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[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1938.

A BILL

To amend the Venereal Diseases Act, 1918, in certain respects; and for purposes connected therewith,

BE it enacted by the King'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 "Venereal Diseases (Amendment) Act, 1938."

Short title and citation.

(2) The Venereal Diseases Act, 1918, as amended by subsequent Acts and by this Act, may be cited as the Venereal Diseases Act, 1918-1938.

2. The Venereal Diseases Act, 1918, as amended by subsequent Acts, is amended—

Commencement of Act No. 46, 1918.

- (a) (i) by inserting in subsection one of section three after the word "medicine" the words "or appliance or biological preparation";
- (ii) by inserting in subsection three of the same section after the word "medicine" where firstly occurring the words "or appliance or biological preparation";
- (iii) by inserting in the same subsection after the word "medicine" where secondly occurring the words "or appliances or biological preparations";
- (iv) by inserting in the same subsection after the word "medicine" where thirdly occurring the words "or appliance or biological preparation";

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

- (b) by inserting at the end of subsection two of section five the words "or to imprisonment for a period not exceeding one month";

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

- (c) by inserting next after section twenty the following new section:—

New sec. 20A.

20A. (1) Where the commissioner has received a signed statement in which shall be set forth the full name and address of the informant, which gives the commissioner reason to believe that any person is suffering from venereal disease, the commissioner may give notice in writing to such person requiring him to consult a medical practitioner, and to produce to the commissioner, within a time to be stated in the notice, a certificate of such medical practitioner stating whether or not such person is suffering from venereal disease.

Compulsory examination.
cf. Act No. 34, 1911
(Western Australia), s. 256.

(2) If any person to whom a notice under subsection one of this section has been given neglects or fails to produce the certificate of a medical practitioner to the commissioner within the

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the time stated in the notice, or produces to the commissioner a certificate with which the commissioner is not satisfied, the commissioner may, by warrant under his hand, authorise any medical officer of health or any medical practitioner to examine such person for the purpose of ascertaining whether or not such person is suffering from venereal disease.

The medical officer of health or medical practitioner to whom any such warrant is addressed shall have authority to examine the person named therein and shall report the result of his examination to the commissioner.

(3) Any person named in a warrant issued under subsection two of this section who refuses, without reasonable excuse, to submit to examination by the medical officer of health or medical practitioner to whom the warrant is addressed shall be liable to a penalty not exceeding *fifty* pounds or to imprisonment for a period not exceeding *three* months.

(4) Where any person to whom notice has been given under subsection one of this section is found not to be suffering from venereal disease, or to be suffering from venereal disease but not in an infectious stage, or to be suffering from venereal disease in an infectious stage, but not likely to infect others, he shall be entitled as of right to inspect any written statement made to the commissioner under subsection one of this section, and to have a verified copy of every such statement.

(d) by inserting next after section twenty-three the following new section:—

23A. (1) For the purposes of this section "officer" means any person who is or has been appointed or employed for any purpose of or relating to the administration of this Act, and who,

New sec.
23A.

Officers to
observe
secrecy.

cf. Act No. 1
41, 1936,
s. 8.

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who, by reason of that appointment or employment, may acquire or has acquired information respecting any other person disclosed or obtained under the provisions of this Act.

(2) An officer shall not, either directly or indirectly, except in the performance of any duty as an officer, and either while he is or after he ceases to be an officer, make a record of or, without the express approval of the commissioner, divulge or communicate to any person any such information so acquired by him.

(3) An officer shall not be required to produce to any court any notice, certificate, report or other communication given or made to the commissioner under this Act, except when it is necessary to do so for the purpose of carrying into effect the provisions of this Act.

(4) Any officer who contravenes any provision of this section shall be liable to a penalty not exceeding *two hundred* pounds or to imprisonment for a period not exceeding *one year*.
