
15 deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. 27, 1960.

An Act relating to the immunisation of children against certain diseases and the giving of blood transfusions to children; for these purposes to amend the Public Health Act, 1902-1952; and for purposes connected therewith. [Assented to, 19th April, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Health (Amendment) Act, 1960".

Short title and citation.

Public Health (Amendment).

(2) The Public Health Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Public Health Act, 1902-1960.

Amendment
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2. The Public Health Act, 1902-1952, is amended by inserting next after section thirty-nine the following new sections :—

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(2) The Governor may by proclamation in the Gazette declare that any disease therein named is an infectious disease for the purposes of this section ; and he may in like manner revoke or vary any such declaration.

(3) A council and any legally qualified medical practitioner whether acting for or on behalf of a council or otherwise may immunise any minor against an infectious disease if—

(a) the council or legally qualified medical practitioner after diligent search and inquiry has been unable to find the parents or surviving parent of such minor or any other person legally entitled to consent to the immunisation of such minor against an infectious disease ; and

(b)

Public Health (Amendment).

(b) the consent of the person for the time being having the care or custody of such minor has been obtained to such immunisation.

(4) Any consent given by the person for the time being having the care or custody of a minor to the immunisation of such minor against an infectious disease shall, for the protection of the council or legally qualified medical practitioner immunising such minor in accordance with such consent and of any person concerned with such immunisation, have the same effect as if such consent had been given by the parents of such minor.

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39B. (1) A legally qualified medical practitioner may perform the operation of transfusion of human blood upon a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation if :—

Blood transfusions for minors.

- (a) such parents, parent or other person when requested so to do have or has not consented to such operation, or after such search and inquiry as is reasonably practicable in the emergency such parents, parent or other person cannot be found; and
- (b) such legally qualified medical practitioner and at least one other legally qualified medical practitioner have agreed—
 - (i) upon the condition from which the minor is suffering; and
 - (ii) that such operation is a reasonable and proper one to be performed for such condition; and

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(iii) that such operation is essential in order to save the life of such minor; and

(c) such legally qualified medical practitioner has had previous experience in performing the operation of transfusion of human blood and before commencing such operation has assured himself that the blood to be transfused is compatible with that of the minor.

(2) Where an operation of the nature referred to in subsection one of this section has been performed on a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation and in respect of such operation the requirements and conditions of the said subsection have been complied with such operation shall be deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

(3) The powers conferred on a legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the legally qualified medical practitioner in relation to the performance of the operation of transfusion of human blood upon a minor.

By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1960

(ii)

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 8 April, 1960, A.M.*

New South Wales



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1. (1) This Act may be cited as the "Public Health (Amendment) Act, 1960".

Short title
and
citation.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

Public Health (Amendment).

(2) The Public Health Act, 1902, as amended by subsequent Acts and by this Act, may be cited as the Public Health Act, 1902-1960.

Amendment
of Act No.
30, 1902.
New secs.
39A, 39B.

Immunisa-
tion of
minors
against
infectious
diseases.

2. The Public Health Act, 1902-1952, is amended by inserting next after section thirty-nine the following new sections :—

39A. (1) In this section—

“Council” means a council as defined by section four of the Local Government Act, 1919, as amended by subsequent Acts, undertaking the immunisation of persons against an infectious disease under and in accordance with the provisions of section 299A of the said Act, as so amended.

“Infectious disease” means diphtheria or poliomyelitis, or any other disease declared by the Governor pursuant to subsection two of this section to be an infectious disease for the purposes of this section.

(2) The Governor may by proclamation in the Gazette declare that any disease therein named is an infectious disease for the purposes of this section ; and he may in like manner revoke or vary any such declaration.

(3) A council and any legally qualified medical practitioner whether acting for or on behalf of a council or otherwise may immunise any minor against an infectious disease if—

(a) the council or legally qualified medical practitioner after diligent search and inquiry has been unable to find the parents or surviving parent of such minor or any other person legally entitled to consent to the immunisation of such minor against an infectious disease ; and

(b)

Public Health (Amendment).

(b) the consent of the person for the time being having the care or custody of such minor has been obtained to such immunisation.

(4) Any consent given by the person for the time being having the care or custody of a minor to the immunisation of such minor against an infectious disease shall, for the protection of the council or legally qualified medical practitioner immunising such minor in accordance with such consent and of any person concerned with such immunisation, have the same effect as if such consent had been given by the parents of such minor.

(5) The powers conferred on a council and any legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the council and legally qualified medical practitioner in relation to the immunisation of minors against an infectious disease.

39B. (1) A legally qualified medical practitioner may perform the operation of transfusion of human blood upon a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation if : —

Blood transfusions for minors.

(a) such parents, parent or other person when requested so to do have or has not consented to such operation, or after such search and inquiry as is reasonably practicable in the emergency such parents, parent or other person cannot be found; and

(b) such legally qualified medical practitioner and at least one other legally qualified medical practitioner have agreed—

(i) upon the condition from which the minor is suffering; and

(ii) that such operation is a reasonable and proper one to be performed for such condition; and

(iii)

Public Health (Amendment).

- (iii) that such operation is essential in order to save the life of such minor; and
- (c) such legally qualified medical practitioner has had previous experience in performing the operation of transfusion of human blood and before commencing such operation has assured himself that the blood to be transfused is compatible with that of the minor.

(2) Where an operation of the nature referred to in subsection one of this section has been performed on a minor without the consent of the parents or surviving parent of such minor or any other person legally entitled to consent to such operation and in respect of such operation the requirements and conditions of the said subsection have been complied with such operation shall be deemed to have been performed with the consent which but for the provisions of this section would have been required for the performance of such operation.

(3) The powers conferred on a legally qualified medical practitioner by this section shall be in addition to and not in derogation of any other powers of the legally qualified medical practitioner in relation to the performance of the operation of transfusion of human blood upon a minor.

In the name and on behalf of Her Majesty I assent to this Act.

E. W. WOODWARD,
Governor.

Government House,
Sydney, 19th April, 1960.