

No. XX.

An Act to provide for the notification of cases of Leprosy; for the detention and isolation of Lepers; the appointment of Lazarets; and for other purposes. [26th November, 1890.]

LEPROSY.

BE 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 "Leprosy Act of 1890."
2. In this Act the expression:—
 - "Board of Health" means Board of Health as constituted under the authority of the "Infectious Disease Supervision Act, 1881."
 - "Governor" means Governor with the advice of the Executive Council.
 - "House or Premises" means and includes any house, part of a house, room, ship, vessel, boat, tent, van, shed, or other structure.

Short title.

Interpretation.

"Legally

Leprosy.

“Legally qualified Medical Practitioner” means a legally qualified Medical Practitioner within the meaning of the “Medical Practitioners Act of 1855,” and any Act amending the same.

Every Leprosy case
to be reported
immediately

under penalty.

Treatment and
custody of lepers.

3. On the appearance of any case of Leprosy in any house or premises the householder or occupier of the said house or premises, and also the medical practitioner attending the case, shall immediately report in writing such case to the proper authorities in manner following, that is to say:—If the case occur within the Metropolitan Police District then the report of the case shall be made to the Secretary of the Board of Health, and if the case occur beyond the Metropolitan Police District then the report shall be made to the Officer in charge of the Police Station nearest to the said house or premises. If any person required by this section to report any such case shall fail to make such immediate report as hereinbefore required, such person shall be liable to a penalty of not less than ten nor more than fifty pounds.

4. (I) The Governor may, by Proclamation published in the *Gazette*, direct that any suitable place be set apart as a Lazaret for the reception and medical treatment of lepers, and may make regulations for the safe custody of such lepers therein.

(II) The Board of Health shall, upon report being made as aforesaid, or upon report made by any legally qualified medical practitioner, that any person is suffering from Leprosy, cause investigation by two or more legally qualified medical practitioners, and upon being satisfied that such person is suffering from that disease, may order that such person be removed to and detained in such Lazaret until released by order of the Board, or be isolated in such place and in such manner as the Board may direct; and any person so ordered who wilfully refuses or neglects forthwith to obey any such order or any directions given by the Board, or escapes or attempts to escape from such Lazaret or place of isolation may with such necessary force as the case may require be removed or brought to any Lazaret or other suitable place.

(III) Every such order shall be in writing, and shall be signed by the President, or Secretary, or any two members of the Board, and may be addressed to a member of the police force or other person as the Board of Health may consider expedient; and any order so signed shall be a sufficient warrant to any member of the police force or such other person for arresting the person named or described therein, and for removing him or bringing him to any Lazaret or other place, and for taking all such steps and doing all such things as may be requisite to enforce the said order.

(IV) Any person who wilfully disobeys, or obstructs the execution of, any such order, or who trespasses on any such Lazaret or other place, or communicates or improperly interferes with any person detained therein, shall be liable to a penalty of not less than ten nor more than twenty pounds.

(V) Every person who, prior to the passing of this Act, has been detained as a leper in the Coast Hospital at Little Bay shall be deemed to have been lawfully detained, and to be a leper detained within the meaning and for the purposes of this section.

Order *prima facie*
evidence.

Regulations.

5. Any order purporting to be signed by the President, or Secretary, or any two members of the Board of Health shall in all proceedings be admissible without further proof as *prima facie* evidence that such order has been duly made in pursuance of this Act.

6. The Governor, upon the recommendation of the Board of Health, may make and issue regulations for the purpose of carrying this Act into effect; and such regulations shall be forthwith published in the *Gazette*. Any person, not being a leper, who shall wilfully disobey,

or

Milson's Point Extension Railway.

or act in violation of any such regulations, or who shall resist or wilfully obstruct any person in the lawful exercise of any of the powers conferred under this Act, or who shall, without lawful excuse, neglect or disobey any requirement made under the provisions of this Act, or shall neglect or refuse to obey any order or direction of the Board of Health made under this Act, within the time limited in that behalf by such order or direction, shall for every such offence be liable to a penalty not exceeding twenty pounds.

7. All proceedings for offences against this Act, or against any regulation made under this Act, may be had and taken, in a summary way, before any Stipendiary or Police Magistrate or any two Justices of the Peace, under and subject to the Acts in force for the time being regulating summary procedure before Justices. The amount of every penalty inflicted under this Act or any such regulation, together with costs, may be recovered and enforced by distress and sale of the goods and chattels of the person ordered to pay the same, and in default of sufficient distress, such person shall be liable to be imprisoned, with or without hard labour, for any term not exceeding six months, unless such penalty and costs be sooner paid.
