

1964/209

THE VENEREAL DISEASES REGULATIONS 1964

BERNARD FERGUSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 16th day of December 1964

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Venereal Diseases Regulations 1964.

(2) These regulations shall come into force on the twenty-eighth day after the date of their notification in the *Gazette*.

2. In these regulations, unless the context otherwise requires, "venereal disease" means gonorrhoea, gonorrhoeal ophthalmia, syphilis, soft chancre, venereal warts, or venereal granuloma.

Venereal Diseases in Communicable Form

3. (1) Every person suffering from syphilis suffers from syphilis in a communicable form for the purposes of these regulations unless the following conditions obtain, namely:

- (a) That, where the person has received a course of regular and complete treatment, 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 person has not received treatment or where such treatment has not been regular or has not been complete, not less than five years have elapsed since the first appearance of the primary manifestations; and

(b) That, in cases where the person has been treated with penicillin or other antisyphilitic therapeutic agent, a sample of the person's blood, taken at least 48 hours after completion of any such treatment, shall have given a negative serological test for syphilis when examined by a bacteriologist or other person approved for the purpose by the Director-General; or, in cases where the person has not been treated with penicillin or other antisyphilitic therapeutic agent, a negative serological test for syphilis has been given in each of at least two tests made at an interval of not less than one month.

(2) Notwithstanding the provisions of subclause (1) of this regulation, a person shall not suffer from syphilis in a communicable form for the purposes of these regulations, even though the serological test for syphilis may be positive, if not less than three years have elapsed since the first appearance of the primary manifestations and the person has received regular and complete treatment.

4. (1) Every person suffering from gonorrhoea suffers from gonorrhoea in a communicable form for the purposes of these regulations unless the following conditions obtain, namely:

(a) That the affected parts are entirely free from inflammation; and

(b) That a medical practitioner recognised as a pathologist for the purposes of the Social Security (Laboratory Diagnostic Services) Regulations 1946,* or the Medical Superintendent of a public hospital or some other person approved for the purpose by the Director-General, has reported that 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*), and, in the case of a female, that bacteriological culture of the discharges shows no growth of gonococcus (*Neisseria gonorrhoeae*).

(2) Where the person suffering from gonorrhoea is a male, the discharges to be examined as provided in subclause (1) of this regulation shall include specimens from the secretion of the urethra; and, if these are inconclusive, a specimen from the urinary sediment.

(3) For the purposes of the microscopical examination referred to in subclause (1) of this regulation specimens from each of the classes of specimens mentioned in subclause (2) of this regulation shall be taken and examined on not less than two occasions at weekly intervals at least a fortnight after apparent clinical cure.

(4) Where the person suffering from gonorrhoea is a female, the discharges to be examined as provided in subclause (1) of this regulation shall include a specimen from the secretion of the urethra, taken if possible not less than two hours after the person has passed urine; and 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.

*S.R. 1946/24 (Reprinted with Amendments Nos. 1 to 3: S.R. 1954/204)

Amendment No. 4: (Revoked by S.R. 1960/16)

Amendment No. 5: (Revoked by S.R. 1962/187)

Amendment No. 6: (Revoked by S.R. 1963/72)

Amendment No. 7: (Revoked by S.R. 1964/35)

Amendment No. 8: S.R. 1964/19

Amendment No. 9: S.R. 1964/35

(5) For the purposes of the bacteriological culture referred to in subclause (1) of this regulation specimens from each of the classes of specimens mentioned in subclause (4) of this regulation shall be taken and examined on not less than two occasions made at intervals of not less than seven days after treatment and apparent clinical cure.

5. Every person suffering from soft chancre suffers from soft chancre in a communicable form for the purposes of these regulations unless the lesions have completely healed.

Duties of Medical Practitioners with Respect to Patients Suffering from Venereal Disease

6. (1) If any medical practitioner (including any medical officer of any hospital) has been treating any person suffering from syphilis, gonorrhoea, or soft chancre in a communicable form, and if such person either—

(a) Fails for one week 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 form 1 in the Schedule hereto.

(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 money appropriated by Parliament a fee of 7s. 6d.

(3) 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 16 years or upwards, to give to such person a notice in form 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.

(4) Where any medical practitioner is of the opinion that any child under 16 years of age, or appearing to the practitioner to be under that age, is suffering from venereal disease 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 section 90 of the Health Act 1956, to cause such child to be treated by a medical practitioner.

Medical Officer of Health May Require Suspected Persons to Furnish Certificate

7. (1) Whenever the Medical Officer of Health has reason to believe that any person may be suffering from syphilis, gonorrhoea, or soft chancre in a communicable form (whether or not a notice in respect of that person has been given as provided by regulation 6 (1) of these regulations) he may give to such person a notice in form 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 certificate referred to in the notice as enclosed therewith shall be in form 4 in the Schedule hereto.

(2) A certificate for the purposes of subclause (1) of this regulation 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.

(3) Where the certificate given under subclause (1) of this regulation 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.

Special Provisions with Respect to Merchant Seamen

8. (1) When a merchant seaman receives treatment for venereal disease at a public hospital or public clinic, the medical practitioner attending him shall enter or cause to be entered on a document supplied to the merchant seaman, and drawn in the form prescribed by or under Article 3 of the international agreement respecting facilities to be given to merchant seamen for the treatment of venereal diseases signed at Brussels on 1 December 1924, the following particulars:

- (a) The diagnosis, with a summary of the clinical particulars noted at the time of the examination:
- (b) The treatment carried out at the hospital or clinic:
- (c) The treatment to be followed on the voyage:
- (d) The results of serological tests undertaken in cases of syphilis.

(2) The Medical Officer of Health shall furnish to the master of every merchant ship arriving at a port in New Zealand from any place outside New Zealand, and to any owner in New Zealand of any such ship, notices showing the times and places where a medical practitioner may be consulted free of charge by any member of the crew of that ship who is suffering, or suspects that he is suffering, from venereal disease, and it shall thereupon be the duty of such master and any such owner to make the information contained in those notices available to all the members of that crew.

Free Treatment

9. (1) If the Director-General is satisfied, in the case of any person suffering from venereal disease,—

- (a) That such person cannot conveniently obtain free treatment at a public hospital or public clinic; and
- (b) That it is desirable that such person should be treated for such disease without cost to himself;

he may, after taking into consideration any benefit available pursuant to the Social Security Act 1938 and the regulations thereunder, authorise the payment to any medical practitioner willing to undertake the treatment of such person in terms of this regulation, out of money appropriated by Parliament for the purpose, of a fee not exceeding the sum

of 10s. for every occasion of consultation, investigation, or treatment, and the medical practitioner shall accept such sum, together with any payment that may be made in respect of any benefit available as aforesaid, in full settlement of any claim he might otherwise have against the patient or any other person in respect of any such occasion.

(2) In addition to the powers conferred on him by subclause (1) of this regulation the Director-General may, if he sees fit, authorise the payment, out of money appropriated by Parliament for the purpose, of all or any part of the costs incurred or to be incurred by or on behalf of any person, who is suffering from venereal disease, by travelling to obtain treatment.

Prescribing Intervals Between Treatments

10. The intervals referred to in subsection *(2) of section 88 of the Health Act 1956, 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.

Patients to Supply Particulars

11. Every person suffering from venereal disease, who consults a medical practitioner with respect thereto, shall on the occasion of the first consultation correctly state the particulars of his name, address, and occupation, and shall thereafter, upon any change occurring in those particulars while he is under treatment by that medical practitioner, immediately inform the practitioner of the particulars of such change.

Offences

12. Every person commits an offence against these regulations who—

- (a) Except as may be approved by the medical practitioner treating him or by the Medical Officer of Health, engages, while suffering from syphilis, gonorrhoea, or soft chancre in a communicable form, in any employment, or acts in any capacity, in or about any factory, shop, hotel, restaurant, house, or other place if by reason thereof 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; or
- (b) While suffering from syphilis, gonorrhoea, or soft chancre, in a communicable form, is employed for hire or reward in any occupation involving the care of children under five years of age; or
- (c) While undergoing medical examination or treatment for venereal disease, fails to carry out faithfully the directions of the medical practitioner by whom he is being examined or treated; or
- (d) Contravenes or fails to comply with any requirement of a Medical Officer of Health under regulation 7 of these regulations; or
- (e) Contravenes or fails to comply with any of the provisions of regulation 11 of these regulations.

Avoidance of Publicity

13. All notices and other communications sent through the post for the purposes 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".

Revocation

14. The Venereal Diseases Regulations 1941* are hereby revoked.

• SCHEDULE

Reg. 6 (1)

Form 1

NOTIFICATION OF VENEREAL DISEASE

Under the Venereal Diseases Regulations 1964

CONFIDENTIAL

To the Medical Officer of Health,

PURSUANT to the provisions of the Venereal Diseases Regulations 1964, I hereby notify that [*Name, address, and occupation*], who has been under treatment by me for [*Specify disease*] since [*Insert date*], has failed (for one week after a date fixed by me in that behalf to attend for further treatment) (*or on at least 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 he has not to my knowledge placed himself under treatment by another medical practitioner.

Dated at this day of 19.....

.....
Medical Practitioner.

Reg. 6 (3)

Form 2

WARNING

Under the Venereal Diseases Regulations 1964

TAKE notice that you are suffering from an infectious venereal disease—namely [*Specify disease*].

Under the provisions of the Health Act 1956 and Venereal Diseases Regulations 1964:

- (a) You are required to receive medical treatment until pronounced cured:

SCHEDULE—*continued*

- (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) If you fail to continue treatment as required an order for your detention in hospital may be issued and legal proceedings can be taken against you:
- (e) [*In cases where patient is not married.*] You are hereby expressly warned against marrying until you have been medically certified as cured:
- (f) 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:
- (g) If you knowingly infect any other person with a venereal disease you commit a serious offence for which you can be imprisoned:
- (h) While suffering from syphilis, gonorrhoea, or soft chancre in a communicable form you must not engage, except with the approval of the medical practitioner treating you or of the Medical Officer of Health, in employment whereby any food for consumption by others or any food utensils are exposed to infection or are likely to be infected:
- (i) While suffering from syphilis, gonorrhoea, or soft chancre in a communicable form you must not engage in employment for hire or reward in any occupation involving the care of children under five years of age.

Dated at this day of 19.....

Signature:

Form 3

Reg. 7 (1)

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

Under the Venereal Diseases Regulations 1964

CONFIDENTIAL

To, of

WHEREAS I have reason to believe that you may be suffering from venereal disease, namely, in a communicable form.

Now, therefore, pursuant to the powers conferred on me by the Venereal Diseases Regulations 1964, I do require you forthwith to submit yourself for examination to a registered medical practitioner,

SCHEDULE—*continued*

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.

(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 10 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 under-mentioned 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 suitable place, and may there be detained for examination and treatment.

Dated at this day of 19.....

.....
Medical Officer of Health.

Reg. 7 (1)

Form 4

CERTIFICATE WITH REFERENCE TO INFECTION WITH VENEREAL DISEASE

Under the Venereal Diseases Regulations 1964

CONFIDENTIAL

I HEREBY certify that, within the last 14 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 a serological 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:

- (a) Two smears were taken at an interval of not less than 48 hours from the urethra. These specimens were examined microscopically by, and evidence of gonorrhoeal infection (was) (was not) found; and

SCHEDULE—*continued*

(b) [*In the case of a male patient.*] A specimen of urine was examined, with microscopic examination of the sediment. Evidence of gonorrhoeal infection (was) (was not) found.

[*In the case of a female patient*]—

(i) Two specimens of discharges (taken at intervals of not less than 48 hours) (from the cervix) [*or, if the hymen was intact*] (from the vulva) were examined and gonorrhoeal infection (was) (was not) found; and

(ii) A bacteriological culture of the discharges (showed) (did not show) growth of gonococcus.

Soft Chancre:

(No) (The following) evidence of soft chancre was found

Dated this day of 19.....

.....
Medical Practitioner.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and amend the Venereal Diseases Regulations 1941.

Most of the amendments are the result of the introduction of new methods of treatment of these diseases.

Two new regulations are regulation 8, which deals with the treatment of merchant seamen in accordance with the relevant international agreement, and regulation 11, which requires persons suffering from venereal disease to supply their correct name, address, and occupation to the medical practitioner whom they consult for treatment.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 December 1964.

These regulations are administered in the Department of Health.