

PUBLIC HEALTH (INFECTIOUS DISEASES)
REGULATIONS.

Short title.

1. These Regulations may be cited as the Public Health (Infectious Diseases) Regulations.

Repeal.

2. The Public Health (Infectious Diseases) Regulations made on the 30th day of November, 1929, under the *Public Health Ordinance* 1928, are hereby repealed.

Definitions.

3. In these Regulations, unless the contrary intention appears—

“Contact” means any person deemed to be a contact within the meaning of regulation 8 of these Regulations;

“House” includes any place of public worship, hospital, school, factory, work-room, hotel, public house, shop, dairy premises, shearing shed, wool shed, tent, van, and any other building or structure (whether temporary or permanent) or part thereof in which persons dwell, congregate or are employed;

“Infectious Disease” means—

Typhoid fever (which shall include para-typhoid fever),
Bacillary dysentery,
Infective gastro-enteritis,
Asiatic cholera,
Amoebic dysentery,
Measles (morbilli),
Rubella (Rotheln, German measles),
Whooping cough,
Scarlet fever,
Diphtheria,
Epidemic cerebro-spinal meningitis,
Acute anterior poliomyelitis and poliomyelitis,
Small-pox,
Lethargic encephalitis,
Tuberculosis (which shall include all forms of tuberculosis),
Leprosy,
Plague,
Typhus fever (all forms),
Relapsing fever,
Malaria,
Filariasis,
Yellow fever,
Bilharziasis,
Ankylostomiasis,
Hydatid disease (*Echinococcus granulosus* cystic stage),

NOTE.—For regulations relating to infectious diseases in connection with dairies and Milk supply see Public Health (Dairy) Regulations.

Contagious ophthalmia (including trachoma),
Anthrax,
Scabies,
Puerperal fever,

and includes the condition in which the organism presumed to cause any of those diseases is found to be present in any person, and any disease or infective condition to which these Regulations for the time being apply in accordance with any notification which the Director-General may, from time to time, publish in the *Gazette*;

“Minister” means for the Minister of State for Health;

“Occupier” means the person having the charge, management or control of a house, and in the case of a house which is let out in separate tenements, or in the case of a lodging-house which is let to lodgers, the person receiving the rent payable by the tenants or lodgers, either on his own account or as the agent of another person, and includes any person in occupation of the surface of any land belonging to the Commonwealth, notwithstanding any want or defect of title to occupy the land;

“Owner” means the owner whether jointly or severally of any house, or the authorized agent, manager or superintendent of the owner, and, in the case of mortgaged premises, both the mortgagor and the mortgagee, and includes a lessee; and

“School” includes any kindergarten, primary, secondary, technical, private or Sunday school.

4.—(1.) Whenever, in any house, any person is found to be suffering from an infectious disease, or from any sickness the symptoms of which raise a reasonable suspicion that it may be an infectious disease, any medical practitioner who examines the person shall, upon the day on which he becomes aware or suspects that the person is suffering from an infectious disease, give notice thereof to the occupier, and also to the Medical Officer of Health, and, in the event of the death of any such person, forthwith notify the Medical Officer of Health of the death.

Notification of
infectious
diseases.

(2.) The notice required by the last preceding sub-regulation to be given by a medical practitioner to the Medical Officer of Health shall be in writing, and in accordance with the form in the First Schedule to these Regulations.

(3.) A medical practitioner shall not incur any liability by reason of any mis-statement made in good faith in a notification of any infectious disease, provided that, where he makes a change in his diagnosis, he promptly notifies that change to the Medical Officer of Health.

(4.) The Director-General shall pay, or cause to be paid, to each medical practitioner a sum of two shillings and sixpence for every case notified by him in accordance with this regulation.

(5.) When the head teacher of any school becomes aware or suspects that any child enrolled at the school, or any member of the staff of the school, is suffering from an infectious disease, and is attending the school, he shall forthwith notify the Medical Officer of Health accordingly.

5. The Medical Officer of Health, or any authorized medical practitioner, whenever he has reasonable cause to suspect that any person who is an inmate of a house is suffering from any infectious disease, may at all reasonable times enter the house and examine any inmate thereof, or any person found therein at the time of the visit, and ask questions of such inmate or person, for the purpose of ascertaining whether that inmate or person is suffering from an infectious disease, and the inmate or person shall submit to such examination and shall answer truthfully any question put to him for that purpose by the Medical Officer of Health or medical practitioner.

Power of entry.

6.—(1.) Any person found to be suffering from an infectious disease, and any parent or guardian of any such person, and any person in attendance on or having the care of any such person, shall comply with any orders given, in writing, by the Medical Officer of Health, or by the medical practitioner in attendance.

Orders of
Medical Officer
of Health, &c.

(2.) Where an order given by the medical practitioner in attendance is inconsistent with an order given by the Medical Officer of Health, the order of the latter shall prevail and it shall not be an offence for any person to fail to comply with that order of the medical practitioner.

Removal of person suffering from infectious disease.

7. The Medical Officer of Health, or any authorized person, may remove, to a suitable hospital or place of isolation, any person suffering from an infectious disease, and there detain him until the Medical Officer of Health, or any authorized medical practitioner, certifies in writing that that person is free from infection or can be discharged without danger to the public health.

Removal of contact.

8. Any person who, in the opinion of the Medical Officer of Health, has been in such contact with a case of infectious disease as to be liable to transmit the disease to others shall, for the purposes of these Regulations, be deemed to be a contact, and shall observe such restrictions as are imposed, or such orders as are given by the Medical Officer of Health, and the Medical Officer of Health, or any authorized person, may remove that person to a place of isolation, and that person, if so removed, shall remain in that place for such period as the Medical Officer of Health directs.

Exercise of power of removal.

9. For the purpose of exercising the power of removal conferred by either of the last two preceding regulations, the Medical Officer of Health, or any authorized person may, with such assistants as are necessary, enter any house at any reasonable time.

Recovery of expenses incurred by Commission.

10. The expenses or any portion of the expenses incurred by the Director-General in the removal to and detention in a suitable hospital or place of isolation of a person suffering from an infectious disease or of a contact may be recovered in any Court of competent jurisdiction by the Director-General from that person, or from his estate in the case of death, or in the case of an infant, from either parent or the guardian of such infant.

11.—(1.) Where the Medical Officer of Health is satisfied that the conditions permit of efficient isolation of any person suffering from an infectious disease, he may authorize the treatment of such person in his own home.

(2.) The parents of such person, or any person having the care, management or ordering of the house shall observe every instruction given in writing by the Medical Officer of Health.

Duties of owner of house.

12.—(1.) The owner, occupier, or any person having the care and management or ordering of any house, shall comply with all orders, instructions or directions notified to him, in writing, by the Medical Officer of Health regarding the cleansing, purifying, ventilating and disinfecting of the house, and of the drainage and sanitary appliances belonging thereto.

(2.) If the owner, occupier, or other person fails to comply with these orders or directions within the time limited by the notice, the Medical Officer of Health or any authorized person may, with such assistants as are necessary, enter the house and carry out the orders or directions, and the Director-General may recover in any Court of competent jurisdiction the expense of so doing from the party in default, without prejudice to any further or other liability of the owner, occupier or other person under these Regulations.

(3.) Notwithstanding anything contained in this regulation, when, in the opinion of the Medical Officer of Health, the circumstances justify such a course, he, or any authorized person, may, with such assistants as are necessary, cleanse and disinfect any premises.

Person infected not to appear in public.

13. Any person knowing himself to be suffering from any infectious disease or to be a contact shall not wilfully go into any house or place to which the public have resort, or any public vehicle, without taking proper precautions against spreading the infection.

Person in charge of infected person.

14. A person who is in charge of any person, who is suffering from an infectious disease or is a contact, shall not take that person to any house or place to which the public have resort, or into any public vehicle without the expressed approval of the Medical Officer of Health, and taking such precautions against spreading the infection as the Medical Officer of Health orders, or allow or wilfully suffer him to do anything in breach of the last preceding regulation.

Infected children not to attend school.

15.—(1.) Whenever a notification required by regulation four of these Regulations is given to the occupier of any house to the effect that a child is suffering from an infectious disease, a person shall not send such child to school and such child shall not attend school within the period of exclusion prescribed in the Second Schedule to these Regulations.

(2.) Whenever the Medical Officer of Health or any authorized person notifies the occupier of any house that a child is a contact within the meaning of regulation 8 of these Regulations, a person shall not send such child to school and such child shall not attend school within the period of exclusion prescribed in the Second Schedule to these Regulations.

16.—(1.) The head teacher or person in charge of a school on learning that a child enrolled at that school is infected with an infectious disease mentioned in the Second Schedule to these Regulations, shall, in accordance with the requirements of that Schedule, prevent such child from attending school. Exclusion from school.

(2.) The head teacher or person in charge of a school on learning that a child enrolled at that school is a contact, when such contact is with a disease mentioned in the Second Schedule to these Regulations, shall, to the extent required by that Schedule, prevent such child from attending school.

17.—(1.) If in the opinion of the Director-General it is desirable for the purpose of preserving the public health that any school should be closed, the Director-General may, by notice in the *Gazette*, and by notice served on the proprietor or principal teacher of the school, declare that such school shall be closed. Closing of schools.

(2.) Where a notice in pursuance of the last preceding sub-regulation is served upon the proprietor or principal teacher of the school, he shall cause the school to be closed, and to be kept closed until the Director-General notifies in the *Gazette* that the school may be opened without prejudice to the public health.

18. The parents or other person in charge of any person who is suffering from an infectious disease, who under these Regulations have been required to prevent such person attending school, and the parents or other person in charge of any child of, or under school age, who is a contact with that person, shall not, during the period of exclusion from school, suffer or permit any such person or contact to attend any cinematograph hall, or other place of amusement, church, or public gathering, whether admission is gained thereto by payment or otherwise. Duties of parents, &c., of children excluded from school.

19. The owner of any bedding, clothing or other articles which have been exposed to infection shall, when required so to do by notice in writing by the Medical Officer of Health, deliver up such bedding, clothing or articles to the person named in the notice for the purpose of destruction or disinfection. Disinfection of articles, &c.

20. The person in charge of any vehicle, in which a person known or believed by him to be suffering from an infectious disease or to be a contact has been conveyed, shall, if required by the Medical Officer of Health, disinfect the vehicle to his satisfaction before its further use. Disinfection of vehicles.

21. The person in charge of the body of a person who has died of an infectious disease shall comply with the orders of the Medical Officer of Health regarding the treatment and disposal of the body. Disposal of bodies.

22.—(1.) The owner, keeper, or person having the custody of any dog shall, when required by an authorized officer, apply or permit to be applied to the dog such treatment as the officer deems necessary to prevent the dog being a carrier of hydatid disease (*Echinococcus granulosus*) and shall for this purpose, when so required by the officer, produce the dog at any time or place appointed in writing by the officer. Treatment of dogs.

(2.) In the absence of negligence, the Commonwealth shall not incur any liability by reason of the loss of or injury to any dog during or consequent upon the application of treatment in pursuance of these Regulations.

23. Any person who contravenes or fails to comply with any provision of these Regulations shall be guilty of an offence against these Regulations, and shall, upon conviction, be liable to a penalty not exceeding Twenty pounds, or, where the offence is constituted by a failure to comply with any notice, requisition, instruction, direction or order lawfully given under these Regulations, to a penalty not exceeding One pound for each day during which the offence continues, unless it is proved that all due diligence has been used to comply with the notice, requisition, instruction, direction or order. Penalties for offences.

THE SCHEDULES.

Regulation 4.

FIRST SCHEDULE.

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Public Health Ordinance 1928-1930.

Public Health (Infectious Diseases) Regulations.

NOTIFICATION OF INFECTIOUS DISEASE.

I hereby certify that the person whose name and address appear hereunder is suspected by me to be suffering from.....

Full name of patient.....

Address of patient.....

Occupation.....

Age..... Sex.....

Attends school at.....

Date of onset of illness.....

Suspected origin of disease, disposal of case, and any other remarks.....

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Source of milk supply.....

Number in household.....

Signature.....

Medical Practitioner.

Date.....

To the Medical Officer of Health,
Canberra.

Regulations 15 and 16.

SECOND SCHEDULE.

PERIOD OF EXCLUSION FROM SCHOOL.

Disease.	A patient shall be excluded from attending school :—	A contact shall be excluded from attending school :—
Diphtheria.	(1) Until the Medical Officer of Health certifies in writing that danger of infection has ceased ; or (2) Until a medical certificate of freedom from infectivity is furnished. Such certificate shall not be issued until two swabs, taken at intervals of forty-eight hours, are negative.	(1) Until the Medical Officer of Health certifies in writing that the contact is not liable to convey infection ; or (2) Until a medical certificate is furnished to the effect that the contact is not liable to convey infection. Such certificate shall not be issued until at least one swab, taken from the contact, is negative.
Scarlet fever.	(1) Until the Medical Officer of Health certifies in writing that danger of infection has ceased ; or (2) Until a medical certificate is furnished stating that the patient is not liable to convey infection or until all traces of discharge from eyes and ears have disappeared.	(1) Until the Medical Officer of Health certifies in writing that the contact is not liable to convey infection ; or (2) Until a medical certificate is furnished to the effect that the contact is not liable to convey infection ; or (3) Until 14 days have elapsed since removal, when the patient is removed, or where the contact has removed or has been removed to premises other than those occupied by the patient.
Measles.	(1) Until the Medical Officer of Health certifies in writing that danger of infection has ceased ; or (2) Until a medical certificate is produced stating that the patient is not liable to convey infection or until all traces of the rash have disappeared and there is no sign of discharge from ear, eye or nose.	Until released by the Medical Officer of Health.

SECOND SCHEDULE—continued.
Periods of Exclusion from School—continued.

Disease.	A patient shall be excluded from attending school :—	A contact shall be excluded from attending school :—
Whooping Cough.	(1) Until the Medical Officer of Health certifies in writing that danger of infection has ceased ; or (2) Until a medical certificate is produced stating that the patient is not liable to convey infection or until " whooping " has ceased for two weeks.	Until released by the Medical Officer of Health.
Cerebro-spinal Meningitis, Polioencephalitis, Poliomyelitis, Encephalitis (lethargica).	(1) Until the Medical Officer of Health certifies in writing that danger of infection has ceased ; or (2) Until a medical certificate is produced stating that the patient is not liable to convey infection.	Until released by the Medical Officer of Health.
Typhoid fever (including paratyphoid fever), Tuberculosis.	(1) Until the Medical Officer of Health certifies in writing that danger of infection has ceased ; or (2) Until a medical certificate is produced stating that the patient is not liable to convey infection.	