

## VENEREAL DISEASES (AMENDMENT) ACT.

**Act No. 37, 1963.**

**Elizabeth II, No. 37, 1963**    An Act to make provision for the medical examination of persons suffering or suspected to be suffering from venereal disease; for these and other purposes to amend the Venereal Diseases Act, 1918, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 15th October, 1963.]

**B**E 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 :—

Short title,  
citation  
and com-  
mencement.

**1.** (1) This Act may be cited as the "Venereal Diseases (Amendment) Act, 1963".

(2) The Venereal Diseases Act, 1918, as amended by subsequent Acts and by this Act, may be cited as the Venereal Diseases Act, 1918-1963.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment  
of Act No.  
46, 1918.  
Sec. 2.  
(Defini-  
tions.)

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

(a) by omitting from section two the definition of "Venereal disease" and by inserting in lieu thereof the following definition :—

"Venereal disease" means gonorrhoea, all stages of syphilis, chancroid, gonorrhoeal ophthalmia, lymphogranuloma venereum, granuloma inguinale, and any disease of the like nature prescribed as a venereal disease.

(b)

- (b) (i) by omitting from subsection one of section five No. 37, 1963  
the words "at least once in every such period  
as is prescribed" and by inserting in lieu Sec. 5.  
thereof the words "on such occasions as may (Persons  
be directed by notice in writing delivered to suffering  
such person by such medical practitioner or from  
by a medical practitioner at such hospital or venereal  
place, as the case may be"; to keep  
under  
treatment.)
- (ii) by inserting in subsection two of the same  
section after the word "pounds" the words  
"or to imprisonment for a term not exceeding  
one month";
- (c) (i) by omitting from subsection one of section Sec. 9.  
nine the words "thereof to the commissioner (Reporting  
in the prescribed form, and within the pre- cases.)  
scribed period." and by inserting in lieu  
thereof the words "thereof—
- (a) to the commissioner where such medi-  
cal practitioner is in practice—
- (i) in the Metropolitan Health  
District defined pursuant to  
section sixteen of the Public  
Health Act, 1902, as amended  
by subsequent Acts; or
- (ii) at a place which is not within  
a district or group of districts  
in respect of which a medical  
officer of health has been  
appointed pursuant to sub-  
section one of section eighteen  
of the said Act, as so amended;  
or
- (b) to the medical officer of health  
appointed pursuant to the said sub-  
section one of section eighteen for the  
district or group of districts (not being  
the said Metropolitan Health District)  
for which such officer has been  
appointed

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appointed pursuant to the said subsection one of section eighteen and in which such medical practitioner is in practice,

in the prescribed form and within the prescribed period.”;

- (ii) by inserting next after subsection two of the same section the following new subsections :—

(2A) Any medical practitioner who gives notice in accordance with the provisions of subsection one of this section shall at the same time and if it is known to him state in such notice the name and address of the person from whom such person consulting him, or attended, or treated by him, suspects that the disease was contracted, if on all the information available to him such medical practitioner has reasonable cause to believe that the disease was so contracted.

(2B) Any person consulting a medical practitioner, or being attended, or treated by him, who gives any information for the purposes of subsection (2A) of this section as to the person from whom such person so consulting, or being attended, or treated, contracted the disease, which is false or misleading in any material particular shall be liable to a penalty not exceeding fifty pounds, but no such information given to such a medical practitioner for the purposes of the said subsection (2A), bona fide and without negligence, shall be made the ground of any legal proceedings, civil or criminal, against such person so consulting, or being attended, or treated, other than proceedings for the recovery of a penalty under this subsection.

(d)

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

No. 37, 1963  
New sec. 9A.

9A. (1) Where the commissioner or a medical officer of the Department of Public Health deputed by the commissioner to act on his behalf for the purposes of this section is satisfied that there is reasonable cause to believe that a person is suffering from venereal disease he may, by notice in writing served on such person personally, require such person to present himself for examination by a medical practitioner at such time and place as may be specified in such notice.

Compulsory  
medical  
examina-  
tion.

(2) Any person on whom any such notice is served who fails to present himself for and submit to such examination at the time and place so specified shall be liable to a penalty not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months.

- (e) (i) by omitting from subsection one of section ten the words "during one such period as is prescribed under" and by inserting in lieu thereof the words "on any one occasion as may be directed by notice in writing by such medical practitioner in accordance with subsection one of";
- (ii) by inserting in the same subsection after the word "commissioner" the words "in the circumstances referred to in paragraph (a) of subsection one of section nine of this Act or to a medical officer of health as referred to in paragraph (b) of the same subsection in the circumstances referred to in the said paragraph (b)";

Sec. 10.  
(Name and  
address of  
patient to  
be reported  
on failure  
to continue  
treatment.)

- (f) by inserting in section eighteen after the words "venereal disease" the words "or is suspected to be suffering from venereal disease,";

Sec. 18.  
(Protection  
of medical  
practi-  
tioner.)

(g)

**No. 37, 1963****Sec. 23.**

(Appoint-  
ment of  
commis-  
sioner and  
deputy com-  
missioner.)

(g) by inserting at the end of section twenty-three the following new subsection : —

(2) The Governor may from time to time appoint a medical practitioner to act as a deputy in place of the commissioner during the illness or absence of the commissioner.

Any such medical practitioner while acting as a deputy in place of the commissioner shall have all the powers, authorities, duties and functions of the commissioner.

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