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.



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.

B^E 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 5 follows : ---

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

16043 212-

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

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.

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

> "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.

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

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		Venereal Diseases (Amendment).	
1		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 ", whether or not he has been given a certificate under subsection (1) of section 14,"; 	(Persons suffering from venereal
5		 (ii) by omitting from section 4 (3) the words "professionally infamous conduct" and by inserting instead the words "misconduct in a professional respect"; 	treatment,
		(iii) by inserting at the end of section 4 the following new subsection :	
20		(4) A medical practitioner may communi- cate 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";	(D
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 practi- tioner.)
	(g)	by omitting section 8;	Sec. 8. (Treatment to continue

(h) effected.)

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	Venereal Diseases (Amendment).	
	(h) (i) by omitting section 9 (1) and by inserting instead the following subsection : —	Sec. 9. (Reporting cases.)
5	(1) A medical practitioner who is con- sulted 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 metro- politan 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	
25	(b) where the medical practitioner is in practice at a place within a district or group of districts (not being a metro- politan 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";

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(iii)

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(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;
- 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.

(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,";

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	(j) by inserting in section 12 after the word "from" where firstly occurring the words "an infective stage of any";	
0	 (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"; 	(Certificate of freedom from infective
5	 (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"; 	
0 5	(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";	
	(1) 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.

Sec. 17. (Person suffering from venereal disease working in factory, &c.) 3

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		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. (Advertise- ments of cure of certain diseases.)
	(0)	(i) by omitting from section 26 (1) the words "or police";	(Seizure of articles capable of being
		 (ii) by omitting from section 26 (1) the words "registered pharmaceutical chemist" and by inserting instead the word "pharmacist"; 	used unlawfully for the alleviation of venereal disease.)
D	(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 insert- ing instead the words "is free from, or is free from any sign or symptom of an infective stage of, venereal disease";	(Powers of

- (q) by omitting from section 29 the words "a defama- Sec. 29. tory libel, and the provisions of the Defamation (False Act, 1912, as to the offence of publishing a as to persons defamatory libel shall apply accordingly" and by suffering from inserting instead the words "defamatory matter venereal under section 26 of the Defamation Act, 1958"; disease.)
- (r) (i) by omitting from section 33 (2) the words Sec. 33. "or police";

(Regula-tions under the Act.)

(ii)

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(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.

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

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	 (d) by omitting from section 5 (1) the words "cured Sec. 5. of or is free from venereal disease" and by inserting (Persons instead the words "free from any sign or symptom suffering from of an infective stage of venereal disease"; venereal disease to keep under treatment.
25	(e) by inserting in section 6 (1) after the word "from" Sec. 6. the words "an infective stage of"; (Change of address.)
	 (f) by inserting in section 7 (1) after the word "from" Sec. 7. the words "an infective stage of"; (Change of medical practitioner.)
	(g) by omitting section 8; Sec. 8. (Treatment to continue till cure

till cure effected.) (h)

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

> (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";

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- (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;
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- (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";
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 - (k) (i) by omitting from section 14 (1) the words Sec. 14.
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 - (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";
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Act No. , 1973.

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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-

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- (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.

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ENEREAL DISEASES (ASERDELLE) ELLE, 1973

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- (b) to perfit a nuclical production for diad so for the condumation repartied under the Venere II Discretes Act, Plac the numb and address of persons a prior from whereas discrete;
- (c) Lo require all per ou viso prime reactive evaluation or visible ou encolation to report to the constitution data? All of all intervision price a position result;
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TOLALMANTING WEARAGE TRANSPORTED IS DUTIES

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGIS-LATIVE 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.]

 \mathbf{B}^{E} 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.

I have examined this **Bi**ll, 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.

Commencement.

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.

Sec. 2. (Definitions.) 3. The Venereal Diseases Act, 1918, is amended—

- (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 perso conducting hospitals or prescribed plac referred to in subsection (1) of section 4.	
 (iii) by omitting from section 3 (2) the wor "registered pharmaceutical chemist" and inserting instead the word "pharmacist"; 	ds by
(iv) by omitting section 3 (3);	
(c) (i) by inserting in section 4 (1) after the wo	rd Sec. 4.
"person" the words ", whether or not he h been given a certificate under subsection () of section 14,";	1) suffering from venereal
 (ii) by omitting from section 4 (3) the wor "professionally infamous conduct" and inserting instead the words "misconduct in professional respect"; 	by treatment,
(iii) by inserting at the end of section 4 t following new subsection :—	he
(4) A medical practitioner may commun cate to the commissioner the name and addre of a person suffering from any venereal diseas	ess
(d) by omitting from section 5 (1) the words "cur of or is free from venereal disease" and by inserti instead the words "free from any sign or sympto of an infective stage of venereal disease";	ng (Persons
(e) by inserting in section 6 (1) after the word "from the words "an infective stage of";	n" Sec. 6. (Change of address.)
(f) by inserting in section 7 (1) after the word "from the words "an infective stage of";	n" Sec. 7. (Change of medical practi- tioner.)
(g) by omitting section 8;	Sec. 8. (Treatment to continue till cure

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";

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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,";

Act No. 14, 1973.

Venereal Diseases (Amendment). (i) by omitting from section 11 (1) (a) (ii) the word Sec. 11. (Warnings to "cured" and by inserting instead the words "being patients.) free from any sign or symptom of an infective stage of venereal disease"; Sec. 12. (i) by inserting in section 12 after the word "from" (Privilege where firstly occurring the words "an infective stage for medical of any"; practitioner.) (k) (i) by omitting from section 14 (1) the words Sec. 14. (Certificate "cured of or free from such disease, or has of freedom ceased to be liable to convey infection" and by from infective inserting instead the words "free from any sign stage of or symptom of an infective stage of such venereal disease.) 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"; (1) by inserting in section 16 (1) after the word Sec. 16. (Parents and "from" the words "an infective stage of any"; guardians.)

(m) by omitting section 17;

Sec. 17. (Person suffering from venereal disease working in factory, &c.)

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Venereal Diseases (Amendment). (n) by omitting from the proviso to section 25 (4) the Sec. 25. words "registered pharmaceutical chemists" and by (Advertisements of inserting instead the word "pharmacists"; cure of certain diseases.) (o) (i) by omitting from section 26 (1) the words Sec. 26. (Seizure of "or police"; articles capable of being used (ii) by omitting from section 26 (1) the words unlawfully for the "registered pharmaceutical chemist" and by alleviation inserting instead the word "pharmacist"; of venereal disease.)

- (p) by omitting from section 27 (d) the words "or Sec. 27. is cured of or is free from venereal disease, or is (Powers of no longer liable to convey infection" and by insertmission.) ing instead the words "is free from, or is free from any sign or symptom of an infective stage of, venereal disease";
- (q) by omitting from section 29 the words "a defama- Sec. 29. tory libel, and the provisions of the Defamation (False Act, 1912, as to the offence of publishing a defamatory libel shall apply accordingly" and by suffering from inserting instead the words "defamatory matter venereal under section 26 of the Defamation Act, 1958"; disease.)
- (r) (i) by omitting from section 33 (2) the words Sec. 33. "or police"; (Regula

(Regulations under the Act.)

(ii)

(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.