

Regulations 1977 No. 29

Regulations under the *Public Health Ordinance 1928**

I, RALPH JAMES DUNNET HUNT, the Minister of State for Health, hereby make the following Regulations under the *Public Health Ordinance 1928*.

Dated this seventh day of November 1977.

RALPH J. HUNT
Minister of State for Health

AMENDMENTS OF THE PUBLIC HEALTH (INFECTIOUS AND NOTIFIABLE DISEASES) REGULATIONS†

1. Regulation 3 of the Public Health (Infectious and Notifiable Diseases) Regulations is amended— Interpretation

(a) by inserting before the definition of "Contact" the following definition:

" 'Chief Medical Administrator', in respect of a hospital, means the person for the time being holding office under sub-section 24 (1) of the *Health Commission Ordinance 1975* as the Chief Medical Administrator of that hospital;";

(b) by omitting the definition of "Infectious Disease" and substituting the following definition:

" 'Infectious Disease' means—

- (a) Anthrax;
- (b) Brucellosis;
- (c) Cholera;
- (d) Diphtheria;
- (e) Food poisoning;
- (f) Hepatitis A (infectious);
- (g) Hepatitis B (serum);
- (h) Leprosy;
- (j) Leptospirosis;
- (k) Plague;
- (l) Poliomyelitis;
- (m) Rubella;
- (n) Smallpox;
- (o) Tetanus;
- (p) Trachoma;
- (q) Typhoid fever;
- (r) Typhus (all forms); and
- (s) Yellow fever;";

* Notified in the *Commonwealth of Australia Gazette* on 25 November 1977.

† For reference to the original Regulations and amendments made before 1960, see footnote on p. 531 of Vol. III of "Laws of the Australian Capital Territory 1911-1959". For later amendments, see Regulations 1961, No. 3; and 1975, No. 30.

- (c) by omitting the definition of "Notifiable Disease" and substituting the following definition:

" 'Notifiable Disease' means—

- (a) Amoebiasis;
- (b) Ankylostomiasis;
- (c) Australian arbo-encephalitis, dengue and other arbovirus diseases;
- (d) Hydatid disease;
- (e) Lead poisoning;
- (f) Malaria;
- (g) Meningococcal disease (laboratory isolates);
- (h) Psittacosis and other forms of Ornithosis;
- (j) Q. fever;
- (k) Salmonella (laboratory isolates); and
- (l) Shigella (laboratory isolates);"; and

- (d) by inserting after the definition of "Owner" the following definition:

" 'pathologist' includes a laboratory assistant and a technical officer employed in a laboratory;".

Notification
by medical
practitioner

2. Regulation 4 of the Public Health (Infectious and Notifiable Diseases) Regulations is amended—

- (a) by omitting from sub-regulation (1) "the First Schedule to these Regulations" and substituting "Schedule 1"; and
- (b) by omitting sub-regulation (2).

3. After regulation 4 of the Public Health (Infectious and Notifiable Diseases) Regulations the following regulations are inserted:

Notification by
pathologist

" 4A. (1) Where—

- (a) a pathologist tests a specimen for the purposes of ascertaining whether a person is or may be suffering from an infectious or notifiable disease; and
- (b) the result of the test is positive,

the pathologist shall forthwith notify the Medical Officer of Health of the fact and of—

- (c) the name and address of the medical practitioner from whom the specimen was received; and
- (d) the name and address of the person from whom the specimen was taken.

" (2) In addition to giving a notification in accordance with sub-regulation (1), the pathologist shall, as soon as practicable, notify the Medical Officer of Health in writing of the fact that the result of the test is positive and of the matters specified in paragraphs (1) (c) and (1) (d).

" (3) Where the test is made by a pathologist in the course of his employment, the person by whom he is employed or, in the case of a pathologist employed in a laboratory at a hospital, the person in charge of the laboratory, shall cause the Medical Officer of Health to be notified in accordance with this regulation.

Notification
in respect of
in-patient of
hospital

" 4B. (1) Where a person who is an in-patient at a hospital conducted by the Capital Territory Health Commission is found to be suffering from an infectious or notifiable disease, the Chief Medical Administrator shall cause to be given to the Medical Officer of Health a notice in accordance with Schedule 1.

“(2) Where a person who is an in-patient at a private hospital registered under the Public Health (Private Hospitals) Regulations is found to be suffering from an infectious or notifiable disease, the holder of the certificate of registration in respect of the hospital shall cause the Medical Officer of Health to be notified in accordance with Schedule 1.

“(3) A notification under sub-regulation (2) shall be signed by a medical practitioner who is attending the in-patient.

“4c. There is payable to the medical practitioner, pathologist or private hospital a fee of \$1 in respect of each notification under regulation 4, sub-regulation 4A (2) or regulation 4B.” Fee

4. After regulation 7 of the Public Health (Infectious and Notifiable Diseases) Regulations the following regulation is inserted:

“7A. (1) Where the Medical Officer of Health has taken action under regulation 5 or 7 in respect of a person, he shall give notice to the medical practitioner by whom the person was professionally attended of the action taken. Notice to medical practitioner

“(2) Without prejudice to any other method of giving notice, notice under sub-regulation (1) may be given by post at the address of the medical practitioner last known to the Medical Officer of Health.”

5. Regulation 15A of the Public Health (Infectious and Notifiable Diseases) Regulations is amended— Children suffering from certain diseases not to attend school

- (a) by omitting from sub-regulation (1) “the Second Schedule to these Regulations” and substituting “Schedule 2”;
- (b) by omitting from sub-regulation (2) “the Second Schedule to these Regulations” and substituting “Schedule 2”; and
- (c) by omitting from sub-regulation (3) “the Second Schedule to these Regulations” and substituting “Schedule 2”.

6. Regulation 16 of the Public Health (Infectious and Notifiable Diseases) Regulations is amended— Exclusion from school

- (a) by omitting from sub-regulation (1) “the Second Schedule to these Regulations” and substituting “Schedule 2”; and
- (b) by omitting from sub-regulation (2) “the Second Schedule to these Regulations” and substituting “Schedule 2”.

7. Regulation 23 of the Public Health (Infectious and Notifiable Diseases) Regulations is amended— Penalties

- (a) by omitting from paragraph (a) “Fifty pounds” and substituting “\$100”; and
- (b) by omitting from paragraph (b) “Five pounds” and substituting “\$10”.

Public Health (Infectious and Notifiable Diseases) Regulations

Schedules.

8. The Schedules to the Public Health (Infectious and Notifiable Diseases) Regulations are repealed and the following Schedules substituted:

SCHEDULE 1

Regulations 4 and 4B

AUSTRALIAN CAPITAL TERRITORY

PUBLIC HEALTH ORDINANCE

Public Health (Infectious and Notifiable Diseases) Regulations

NOTIFICATION OF INFECTIOUS OR NOTIFIABLE DISEASE

I hereby certify that the person whose name and address appears hereunder is suspected by me to be suffering from

Full name of patient

Address of patient

Number in household

Occupation

Place of work

Age

Sex

Date of onset of illness

Suspected origin of disease, disposal of case, and any other remarks—

Action taken re contacts

Signature

Medical Practitioner

TO THE MEDICAL OFFICER OF HEALTH
CANBERRA

Date

SCHEDULE 2

Regulations 15A and 16

EXCLUSION FROM SCHOOL

FIRST COLUMN Disease	SECOND COLUMN End of the Period of Exclusion from School of the Child Suffering from Disease	THIRD COLUMN End of the Period of Exclusion from School of the Contact
Chicken Pox	The day that is 7 days after the day of onset of the disease or, if all lesions are not healed on that day, the day on which all lesions are healed	
Diphtheria	The day on which a certificate is furnished by a medical practitioner stating— (a) that 2 consecutive swabbings of the nasopharynx, taken at intervals of not less than 48 hours and the first of which was taken at least 72 hours after the last administration of chemotherapy or antibiotic agents, reveal only organisms that, after test by a pathologist, are found not to be virulent diphtheria bacilli; and (b) that the person is not liable to transmit the disease to other persons	The day— (a) Where the person suffering from the disease and the contact reside at the same house—on which a certificate is furnished by a medical practitioner stating that a swabbing of the nasopharynx reveals only organisms that, after test by a pathologist, are found not to be virulent diphtheria bacilli; (b) in any other case—the day specified by the Medical Officer of Health, or a person authorized by him, in a notice under sub-regulation 15A (3) 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
Leprosy	The day on which a certificate is furnished by the Medical Officer of Health or a person authorized by him stating that the person is not liable to transmit the disease to other persons	
Measles	The day— (a) on which a certificate is furnished by a medical practitioner stating that the child is no longer suffering from the disease; or (b) where no such certificate is furnished—that is 7 days after the day on which the rash first appeared	
Meningococcal Infection ..	The day on which a certificate is furnished by a medical practitioner stating that the person is no longer suffering from the disease	

SCHEDULE 2—continued

FIRST COLUMN Disease	SECOND COLUMN End of the Period of Exclusion from School of the Child Suffering from Disease	THIRD COLUMN End of the Period of Exclusion from School of the Contact
Mumps	The day that is 14 days after the day of onset of the disease	
Ornithosis	The day on which a certificate is furnished by a medical practitioner stating that the person is no longer suffering from the disease	
Poliomyelitis	The day on which a certificate is furnished by a medical practitioner stating that the person is no longer suffering from the disease, being a day that is at least 14 days after the day of onset of the disease	
Rubella (German Measles)	The day that is 10 days after the day on which the rash first appeared	
Streptococcal infection, including Scarlet Fever	The day on which a certificate is furnished by a medical practitioner stating that the person is no longer suffering from the disease and is not liable to transmit the disease to other persons	
Tuberculosis	The day on which a certificate is furnished by the Medical Officer of Health or a person authorized by him stating that the person is not liable to transmit the disease to other persons	
Typhoid Fever	The day on which a certificate is furnished by a medical practitioner stating that— (a) at least 3 specimens of faeces, taken at intervals of not less than 72 hours, and the first of which was taken at least 72 hours after the last administration of chemotherapy or antibiotic agents, have been examined and found to be free from typhoid bacilli; and (b) the child is not liable to transmit the disease to other persons	The day specified by the Medical Officer of Health, or a person authorized by him, in the notice under sub-regulation 15A (3) 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
Viral hepatitis	The day— (a) on which a certificate is furnished by a medical practitioner stating that the person is no longer suffering from the disease and is not liable to transmit the disease to other persons; or	

SCHEDULE 2—continued

FIRST COLUMN Disease	SECOND COLUMN End of the Period of Exclusion from School of the Child Suffering from Disease	THIRD COLUMN End of the Period of Exclusion from School of the Contact
	(b) where no such certificate is furnished—the day on which all symptoms of the disease have disappeared	
Whooping cough	The day— (a) on which a certificate is furnished by a medical practitioner stating that the person is not liable to transmit the disease to other persons; or (b) where no such certificate is furnished—that is 28 days after the day of onset of the disease	