

# AUSTRALIAN CAPITAL TERRITORY.

## Regulations 1954. No. 5.

### Regulations under the Public Health Ordinance 1928-1951.\*

I EARLE PAGE, the Minister of State for Health, in pursuance of the powers conferred by the *Public Health Ordinance 1928-1951*, hereby make the following Regulations.

Dated this twenty-sixth day of March, 1954.

EARLE PAGE

Minister of State for Health.

#### AMENDMENTS OF THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS.

1. Regulation 1 of the Public Health (Infectious Diseases) Regulations is repealed and the following regulation inserted in its stead:—

“1. These Regulations may be cited as the Public Health (Infectious and Notifiable Diseases) Regulations.”

2. Regulation 3 of the Public Health (Infectious Diseases) Regulations is amended—

(a) by omitting the definition of “Contact” and inserting in its stead the following definition:—

“‘Contact’ means a person who, in the opinion of the Medical Officer of Health—

(a) has been or may have been a source of infection to a person suffering from an infectious disease or a notifiable disease; or

(b) has been or may have been exposed to infection by reason of proximity to a source of an infectious disease or a notifiable disease;”;

(b) by omitting the definition of “Infectious Disease” and inserting in its stead the following definitions:—

“‘Infectious Disease’ means—

(a) amoebiasis;

(b) ancylostomiasis;

\* Notified in the *Commonwealth Gazette* on 8th April, 1954.

- (c) anthrax;
- (d) bilharziasis;
- (e) cholera;
- (f) diarrhoea (infantile) of more than 48 hours' duration in an infant under the age of 2 years;
- (g) diphtheria;
- (h) dysentery, bacillary;
- (i) leprosy;
- (j) leptospirosis;
- (k) malaria;
- (l) meningococcal infection;
- (m) ornithosis;
- (n) paratyphoid;
- (o) plague;
- (p) poliomyelitis;
- (q) puerperal fever;
- (r) salmonella infection;
- (s) scarlet fever;
- (t) smallpox;
- (u) trachoma;
- (v) typhoid fever;
- (w) typhus (louse borne); and
- (x) yellow fever;

“ ‘Medical Practitioner’ means a medical practitioner registered under the *Medical Practitioners Registration Ordinance 1930-1950*; ”;

(c) by inserting after the definition of “Minister” the following definition:—

“ ‘Notifiable Disease’ means—

- (a) acute rheumatism (rheumatic fever);
- (b) brucellosis;
- (c) chorea (St. Vitus’ dance);
- (d) dengue;
- (e) encephalitis;
- (f) erythema nodosum;
- (g) filariasis;
- (h) homologous serum jaundice;
- (i) hydatid;
- (j) infective hepatitis;
- (k) lead poisoning;
- (l) ophthalmia;
- (m) pleural effusion;
- (n) rubella;
- (o) tetanus;
- (p) trichinosis;
- (q) typhus (flea borne);
- (r) typhus (mite borne); and
- (s) typhus (tick borne); ”; and

(d) by adding at the end thereof the following sub-regulations:—

“(2.) The Minister may, by notice published in the *Gazette*, declare that a notifiable disease specified in the notice is an infectious disease for the purposes of these Regulations and, while the notice is in force, the disease so specified shall, for the purposes of these Regulations, be deemed to be an infectious disease.

“(3.) For the purposes of these Regulations, where the organism presumed to cause an infectious disease or a notifiable disease is found to be present in a person, that person shall be deemed to be suffering from that disease.”

3. Regulations 4 and 5 of the Public Health (Infectious Diseases) Regulations are repealed and the following regulations inserted in their stead:—

“4.—(1.) A medical practitioner—

(a) who has reason to believe that a person professionally attended by him is, or may be, suffering from an infectious disease or a notifiable disease; or

(b) who, by *post mortem* examination or otherwise, becomes aware that a deceased person attended professionally by him before death or examined by him after death was, at the time of his death, suffering from an infectious disease or a notifiable disease,

Notification of infectious and notifiable diseases.

shall, forthwith, furnish to the Medical Officer of Health a notification in accordance with the form in the First Schedule to these Regulations.

“(2.) There is payable to a medical practitioner for each notification furnished under the last preceding sub-regulation a fee of Two shillings and sixpence.

“(3.) Where a medical practitioner has reason to believe that a person professionally attended by him in a house is, or may be, suffering from an infectious disease, he shall give a copy of the notification referred to in sub-regulation (1.) of this regulation forthwith to the occupier of the house.

“5.—(1.) Where the Medical Officer of Health or an authorized medical practitioner has reasonable cause to suspect that a person who is or was an inmate of a house is suffering from an infectious disease, the Medical Officer of Health or the authorized medical practitioner may, for the purpose of ascertaining whether or not that person or any other person in that house is suffering from an infectious disease—

Powers of entry, examination and investigation.

(a) enter, at all reasonable times, the house, and carry out such investigations as he considers necessary;

(b) examine every person who is an inmate of the house or is found in the house at the time of the entry; or

(c) require an inmate of, or a person found in, the house to submit himself to such medical and pathological investigation as the Medical Officer of Health or the authorized medical practitioner considers necessary.

“(2.) Where—

(a) a person is found to be suffering from an infectious disease;  
or

(b) a source from which persons may be infected with an infectious disease is found,

the Medical Officer of Health may, for the purposes of preventing the spread of the disease, require a person—

(c) who is engaged or employed in the manufacture, manipulation, preparation, handling, storage or sale of food;

(d) who, in the opinion of the Medical Officer of Health, has been or may have been a source of infection to the person suffering from the disease; or

(e) who, in the opinion of the Medical Officer of Health, has been or may have been exposed to infection by reason of proximity to the source of the disease,

to submit himself to such medical and pathological examination as the Medical Officer of Health considers necessary for that purpose.

“(3.) Where—

(a) a person is found to be suffering from a notifiable disease; or

(b) a source from which persons may be infected with, or affected by, a notifiable disease is found,

the Medical Officer of Health may, for the purpose of preventing the spread of the disease—

(a) at all reasonable times enter a house of which that person is or was an inmate and carry out such investigations as he considers necessary;

(b) examine every person who is an inmate of the house or is found in the house at the time of entry; and

(c) require a person who, in the opinion of the Medical Officer of Health, may have been a source of infection to the person suffering from the disease, may be a person suffering from the disease by reason of proximity to the source of the disease or may have been exposed to the disease to submit himself to such medical and pathological examination as the Medical Officer of Health considers necessary.

“(4.) For the purposes of an examination or investigation under this regulation, the Medical Officer of Health or an authorized medical practitioner may require a person to answer such questions, or to furnish such information, as the Medical Officer of Health or the authorized medical practitioner asks or requests to be furnished.

“(5.) A person, when so required to answer a question or to furnish information, shall not—

(a) refuse or fail to answer the question or to furnish the information; or

(b) make an answer, or furnish information, which is false or misleading in a particular.

“(6.) For the purposes of an examination or investigation under this regulation, the Medical Officer of Health or an authorized medical practitioner may require a person to submit to the taking of such specimens as the Medical Officer of Health or the authorized medical practitioner considers necessary for the purpose of the examination or investigation.

“(7.) If a person, when required by the Medical Officer of Health or an authorized medical practitioner so to do, refuses or fails to submit himself to an examination or investigation under this regulation, the Medical Officer of Health may direct that that person remove himself to a place of isolation specified by the Medical Officer of Health.

“(8.) If a person to whom a direction is given under the last preceding sub-regulation fails to comply with the direction, the Medical Officer of Health or an authorized officer may remove the person to the place of isolation and detain him there for such period as in the opinion of the Medical Officer of Health is necessary to ensure that he will not be a source of infection to other persons.”.

4. Regulation 8 of the Public Health (Infectious Diseases) Regulations is repealed and the following regulation inserted in its stead:—

“8.—(1.) The Medical Officer of Health may give to a contact such directions as he thinks fit, including, in the case of an infectious disease, a direction that the contact remove himself to a place of isolation specified in the direction for such period as the Medical Officer of Health thinks fit. Contacts.

“(2.) If a contact fails to comply with a direction for his removal given under the last preceding sub-regulation, the Medical Officer of Health or an authorized officer may remove the contact to the place of isolation specified in the direction and detain him there for such period as the Medical Officer of Health thinks fit.”.

5. Regulation 15 of the Public Health (Infectious Diseases) Regulations is repealed and the following regulations are inserted in its stead:—

“15. The head teacher of a school who becomes aware or suspects that a child enrolled at the school, or a member of the staff of the school, is suffering from an infectious disease and is attending school shall, forthwith, notify the Medical Officer of Health accordingly. Infectious diseases in schools.

“15A.—(1.) A medical practitioner who has reason to believe that a child professionally attended by him in a house is, or may be, suffering from a disease specified in the first column of the Second Schedule to these Regulations shall, forthwith, give notice to the person in charge of the child or to the occupier of the house accordingly. Children suffering from certain diseases not to attend school.

“(2.) Where a notice is given under the last preceding sub-regulation, the person in charge of the child or the occupier of the house shall take all steps as are necessary to ensure that the child does not attend school during the period that commences on the day on which that notice is given and ends on the day specified in the second column of the Second Schedule to these Regulations opposite to the name of the disease from which the child is believed to be suffering.

“(3.) Where the Medical Officer of Health or a person authorized by him notifies the person in charge of a child or the occupier of a house that a child in the house is, or has been, a contact with a disease specified in the first column of the Second Schedule to these Regulations, the person in charge of the contact or the occupier of the house shall take all steps as are necessary to ensure that the contact does not attend school during the period, if any, that commences on the day on which

that notice is given and ends on the day specified in the third column of that Schedule opposite to the name of the disease with which the child is a contact.”

**Exclusion from school.**

6. Regulation 16 of the Public Health (Infectious Diseases) Regulations is amended by omitting from sub-regulation (1.) the words “infected with an infectious disease” and inserting in their stead the words “suffering from a disease”.

**Penalties.**

7. Regulation 23 of the Public Health (Infectious Diseases) Regulations is repealed and the following regulation inserted in its stead:—

“23.—A person who contravenes, or fails to comply with, a provision of these Regulations or the terms of a notice, requisition, instruction, direction or order given under these Regulations is guilty of an offence and, on conviction, is liable—

(a) to a penalty not exceeding Fifty pounds; or

(b) where the offence is a continuing offence—to a penalty not exceeding Five pounds for every day during which the offence continues.”

**First Schedule.**

8. The First Schedule to the Public Health (Infectious Diseases) Regulations is amended by omitting the words—

“Public Health Ordinance 1928-1930.

PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS.  
NOTIFICATION OF INFECTIOUS DISEASE.”

and inserting in their stead the words—

“Public Health Ordinance 1928-1951.

PUBLIC HEALTH (INFECTIOUS AND NOTIFIABLE DISEASES) REGULATIONS.  
NOTIFICATION OF INFECTIOUS OR NOTIFIABLE DISEASE.”

**Second Schedule.**

9. The Second Schedule to the Public Health (Infectious Diseases) Regulations is repealed and the following Schedule inserted in its stead:—

SECOND SCHEDULE.  
EXCLUSION FROM SCHOOL.

Regs. 15A and 16.

FIRST COLUMN.  Disease.	SECOND COLUMN.  End of the Period of Exclusion from School of the Child Suffering from a Disease.	THIRD COLUMN.  End of the Period of Exclusion from School of the Contact.
Cholera .. ..	The day on which a certificate is furnished by the Medical Officer of Health stating that the child is not liable to transmit the disease to other persons	The day, if any, specified by the Medical Officer of Health, or a person authorized by him, in the notice under sub-regulation (3.) of regulation 15A of these Regulations as the end of the period during which, in his opinion, it is necessary to exclude the contact from school for the purposes of preventing the spread of infection
Dengue .. ..	The day which is seven days after the day on which the notice is given under sub-regulation (1.) of regulation 15A of these Regulations	

FIRST COLUMN. Disease.	SECOND COLUMN. End of the Period of Exclusion from School of the Child Suffering from a Disease.	THIRD COLUMN. End of the Period of Exclusion from School of the Contact.
Diphtheria ..	<p>The day which is six weeks after the day of onset of the disease or, if, before that first-mentioned day, a certificate is furnished by a medical practitioner stating—</p> <p>(a) that two consecutive swabbings of the nasopharynx, taken at an interval of not less than forty-eight hours, reveal only organisms which, after test by a pathologist, are found not to be virulent diphtheria bacilli or fail on examination to reveal the presence of diphtheria bacilli ; and</p> <p>(b) that the child is not liable to transmit the disease to other persons,</p> <p>the day on which the certificate is furnished</p>	<p>The day—</p> <p>(a) where the person suffering from the disease is treated at the house in which the contact resides—</p> <p>(i) on which the person suffering from the disease is permitted to return to school ; or</p> <p>(ii) if that person does not attend school—which is seven days after the disinfection of the house after the day of recovery or death of the person so suffering ;</p> <p>(b) where the person suffering from the disease and the contact reside at the same house and the person so suffering is removed to hospital or dies—which is seven days after the disinfection of the house after the day of the removal of that person or of his body ; or</p> <p>(c) where the contact has been in a house in which he has been exposed to infection by the disease—on which the contact is free from sore throat or discharge from nose or ears and apparently well, being a day which is seven days after that exposure</p>
Encephalitis (virus)	<p>The day on which a certificate is furnished by a medical practitioner stating that the person is not liable to transmit the disease to other persons</p>	<p>The day which is twenty-one days after the day of onset of the illness in the person suffering from the disease</p>
Leprosy ..	<p>The day on which a certificate is furnished by the Medical Officer of Health stating that the person is not liable to transmit the disease to other persons</p>	<p>The day on which a certificate is furnished by the Medical Officer of Health or a person authorized by him stating that the contact is not liable to transmit the disease to other persons</p>

FIRST COLUMN. Disease.	SECOND COLUMN. End of the Period of Exclusion from School of the Child Suffering from a Disease.	THIRD COLUMN. End of the Period of Exclusion from School of the Contact.
Leptospirosis ..	The day on which a certificate is furnished by a medical practitioner stating that the child is not liable to transmit the disease to other persons	
Meningococcal infection	The day on which a certificate is furnished by a medical practitioner stating that the child is not liable to transmit the disease to other persons	The day which is fourteen days after the day of onset of the illness in the person suffering from the disease
Ornithosis ..	The day on which a certificate is furnished by a medical practitioner stating that the child is not liable to transmit the disease to other persons	The day which is fourteen days after the day of onset of the illness in the person suffering from the disease
Paratyphoid ..	The day on which a certificate is furnished by a medical practitioner stating— (a) that at least two consecutive specimens each of urine and faeces, taken at intervals of seven days, have been examined and found to be free from paratyphoid bacilli; and (b) that the child is not liable to transmit the disease to other persons	The day, if any, specified by the Medical Officer of Health or a person authorized by him in the notice under sub-regulation (3.) of regulation 15A of these Regulations as the end of the period during which, in his opinion, it is necessary to exclude the contact from school for the purposes of preventing the spread of infection
Plague .. ..	The day on which a certificate is furnished by the Medical Officer of Health stating that the child is not liable to transmit the disease to other persons	The day on which the house is declared by the Medical Officer of Health to be free from infection and is released from quarantine
Poliomyelitis (acute anterior)	The day on which a certificate is furnished by a medical practitioner stating that the child is not liable to transmit the disease to other persons	The day which is fourteen days after the day of onset of the illness in the person suffering from the disease
Scarlet fever ..	The day— (a) on which a certificate is furnished by a medical practitioner stating that he has examined the child after a period of ten days after the day of onset of the disease and that the child is not liable to transmit the disease to other persons; or	The day— (a) where the person suffering from the disease is treated at the house in which the contact resides— (i) on which the person suffering from the disease is permitted to return to school; or



FIRST COLUMN. Disease.	SECOND COLUMN. End of the Period of Exclusion from School of the Child Suffering from a Disease.	THIRD COLUMN. End of the Period of Exclusion from School of the Contact.
Scarlet fever ..	(b) where a medical certificate is not so furnished—on which the child is free from all traces of peeling of the skin and of discharge from the eyes, nose or ears, being a day which is six weeks after the day of onset of the disease	(ii) if that person does not attend school—which is seven days after the disinfection of the house after the day of recovery or death of the person so suffering;  (b) where the person suffering from the disease and the contact reside at the same house and the person so suffering is removed to hospital or dies—which is seven days after the disinfection of the house after the day of the removal of that person or of his body; or  (c) where the contact has been in a house in which he has been exposed to infection by the disease—on which the contact is free from sore throat or discharge from nose or ears and apparently well, being a day which is seven days after that exposure
Smallpox ..	The day on which a certificate is furnished by the Medical Officer of Health stating that the child is not liable to transmit the disease to other persons	The day— (a) where the person suffering from the disease is treated at the house in which the contact resides—on which a certificate is furnished by the Medical Officer of Health stating that the house has been disinfected to his satisfaction and that the person suffering from the disease and the contact are not liable to transmit the disease to other persons;  (b) where the person suffering from the disease and the contact reside in the same house and the person so suffering is removed to hospital or dies—which is twenty-one days after the disinfection of the house

FIRST COLUMN. Disease.	SECOND COLUMN. End of the Period of Exclusion from School of the Child Suffering from a Disease.	THIRD COLUMN. End of the Period of Exclusion from School of the Contact.
Smallpox ..	The day on which a certificate is furnished by the Medical Officer of Health stating that the child is not liable to transmit the disease to other persons	after the day of the removal of that person or of his body; or (c) where the contact has been in a house in which he has been exposed to infection by the disease—which is twenty-one days after the day of that exposure
Typhoid fever ..	The day on which a certificate is furnished by a medical practitioner stating— (a) that at least two consecutive specimens each of urine and faeces, taken at intervals of seven days, have been examined and found to be free from typhoid bacilli; and (b) that the child is not liable to transmit the disease to other persons	The day, if any, specified by the Medical Officer of Health or a person authorized by him in the notice under sub-regulation (3.) of regulation 15A of these Regulations as the end of the period during which, in his opinion, it is necessary to exclude the contact from school for the purposes of preventing the spread of infection
Typhus ..	The day on which a certificate is furnished by the Medical Officer of Health stating that the child is not liable to transmit the disease to other persons	The day, if any, specified by the Medical Officer of Health or a person authorized by him in the notice under sub-regulation (3.) of regulation 15A of these Regulations as the end of the period during which, in his opinion, it is necessary to exclude the contact from school for the purposes of preventing the spread of infection
Yellow fever ..	The day on which a certificate is furnished by the Medical Officer of Health stating that the child is not liable to transmit the disease to other persons	The day, if any, specified by the Medical Officer of Health or a person authorized by him in the notice under sub-regulation (3.) of regulation 15A of these Regulations as the end of the period during which, in his opinion, it is necessary to exclude the contact from school for the purposes of preventing the spread of infection

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.