

Serial Number 1941/230.



THE VENEREAL DISEASES REGULATIONS 1941.

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of
December, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Health Act, 1920, and the Social Hygiene Act, 1917, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS,

PRELIMINARY.

1 : 1. These regulations may be cited as the Venereal Diseases Regulations 1941.

1 : 2. These regulations shall come into force on the day following notification in the *Gazette* of the making hereof.

1 : 3. For the purposes of general interpretation hereof these regulations shall be deemed to be made under the Health Act, 1920, and, unless a contrary intention appears, expressions used herein have the same meaning as in that Act.

1 : 4. The regulations under the Social Hygiene Act, 1917, with respect to health patrols, made on the 30th day of July, 1918,* and the regulations under the Health Act, 1920, and the Social Hygiene Act, 1917, with respect to certain venereal diseases, made on the 6th day of July, 1925,† are revoked.

1 : 5. All notices, certificates, orders, and generally all acts of authority and all other documents, matters, acts, and things, and all periods of time which originated or had effect under the regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations, shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

* *Gazette*, 8th August, 1918, Vol. II, page 25.

† *Gazette*, 9th July, 1925, Vol. II, page 2036.

VENEREAL DISEASES IN COMMUNICABLE FORM.

2 : 1. Every person suffering from syphilis shall be deemed to suffer from syphilis in a communicable form unless the following conditions obtain, namely :—

- (a) That, where the patient has received a course of regular treatment extending over one year, not less than two years have elapsed since the first appearance of the primary manifestations, of which one year shall be subsequent to the period of treatment ; or where the patient has not received treatment or where such treatment has not been regular, not less than five years have elapsed since the first appearance of the primary manifestations ;

and in either case—

- (b) That (in cases where the patient has been treated with injections of neoarsphenamine or of any similar preparation) a sample of the patient's blood, taken at least forty-eight hours after any such injection, shall have given a negative Wassermann reaction when examined by a bacteriologist or other person approved for the purpose by the Director-General ; or (in cases where the patient has not been treated with injections of neoarsphenamine or of any similar preparation) a negative Wassermann reaction has been given in each of at least two tests made at an interval of not less than one month.

2 : 2. Notwithstanding anything contained in the last preceding regulation, a person shall not be deemed to suffer from syphilis in a communicable form, even though the Wassermann reaction may be positive, if not less than three years have elapsed since the first appearance of the primary manifestations and the patient has received regular treatment extending over a period of not less than two years.

2 : 3. Every person suffering from gonorrhœa shall be deemed to suffer from gonorrhœa in a communicable form unless the following conditions obtain, namely :—

- (a) That the affected parts have been entirely free from inflammation for at least one month ; and
- (b) That a bacteriologist or other person approved for the purpose by the Director-General has reported that a microscopical examination as hereinafter provided of the discharges from the sexual organs of the patient has failed to show the presence of Gram-negative diplococci resembling the gonococcus (*Neisseria gonorrhoeae*).

2 : 4. Where the person suffering from gonorrhœa is a male, the discharges to be examined as hereinbefore provided shall include—

- (a) Specimens from the secretion of the urethra, taken both before and after the administration of massage to the prostate gland ;
- (b) A specimen from the urinary sediment obtained after the administration of massage to the prostate gland.

2:5. For the purposes of the microscopical examination to be made as provided in Regulation 2:3 hereof specimens of each of the classes of specimens referred to in Regulation 2:4 hereof shall be taken and examined on not less than two occasions at weekly intervals at least a fortnight after apparent clinical cure, and on one occasion not less than one month later.

2:6. Where the person suffering from gonorrhœa is a female, the discharges to be examined as aforesaid shall include—

- (a) A specimen from the secretion of the urethra, taken if possible not less than two hours after the patient has passed urine:
- (b) A specimen from the secretion of the cervical canal; or, in any case where the hymen is intact, a specimen from the secretion of the vulva.

2:7. For the purposes of the microscopical examination to be made as provided in Regulation 2:3 hereof specimens of each of the classes of specimens referred to in Regulation 2:6 hereof shall be taken and examined on not less than three occasions after successive menstrual periods after treatment and apparent clinical cure.

2:8. Every person suffering from soft chancre shall be deemed to suffer from soft chancre in a communicable form unless the lesions have completely healed.

DUTIES OF MEDICAL PRACTITIONERS WITH RESPECT TO PATIENTS SUFFERING FROM VENEREAL DISEASE.

3:1. If any medical practitioner (including any medical officer of any hospital) has been treating any person suffering from any venereal disease in a communicable form, and if such person either—

- (a) Fails for two weeks after the date fixed in that behalf by the medical practitioner to attend for further treatment; or
- (b) Fails on two or more successive occasions to attend for treatment as directed by the medical practitioner,—

then, unless to the knowledge of the medical practitioner such person has in the meantime placed himself under treatment by another medical practitioner, it shall be the duty of the first-mentioned medical practitioner to send forthwith to the Medical Officer of Health a notice relating to such person in the form numbered 1 in the Schedule hereto.

3:2. For every notice as aforesaid given by a medical practitioner (other than a medical officer of a hospital) there shall be paid out of moneys appropriated by Parliament and available for the purpose a fee of 3s. 6d.

3:3. Every notice given as aforesaid shall be marked "Confidential," and shall be forwarded to the Medical Officer of Health in a sealed envelope marked "Confidential."

3:4. It shall be the duty of every medical practitioner who is consulted by any person suffering from any venereal disease, if such person is, or appears to be, of the age of sixteen years or upwards, to give to such person a notice in the form numbered 2 in the Schedule hereto. A sufficient supply of printed copies of such notice shall, on application to the Medical Officer of Health, be supplied to medical practitioners without charge.

3 : 5. Where any medical practitioner is of the opinion that any child under sixteen years of age, or appearing to the practitioner to be under that age, is suffering from venereal disease in a communicable form he shall notify the parent, guardian, or other person in charge of the child, and shall warn such parent, guardian, or other person of his obligation under the Social Hygiene Act, 1917, to cause such child to be treated by a medical practitioner.

MEDICAL OFFICER OF HEALTH MAY REQUIRE SUSPECTED PERSON TO FURNISH CERTIFICATE.

4 : 1. Whenever the Medical Officer of Health has reason to believe that any person may be suffering from any venereal disease in a communicable form (whether or not a notice in respect of such person has been given as provided by Regulation 3 : 1 hereof) he may give to such person a notice in the form numbered 3 in the Schedule hereto, requiring him, within a time specified in the notice, to submit himself for examination to a medical practitioner, and to forward to the Medical Officer of Health a medical certificate as to the state of his health in relation to venereal disease. The form of certificate referred to in the notice as enclosed therewith shall be the form numbered 4 in the Schedule hereto.

4 : 2. A certificate for the purposes of Regulation 4 : 1 hereof may be obtained free of charge from the Medical Superintendent of any public hospital, or from the Medical Officer in charge of any venereal diseases clinic established by any public hospital or by the Department of Health, and shall be in the form numbered 4 in the Schedule hereto.

4 : 3. Where the certificate given under Regulation 4 : 1 or 4 : 2 hereof does not provide sufficient information to satisfy the Medical Officer of Health as to the state of health in relation to venereal disease of the person referred to in the certificate, the Medical Officer of Health may require the person to submit himself for examination to a medical practitioner nominated by the Medical Officer of Health, and to obtain a certificate from such medical practitioner.

ORDERS FOR REMOVAL TO HOSPITAL.

5 : 1. If any person required by a notice under Regulation 4 : 1 hereof to furnish to the Medical Officer of Health a medical certificate as to the state of his health in relation to any venereal disease fails to furnish such certificate within the time limited by that notice, or if any person is medically certified or is known to be suffering from venereal disease in a communicable form, or if the name of any patient has been notified to the Medical Officer of Health in accordance with the provisions of Regulation 3 : 1 hereof, the Medical Officer of Health may, if in the interests of the public health he thinks it expedient so to do, make an order under section 84 of the Health Act, 1920, in the form numbered 5 in the Schedule hereto, for the removal of such person to a hospital or other place where such person may be effectually isolated.

5 : 2. The medical officer in charge of the hospital or place to which any such person has been removed as aforesaid shall admit such person to hospital, and shall make such clinical, bacteriological, and pathological examination as may be necessary to determine whether such patient is suffering from any venereal disease. If such person is found to be suffering from a venereal disease the Medical Officer shall apply such treatment as may be necessary for the cure of the disease, and shall for the purpose of diagnosis and treatment as aforesaid detain such person for a period not exceeding six weeks : Provided that the Medical Officer of Health may from time to time, on the recommendation of the medical officer in charge of such hospital or other place, extend the said period for not more than six weeks at any one time, unless he is satisfied that the person detained is no longer suffering from venereal disease in a communicable form.

5 : 3. Any person detained as herein provided, even although still suffering from a venereal disease in a communicable form, may, with the consent of the Medical Officer of Health, be released by the medical officer in charge of the hospital or place to which such person has been removed as aforesaid. In any such case the medical officer shall give directions to the person so released as to the time and place at which such person is to report for further investigation or treatment.

5 : 4. Every person who is the subject of an order issued pursuant to Regulation 5 : 1 hereof shall remain in the hospital or other place specified in the order until discharged by the medical officer.

5 : 5. Subject to the provisions of Regulation 5 : 7 hereof, any person who has been removed to a hospital or other place pursuant to an order under Regulation 5 : 1 hereof may appeal in writing against such order to a Stipendiary Magistrate usually exercising jurisdiction in the locality where he is detained, and thereupon the Magistrate shall call for such reports and examine such witnesses as he may consider necessary and may also require the appellant to submit himself to examination by two medical practitioners, who shall report to the Magistrate in writing as soon as conveniently may be, but not later than fourteen days after the date on which the arrangement for examination is made. Such report shall include the certificate numbered 4 in the Schedule hereto.

5 : 6. If it appears to the Magistrate from the evidence that such person is free from venereal disease in a communicable form, but not otherwise, the Magistrate shall make an order for his release directed to the Superintendent or other officer in charge of the hospital or place where such person is detained, and he shall be released accordingly.

5 : 7. An application for examination as aforesaid shall not be received by a Magistrate within three calendar months of the receipt by any Magistrate of a like application from the same person.

FREE TREATMENT IN EXCEPTIONAL CASES.

6 : 1. In any case where the Director-General is satisfied that treatment is not conveniently obtainable at a public hospital or public clinic he may authorize any registered medical practitioner to administer free treatment, subject to the provisions of this regulation, to any person suffering from venereal disease.

6 : 2. In any such case the medical practitioner shall, before commencing a course of treatment, obtain from the patient a statement in writing that he is unable to pay for treatment, and the medical practitioner shall forthwith forward such statement to the Director-General, together with a statement signed by him to the effect that he has made due inquiry and is satisfied that the case is one in which free treatment may properly be given.

6 : 3. If the Director-General is satisfied that the case is one meriting free treatment, he may authorize payment to the medical practitioner, out of moneys appropriated by Parliament and available for the purpose, of a fee not exceeding 10s. for each investigation or treatment.

6 : 4. In any such case the Director-General may cause to be supplied to the medical practitioner, without charge, such drugs as may be required for the adequate treatment of the patient.

6 : 5. The Director-General may, in lieu of or in addition to providing free treatment as aforesaid, authorize at the cost of the Department of Health the issue of such travelling warrants as may from time to time be necessary to enable any patient to obtain treatment.

6 : 6. Every person who obtains free treatment or free transport, or both, under these regulations by reason of any false representation as to his inability to pay for such treatment or transport commits an offence against these regulations, and shall be liable to a fine not exceeding £20.

PREScribing INTERVALS BETWEEN TREATMENTS.

7 : 1. The intervals referred to in subsection (2) of section 3 of the Social Hygiene Act, 1917, at which treatment shall be undergone by any person suffering from venereal disease shall be one week :

Provided that the medical practitioner administering the treatment may, if he considers no treatment would be appropriate in the interim, excuse the patient from attendance for any period not exceeding four weeks.

OFFENCES.

8 : 1. Any person who, while undergoing treatment for any venereal disease, fails to submit himself for such treatment in accordance with Regulation 7 : 1 hereof commits an offence against these regulations.

8 : 2. Every parent, guardian, or other person in charge of a child under the age of sixteen years suffering from any venereal disease who fails or neglects to have such child treated for such disease in accordance with the provisions of section 5 of the Social Hygiene Act, 1917, shall be liable to a fine not exceeding £20.

8 : 3. Every person commits an offence against these regulations who, while suffering from any venereal disease in a communicable form, and while not being treated to the satisfaction of a medical practitioner, is engaged in any employment, or acts in any capacity, in or about any factory, shop, hotel, restaurant, house, or other place if by reason thereof in the opinion of the Medical Officer of Health any food intended for consumption by any other person or any food utensil is exposed to infection from venereal disease or is likely to be so infected.

8:4. Every person commits an offence against these regulations who, while suffering from any venereal disease in a communicable form, is employed for hire or reward in any occupation involving the care of children under five years of age.

8:5. Every person who, while undergoing medical examination or treatment for any venereal disease, fails to carry out faithfully the directions of the medical practitioner by whom he is being treated or examined commits an offence against these regulations.

8:6. Every person who has been the recipient of a notice from the Medical Officer of Health under Regulation 4:1 hereof who fails to satisfy the Medical Officer of Health that he is undergoing a course of treatment suitable in the circumstances commits an offence against these regulations.

8:7. Every person who hinders, delays, or obstructs any officer in the performance of his duties under these regulations, and every person who by act or default contravenes any of the provisions of those regulations, commits an offence against these regulations.

8:8. Any person who commits an offence against any of the provisions of the Social Hygiene Act, 1917, for which no penalty is provided by that Act or an offence against these regulations for which no other penalty is hereinbefore provided, shall be liable to a fine not exceeding £20 or a term of imprisonment not exceeding seven days.

AVOIDANCE OF PUBLICITY.

9:1. All notices and other communications sent through the post for the purpose of these regulations shall, if relating to any person suffering or alleged to be suffering from any venereal disease, be conspicuously marked with the word "Confidential," and shall be securely enclosed in an envelope which shall also be marked on the outside with the word "Confidential."

SCHEDULE.

[Form No. 1.]

NOTIFICATION OF VENEREAL DISEASE.

Under the Venereal Diseases Regulations 1941.

CONFIDENTIAL.

To the Medical Officer of Health,

PURSUANT to the provisions of the Venereal Diseases Regulations 1941, I hereby notify that [*Name, address, and occupation*], who has been under treatment by me for [*Specify disease*] since [*Insert date*], has failed (for two weeks after a date fixed by me in that behalf to attend for further treatment) [*or on two successive occasions to attend for treatment as directed by me*]. When last examined by me on the day of, 19. . [*or, if patient has attended a clinic in charge of the practitioner. On last attendance at the clinic on the day of, 19..*] the patient was, in my opinion, still suffering from the said disease in a communicable form, and I have no reason to believe that he is receiving treatment from any other qualified person.

[Form No. 2.

WARNING.

Under the Venereal Diseases Regulations 1941.

TAKE notice that you are suffering from an infectious venereal disease—namely, [*Specify disease*]. By virtue of the Social Hygiene Act, 1917, and the Venereal Diseases Regulations 1941—

- (a) You are required to continue to receive medical treatment until cured :
 (b) If at any time you change your medical adviser, you should notify your former adviser ; otherwise your name, address, occupation, and condition of health are required to be notified to the Medical Officer of Health. If you continue treatment, no such notice is required to be given, and the fact that you are undergoing treatment remains confidential :
 (c) Until further notice, you are required to attend for further treatment as follows :—

[*Insert directions.*]

- (d) [*In cases where patient is not married*] You are hereby expressly warned against marrying until you have been medically certified as cured :
 (e) If you are suffering from syphilis and have any children, you should have them examined as soon as possible and carry out instructions regarding any necessary treatment for them.

Dated at, this day of, 19..

Signature :

[Form No. 3.

NOTICE REQUIRING PERSON TO FURNISH MEDICAL CERTIFICATE IN RELATION TO VENEREAL DISEASE.

Under the Venereal Diseases Regulations 1941.

CONFIDENTIAL.

To, of

WHEREAS I have reason to believe that you may be suffering from venereal disease :

Now, therefore, pursuant to the powers conferred on me by the Venereal Diseases Regulations 1941, I do require you forthwith to submit yourself for examination to a registered medical practitioner, and to forward to me, on or before the day of, 19.., a medical certificate on the enclosed form as to the state of your health in relation to venereal disease in a communicable form.

[For the purposes of this notice a medical certificate may be obtained free of charge from the Medical Superintendent of any public hospital, or from the Medical Officer in charge of any clinic for the treatment of venereal diseases established by the Department of Health or by any public hospital.]

[*Where the person on whom notice is being served lives within ten miles of a hospital clinic, substitute :* For the purposes of this notice the medical certificate must be obtained from the Medical Officer in Charge of [the Venereal Diseases Clinic at] the Hospital, who will supply it free of charge, or from one of the undermentioned medical practitioners :]

You are hereby informed that if you fail to produce a medical certificate as herein required you may be committed to a public hospital or other place of detention, and may there be detained for examination and treatment.

Dated at, this day of, 19..

.
Medical Officer of Health.

[Form No. 4.

CERTIFICATE WITH REFERENCE TO INFECTION WITH VENEREAL DISEASE.

Under the Venereal Diseases Regulations 1941.

I HEREBY certify that, within the last fourteen days, I have examined with reference to venereal disease, and report as follows :—

Syphilis :

I have obtained a specimen of blood from the patient and submitted it to a pathologist for the Wassermann test. The result of the test was

I have examined the patient for the existence of a primary syphilitic sore or any other clinical manifestation of the disease. My findings were

Gonorrhoea :

I have examined the patient for the existence of gonorrhoea, and my examination included the following steps and conclusions :—

- (i) Two smears were taken at an interval of not less than forty-eight hours from the urethra. These specimens were examined microscopically by, and evidence of gonorrhoeal infection [was] [was not] found.
- (ii) A specimen of urine (after prostatic massage in the case of a male patient) was examined, with microscopic examination of the sediment. Evidence of gonorrhoeal infection [was] [was not] found.
- (iii) [*In the case of a female patient*] Two specimens of discharges (taken at intervals of not less than forty-eight hours) [from the cervix] [*or, if the hymen was intact, from the vulva*] were examined and gonorrhoeal infection [was] [was not] found.

Soft Chancre and other Venereal Infection :

[No] [The following] evidence of soft chancre or other venereal disease was found :

Dated this day of, 19..

.....
Medical Practitioner.

[Form No. 5.

PURSUANT to section 84 of the Health Act, 1920, and Regulation 5 : 1 of the Venereal Diseases Regulations 1941, I,, the undersigned Medical Officer of Health, thinking it expedient so to do in the interests of the public health, do hereby order the removal to the Public Hospital of presently residing at

Dated at, this day of, 19..

Signature :
Medical Officer of Health.

T. R. AICKIN,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 11th day of December, 1941.
These regulations are administered in the Department of Health.