

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 8 March, 1973.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 1973.

An Act to make further provisions for restricting the spread of venereal disease; for this purpose to amend the Venereal Diseases Act, 1918; 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. This Act may be cited as the "Venereal Diseases Short title. (Amendment) Act, 1973".

2.

Venereal Diseases (Amendment)

2. (1) This Act, section 3 (a) (i) excepted, shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Commencement.

5 (2) Section 3 (a) (i) shall commence upon the day appointed and notified by the Governor under section 2 (c) of the Health Commission Act, 1972.

3. The Venereal Diseases Act, 1918, is amended—

Amendment of Act No. 46, 1918.

10 (a) (i) by inserting in section 2 next after the definition of "Child" the following new definition :—

Sec. 2. (Definitions.)

"Commission" means the Health Commission of New South Wales constituted under the Health Commission Act, 1972.

15

(ii) by inserting in section 2 next before the definition of "Prescribed" the following new definition :—

"Pharmacist" means pharmacist registered under the Pharmacy Act, 1964.

20

(b) (i) by omitting from section 3 (1) the words "suffering from any venereal disease for the purpose of curing, alleviating, or treating such disease." and by inserting instead the words "for the purpose of curing, alleviating or treating any venereal disease.";

Sec. 3. (Treatment by medical practitioner only.)

25

(ii) by inserting next after section 3 (1) the following new subsection :—

(1A) Subsection (1) does not apply to a person in respect of the supply, by way of sale by wholesale, of drugs or medicines to medical

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Venereal Diseases (Amendment).

medical practitioners, pharmacists or persons conducting hospitals or prescribed places referred to in subsection (1) of section 4.

5 (iii) by omitting from section 3 (2) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist";

(iv) by omitting section 3 (3);

10 (c) (i) by inserting in section 4 (1) after the word "person" the words "Sec. 4. whether or not he has been given a certificate under subsection (1) of section 14,";

(ii) by omitting from section 4 (3) the words "professionally infamous conduct" and by inserting instead the words "misconduct in a professional respect";

15 (iii) by inserting at the end of section 4 the following new subsection :—

20 (4) A medical practitioner may communicate to the commissioner the name and address of a person suffering from any venereal disease.

(d) by omitting from section 5 (1) the words "cured of or is free from venereal disease" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease";

25 (e) by inserting in section 6 (1) after the word "from" the words "an infective stage of";

(f) by inserting in section 7 (1) after the word "from" the words "an infective stage of";

(g) by omitting section 8;

Sec. 5.
(Persons suffering from venereal disease to keep under treatment.)

Sec. 6.
(Change of address.)

Sec. 7.
(Change of medical practitioner.)

Sec. 8.
(Treatment to continue till cure effected.)

(h)

Venereal Diseases (Amendment).

- (h) (i) by omitting section 9 (1) and by inserting Sec. 9.
instead the following subsection :— (Reporting cases.)

5 (1) A medical practitioner who is consulted by or who attends or treats a person suffering from any venereal disease shall give notice thereof in the prescribed form and within the prescribed period—

(a) where the medical practitioner is in practice—

10 (i) at a place within a metropolitan health district defined pursuant to section 16 of the Public Health Act, 1902; or

15 (ii) at a place not within a district or group of districts in respect of which a medical officer of health has been appointed pursuant to subsection (1) of section 18 of that Act—

20 to the Commissioner; or

(b) where the medical practitioner is in practice at a place within a district or group of districts (not being a metropolitan health district) to which a medical officer of health has been appointed pursuant to subsection (1) of section 18 of the Public Health Act, 1902—to the medical officer of health for that district or group of districts.

25 (ii) by omitting from section 9 (2) the words “shall not” and by inserting instead the word “may”;

(iii)

Venereal Diseases (Amendment).

- (iii) by inserting next after section 9 (2) the following new subsection :—
- 5 (2AA) Any person who conducts a serological test for syphilis which gives a positive result shall send to the commissioner a report in respect of that test and any other test for syphilis conducted at the same time in respect of the same specimen showing—
- 10 (a) the name and address of the medical practitioner who furnished the specimen for examination;
- (b) the nature of the specimen;
- (c) the date or dates upon which any test was made;
- 15 (d) the result of any test made; and
- (e) all particulars supplied to him as to the name, address, age and sex of the person from whom the specimen was taken.
- 20 (iv) by inserting in section 9 (2A) after the words “was contracted,” the words “and the name and address of any person to whom the person consulting him, or attended, or treated by him, suspects that the disease may have been
- 25 transmitted,”;
- (v) by inserting in section 9 (2A) after the words “so contracted” the words “or may have been transmitted”;
- 30 (vi) by inserting in section 9 (2B) after the word “disease,” the words “or as to whom such person so consulting, or being attended, or treated, suspects that the disease may have been transmitted,”;

(i)

Venereal Diseases (Amendment).

- (i) by omitting from section 11 (1) (a) (ii) the word "cured" and by inserting instead the words "being free from any sign or symptom of an infective stage of venereal disease"; Sec. 11.
(Warnings to patients.)
- 5 (j) by inserting in section 12 after the word "from" where firstly occurring the words "an infective stage of any"; Sec. 12.
(Privilege for medical practitioner.)
- 10 (k) (i) by omitting from section 14 (1) the words "cured of or free from such disease, or has ceased to be liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of such disease"; Sec. 14.
(Certificate of freedom from infective stage of venereal disease.)
- 15 (ii) by omitting from section 14 (1) the words "in the prescribed form that such person is cured of or is free from venereal disease, or is no longer liable to convey infection, as the case may be" and by inserting instead the words "to that effect";
- 20 (iii) by omitting from section 14 (2) the words "cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease";
- 25 (l) by inserting in section 16 (1) after the word "from" the words "an infective stage of any"; Sec. 16.
(Parents and guardians.)
- (m) by omitting section 17; Sec. 17.
(Person suffering from venereal disease working in factory, &c.)
- (n)

Venereal Diseases (Amendment).

- (n) by omitting from the proviso to section 25 (4) the words "registered pharmaceutical chemists" and by inserting instead the word "pharmacists"; Sec. 25.
(Advertisements of cure of certain diseases.)
- 5 (o) (i) by omitting from section 26 (1) the words "or police"; Sec. 26.
(Seizure of articles capable of being used unlawfully for the alleviation of venereal disease.)
- (ii) by omitting from section 26 (1) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist"; unlawfully for the alleviation of venereal disease.)
- 10 (p) by omitting from section 27 (d) the words "or is cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "is free from, or is free from any sign or symptom of an infective stage of, venereal disease"; Sec. 27.
(Powers of the Commission.)
- 15 (q) by omitting from section 29 the words "a defamatory libel, and the provisions of the Defamation Act, 1912, as to the offence of publishing a defamatory libel shall apply accordingly" and by inserting instead the words "defamatory matter under section 26 of the Defamation Act, 1958"; Sec. 29.
(False allegation as to persons suffering from venereal disease.)
- 20 (r) (i) by omitting from section 33 (2) the words "or police"; Sec. 33.
(Regulations under the Act.)
- (ii)

Venereal Diseases (Amendment).

(ii) by omitting section 33 (3) and by inserting instead the following subsection :—

(3) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

5

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[10c]

No. , 1973.

A BILL

To make further provisions for restricting the spread of venereal disease; for this purpose to amend the Venereal Diseases Act, 1918; and for purposes connected therewith.

[Mr JAGO—1 *March*, 1973.]

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. This Act may be cited as the "Venereal Diseases Short title. (Amendment) Act, 1973".

2.

Venereal Diseases (Amendment)

2. (1) This Act, section 3 (a) (i) excepted, shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette. Commence-
ment.

5 (2) Section 3 (a) (i) shall commence upon the day appointed and notified by the Governor under section 2 (c) of the Health Commission Act, 1972.

3. The Venereal Diseases Act, 1918, is amended—

Amendment
of Act No.
46, 1918.

10 (a) (i) by inserting in section 2 next after the definition of "Child" the following new definition :— Sec. 2.
(Defini-
tions.)

15 "Commission" means the Health Commission of New South Wales constituted under the Health Commission Act, 1972.

(ii) by inserting in section 2 next before the definition of "Prescribed" the following new definition :—

20 "Pharmacist" means pharmacist registered under the Pharmacy Act, 1964.

25 (b) (i) by omitting from section 3 (1) the words "suffering from any venereal disease for the purpose of curing, alleviating, or treating such disease." and by inserting instead the words "for the purpose of curing, alleviating or treating any venereal disease."; Sec. 3.
(Treatment
by medical
practitioner
only.)

(ii) by inserting next after section 3 (1) the following new subsection :—

30 (1A) Subsection (1) does not apply to a person in respect of the supply, by way of sale by wholesale, of drugs or medicines to
medical

Venereal Diseases (Amendment).

- medical practitioners, pharmacists or persons conducting hospitals or prescribed places referred to in subsection (1) of section 4.
- 5 (iii) by omitting from section 3 (2) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist";
- (iv) by omitting section 3 (3);
- 10 (c) (i) by inserting in section 4 (1) after the word "person" the words "Sec. 4. (Persons suffering from venereal disease to place themselves under treatment, &c.)", whether or not he has been given a certificate under subsection (1) of section 14,";
- 15 (ii) by omitting from section 4 (3) the words "professionally infamous conduct" and by inserting instead the words "misconduct in a professional respect";
- (iii) by inserting at the end of section 4 the following new subsection :—
- 20 (4) A medical practitioner may communicate to the commissioner the name and address of a person suffering from any venereal disease.
- (d) by omitting from section 5 (1) the words "cured of or is free from venereal disease" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease"; Sec. 5. (Persons suffering from venereal disease to keep under treatment.)
- 25 (e) by inserting in section 6 (1) after the word "from" the words "an infective stage of"; Sec. 6. (Change of address.)
- (f) by inserting in section 7 (1) after the word "from" the words "an infective stage of"; Sec. 7. (Change of medical practitioner.)
- (g) by omitting section 8; Sec. 8. (Treatment to continue till cure effected.)
- (h)

Venereal Diseases (Amendment).

- (h) (i) by omitting section 9 (1) and by inserting Sec. 9.
instead the following subsection : — (Reporting cases.)

5 (1) A medical practitioner who is consulted by or who attends or treats a person suffering from any venereal disease shall give notice thereof in the prescribed form and within the prescribed period—

(a) where the medical practitioner is in practice—

10 (i) at a place within a metropolitan health district defined pursuant to section 16 of the Public Health Act, 1902; or

15 (ii) at a place not within a district or group of districts in respect of which a medical officer of health has been appointed pursuant to subsection (1) of section 18 of that Act—

20 to the Commissioner; or

(b) where the medical practitioner is in practice at a place within a district or group of districts (not being a metropolitan health district) to which a medical officer of health has been appointed pursuant to subsection (1) of section 18 of the Public Health Act, 1902—to the medical officer of health for that district or group of districts.

25 (ii) by omitting from section 9 (2) the words “shall not” and by inserting instead the word “may”;

(iii)

Venereal Diseases (Amendment).

(iii) by inserting next after section 9 (2) the following new subsection :—

5 (2AA) Any person who conducts a serological test for syphilis which gives a positive result shall send to the commissioner a report in respect of that test and any other test for syphilis conducted at the same time in respect of the same specimen showing—

- 10 (a) the name and address of the medical practitioner who furnished the specimen for examination;
- (b) the nature of the specimen;
- (c) the date or dates upon which any test was made;
- 15 (d) the result of any test made; and
- (e) all particulars supplied to him as to the name, address, age and sex of the person from whom the specimen was taken.

20 (iv) by inserting in section 9 (2A) after the words “was contracted,” the words “and the name and address of any person to whom the person consulting him, or attended, or treated by him, suspects that the disease may have been transmitted,”;

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(v) by inserting in section 9 (2A) after the words “so contracted” the words “or may have been transmitted”;

30 (vi) by inserting in section 9 (2B) after the word “disease,” the words “or as to whom such person so consulting, or being attended, or treated, suspects that the disease may have been transmitted,”;

(i)

Venereal Diseases (Amendment).

- (i) by omitting from section 11 (1) (a) (ii) the word "cured" and by inserting instead the words "being free from any sign or symptom of an infective stage of venereal disease"; Sec. 11.
(Warnings to patients.)
- 5 (j) by inserting in section 12 after the word "from" where firstly occurring the words "an infective stage of any"; Sec. 12.
(Privilege for medical practitioner.)
- 10 (k) (i) by omitting from section 14 (1) the words "cured of or free from such disease, or has ceased to be liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of such disease"; Sec. 14.
(Certificate of freedom from infective stage of venereal disease.)
- 15 (ii) by omitting from section 14 (1) the words "in the prescribed form that such person is cured of or is free from venereal disease, or is no longer liable to convey infection, as the case may be" and by inserting instead the words "to that effect";
- 20 (iii) by omitting from section 14 (2) the words "cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease";
- 25 (l) by inserting in section 16 (1) after the word "from" the words "an infective stage of any"; Sec. 16.
(Parents and guardians.)
- (m) by omitting section 17; Sec. 17.
(Person suffering from venereal disease working in factory, &c.)
- (n)

Venereal Diseases (Amendment).

- (n) by omitting from the proviso to section 25 (4) the words "registered pharmaceutical chemists" and by inserting instead the word "pharmacists"; Sec. 25.
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- 5 (o) (i) by omitting from section 26 (1) the words "or police"; Sec. 26.
(Seizure of articles capable of being used
- (ii) by omitting from section 26 (1) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist"; unlawfully for the alleviation of venereal disease.)
- 10 (p) by omitting from section 27 (d) the words "or is cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "is free from, or is free from any sign or symptom of an infective stage of, venereal disease"; Sec. 27.
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(False allegation as to persons suffering from venereal disease.)
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- (ii)

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(ii) by omitting section 33 (3) and by inserting instead the following subsection :—

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(3) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973
[10c]

PROOF

VENEREAL DISEASES (AMENDMENT) BILL, 1973

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to permit treatment of a person for venereal disease only under the direction of a medical practitioner;
- (b) to permit a medical practitioner to disclose to the commissioner appointed under the Venereal Diseases Act, 1918, the name and address of persons suffering from venereal disease;
- (c) to require any person who performs serological tests for syphilis on specimens to report to the commissioner details of all tests which give a positive result;
- (d) to require a medical practitioner to report to the commissioner the names of all persons to whom a patient suspects he has transmitted venereal disease;
- (e) to remove the restriction on persons who suffer from venereal disease working in certain factories; and
- (f) to make other provisions of a minor, consequential or ancillary nature.

PROOF

VENEREAL DISEASES (AMENDMENT) BILL, 1973

EXPLANATORY NOTE

The objects of the Bill are—

- (a) to permit treatment of a person for venereal disease only when the direction of a medical practitioner;
- (b) to permit a medical practitioner to disclose to the Commissioner appointed under the Venereal Diseases Act, 1954, the name and address of persons suffering from venereal disease;
- (c) to require any person who reports a case of venereal disease to furnish or report to the Commissioner details of all facts which give a positive result;
- (d) to require a medical practitioner to report to the Commissioner the names of all persons to whom a patient reports he has transmitted venereal disease;
- (e) to remove the restriction on persons who furnish information concerning venereal disease in certain instances; and
- (f) to make other provisions of a minor, consequential or incidental nature.

No. , 1973.

A BILL

To make further provisions for restricting the spread of venereal disease; for this purpose to amend the Venereal Diseases Act, 1918; and for purposes connected therewith.

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Venereal Diseases (Amendment)

2. (1) This Act, section 3 (a) (i) excepted, shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Commencement.

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Amendment of Act No. 46, 1918.

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Sec. 2. (Definitions.)

"Commission" means the Health Commission of New South Wales constituted under the Health Commission Act, 1972.

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(ii) by inserting in section 2 next before the definition of "Prescribed" the following new definition :—

"Pharmacist" means pharmacist registered under the Pharmacy Act, 1964.

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25 (b) (i) by omitting from section 3 (1) the words "suffering from any venereal disease for the purpose of curing, alleviating, or treating such disease." and by inserting instead the words "for the purpose of curing, alleviating or treating any venereal disease.";

Sec. 3. (Treatment by medical practitioner only.)

(ii) by inserting next after section 3 (1) the following new subsection :—

(1A) Subsection (1) does not apply to a person in respect of the supply, by way of sale by wholesale, of drugs or medicines to medical

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Venereal Diseases (Amendment).

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inserting instead the word “pharmacist”;
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been given a certificate under subsection (1)
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- 15 (ii) by omitting from section 4 (3) the words
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inserting instead the words “misconduct in a
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Venereal Diseases (Amendment).

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- 10 (k) (i) by omitting from section 14 (1) the words "cured of or free from such disease, or has ceased to be liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of such disease"; Sec. 14.
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- 20 (iii) by omitting from section 14 (2) the words "cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease";
- 25 (l) by inserting in section 16 (1) after the word "from" the words "an infective stage of any"; Sec. 16.
(Parents and guardians.)
- (m) by omitting section 17; Sec. 17.
(Person suffering from venereal disease working in factory, &c.)
- (n)

Venereal Diseases (Amendment).

- (n) by omitting from the proviso to section 25 (4) the words "registered pharmaceutical chemists" and by inserting instead the word "pharmacists"; Sec. 25.
(Advertisements of cure of certain diseases.)
- 5 (o) (i) by omitting from section 26 (1) the words "or police"; Sec. 26.
(Seizure of articles capable of being used unlawfully for the alleviation of venereal disease.)
- (ii) by omitting from section 26 (1) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist"; Sec. 26.
(Seizure of articles capable of being used unlawfully for the alleviation of venereal disease.)
- 10 (p) by omitting from section 27 (d) the words "or is cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "is free from, or is free from any sign or symptom of an infective stage of, venereal disease"; Sec. 27.
(Powers of the Commission.)
- 15 (q) by omitting from section 29 the words "a defamatory libel, and the provisions of the Defamation Act, 1912, as to the offence of publishing a defamatory libel shall apply accordingly" and by inserting instead the words "defamatory matter under section 26 of the Defamation Act, 1958"; Sec. 29.
(False allegation as to persons suffering from venereal disease.)
- 20 (r) (i) by omitting from section 33 (2) the words "or police"; Sec. 33.
(Regulations under the Act.)
- (ii) by omitting section 33 (3) and by inserting instead the following subsection :—
- 25 (3) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

Provisional (Amendment)

(1) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(2) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(3) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(4) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(5) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(6) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(7) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

(8) by substituting the words "to section 22 (1) the words" for the words "to section 22 (1) the words" in section 22 (1) of the Act.

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 27 March, 1973.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 14, 1973.

An Act to make further provisions for restricting the spread of venereal disease; for this purpose to amend the Venereal Diseases Act, 1918; and for purposes connected therewith. [Assented to, 10th April, 1973.]

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. This Act may be cited as the "Venereal Diseases (Amendment) Act, 1973". Short title.

2.

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

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Venereal Diseases (Amendment).

Commence-
ment.

2. (1) This Act, section 3 (a) (i) excepted, shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(2) Section 3 (a) (i) shall commence upon the day appointed and notified by the Governor under section 2 (c) of the Health Commission Act, 1972.

Amendment
of Act No.
46, 1918.

3. The Venereal Diseases Act, 1918, is amended—

Sec. 2.
(Defini-
tions.)

(a) (i) by inserting in section 2 next after the definition of "Child" the following new definition :—

"Commission" means the Health Commission of New South Wales constituted under the Health Commission Act, 1972.

(ii) by inserting in section 2 next before the definition of "Prescribed" the following new definition :—

"Pharmacist" means pharmacist registered under the Pharmacy Act, 1964.

Sec. 3.
(Treatment
by medical
practitioner
only.)

(b) (i) by omitting from section 3 (1) the words "suffering from any venereal disease for the purpose of curing, alleviating, or treating such disease." and by inserting instead the words "for the purpose of curing, alleviating or treating any venereal disease.";

(ii) by inserting next after section 3 (1) the following new subsection :—

(1A) Subsection (1) does not apply to a person in respect of the supply, by way of sale by wholesale, of drugs or medicines to
medical

Venereal Diseases (Amendment).

medical practitioners, pharmacists or persons conducting hospitals or prescribed places referred to in subsection (1) of section 4.

- (iii) by omitting from section 3 (2) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist";
- (iv) by omitting section 3 (3);
- (c) (i) by inserting in section 4 (1) after the word "person" the words "Sec. 4. whether or not he has been given a certificate under subsection (1) of section 14,"; (Persons suffering from venereal disease to place themselves under treatment, &c.)
- (ii) by omitting from section 4 (3) the words "professionally infamous conduct" and by inserting instead the words "misconduct in a professional respect";
- (iii) by inserting at the end of section 4 the following new subsection :—
- (4) A medical practitioner may communicate to the commissioner the name and address of a person suffering from any venereal disease.
- (d) by omitting from section 5 (1) the words "cured of or is free from venereal disease" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease"; (Persons suffering from venereal disease to keep under treatment.)
- (e) by inserting in section 6 (1) after the word "from" the words "an infective stage of"; (Change of address.)
- (f) by inserting in section 7 (1) after the word "from" the words "an infective stage of"; (Change of medical practitioner.)
- (g) by omitting section 8; (Sec. 8. Treatment to continue till cure effected.)
- (h)

Venereal Diseases (Amendment).

Sec. 9.
(Reporting
cases.)

(h) (i) by omitting section 9 (1) and by inserting instead the following subsection : —

(1) A medical practitioner who is consulted by or who attends or treats a person suffering from any venereal disease shall give notice thereof in the prescribed form and within the prescribed period—

(a) where the medical practitioner is in practice—

(i) at a place within a metropolitan health district defined pursuant to section 16 of the Public Health Act, 1902; or

(ii) at a place not within a district or group of districts in respect of which a medical officer of health has been appointed pursuant to subsection (1) of section 18 of that Act—

to the Commissioner; or

(b) where the medical practitioner is in practice at a place within a district or group of districts (not being a metropolitan health district) to which a medical officer of health has been appointed pursuant to subsection (1) of section 18 of the Public Health Act, 1902—to the medical officer of health for that district or group of districts.

(ii) by omitting from section 9 (2) the words “shall not” and by inserting instead the word “may”;

(iii)

Venereal Diseases (Amendment).

(iii) by inserting next after section 9 (2) the following new subsection :—

(2AA) Any person who conducts a serological test for syphilis which gives a positive result shall send to the commissioner a report in respect of that test and any other test for syphilis conducted at the same time in respect of the same specimen showing—

- (a) the name and address of the medical practitioner who furnished the specimen for examination;
- (b) the nature of the specimen;
- (c) the date or dates upon which any test was made;
- (d) the result of any test made; and
- (e) all particulars supplied to him as to the name, address, age and sex of the person from whom the specimen was taken.

(iv) by inserting in section 9 (2A) after the words “was contracted,” the words “and the name and address of any person to whom the person consulting him, or attended, or treated by him, suspects that the disease may have been transmitted.”;

(v) by inserting in section 9 (2A) after the words “so contracted” the words “or may have been transmitted”;

(vi) by inserting in section 9 (2B) after the word “disease,” the words “or as to whom such person so consulting, or being attended, or treated, suspects that the disease may have been transmitted.”;

(i)

Venereal Diseases (Amendment).

- Sec. 11.
(Warnings to patients.)
- (i) by omitting from section 11 (1) (a) (ii) the word "cured" and by inserting instead the words "being free from any sign or symptom of an infective stage of venereal disease";
- Sec. 12.
(Privilege for medical practitioner.)
- (j) by inserting in section 12 after the word "from" where firstly occurring the words "an infective stage of any";
- Sec. 14.
(Certificate of freedom from infective stage of venereal disease.)
- (k) (i) by omitting from section 14 (1) the words "cured of or free from such disease, or has ceased to be liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of such disease";
- (ii) by omitting from section 14 (1) the words "in the prescribed form that such person is cured of or is free from venereal disease, or is no longer liable to convey infection, as the case may be" and by inserting instead the words "to that effect";
- (iii) by omitting from section 14 (2) the words "cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "free from any sign or symptom of an infective stage of venereal disease";
- Sec. 16.
(Parents and guardians.)
- (l) by inserting in section 16 (1) after the word "from" the words "an infective stage of any";
- Sec. 17.
(Person suffering from venereal disease working in factory, &c.)
- (m) by omitting section 17;

(n)

Venereal Diseases (Amendment).

- (n) by omitting from the proviso to section 25 (4) the words "registered pharmaceutical chemists" and by inserting instead the word "pharmacists"; Sec. 25. (Advertisements of cure of certain diseases.)
- (o) (i) by omitting from section 26 (1) the words "or police"; Sec. 26. (Seizure of articles capable of being used unlawfully for the alleviation of venereal disease.)
- (ii) by omitting from section 26 (1) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist"; unlawfully for the alleviation of venereal disease.)
- (p) by omitting from section 27 (d) the words "or is cured of or is free from venereal disease, or is no longer liable to convey infection" and by inserting instead the words "is free from, or is free from any sign or symptom of an infective stage of, venereal disease"; Sec. 27. (Powers of the Commission.)
- (q) by omitting from section 29 the words "a defamatory libel, and the provisions of the Defamation Act, 1912, as to the offence of publishing a defamatory libel shall apply accordingly" and by inserting instead the words "defamatory matter under section 26 of the Defamation Act, 1958"; Sec. 29. (False allegation as to persons suffering from venereal disease.)
- (r) (i) by omitting from section 33 (2) the words "or police"; Sec. 33. (Regulations under the Act.)
- (ii)

Venereal Diseases (Amendment).

- (ii) by omitting section 33 (3) and by inserting instead the following subsection :—

(3) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 10th April, 1973.*