

Hon. Mr. Russell.

SOCIAL HYGIENE (No. 2).

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A BILL INTITULED

AN ACT to make Provision for Preventing the Spread of Venereal Diseases, and for effecting the Cure of Persons suffering from any such Disease. Title.

5 BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Social Hygiene Act, 1917. Short Title.
- 10 "Minister" means the Minister of Public Health: Interpretation.
- "Venereal disease" means gonorrhœa, gonorrhœal ophthalmia, syphilis, soft chancre, venereal warts, or venereal granuloma.

*Duties of or in Respect of Persons suffering from Venereal Disease.*

15 3. (1.) Every person suffering from any venereal disease or who has reason to believe that he is suffering from any such disease, shall forthwith consult a registered medical practitioner with respect thereto, and shall place himself under treatment by that medical Persons suffering from venereal disease to undergo treatment.

practitioner, or by some other registered medical practitioner, or shall attend for treatment at any hospital or other place available for the treatment of venereal diseases.

(2.) Every person undergoing treatment for any venereal disease as aforesaid shall, unless and until he has been cured of such disease or is free from such disease in a communicable form, continue to submit himself to such treatment at such intervals as may be prescribed, not exceeding in any case an interval of *four* weeks. 5

Duty of medical practitioner with respect to patient suffering from venereal disease.

4. Every medical practitioner who attends or advises any patient for or in respect of any venereal disease from which the patient is suffering shall, by written notice in the prescribed form delivered to the patient,— 10

(a.) Direct the attention of the patient to the infectious character of the disease, and to the penalties prescribed by this Act for infecting any other person with such disease; 15

(b.) Warn the patient against contracting any marriage unless and until he has been cured of such disease or is free from such disease in a communicable form; and

(c.) Give to the patient such printed information relating to the treatment of venereal disease, and to the duties of persons suffering from such disease, as may be issued by the directions of the Minister of Public Health. 20

Treatment of children.

5. (1.) Any parent, guardian, or other person in charge of a child suffering from any venereal disease shall cause such child to be treated for such disease by a registered medical practitioner. 25

(2.) Every parent, guardian, or other person in charge of any such child as aforesaid who fails or neglects to have that child treated as aforesaid by a registered medical practitioner shall be liable to a fine not exceeding such amount as may be prescribed in that behalf by regulations under this Act. 30

(3.) For the purposes of this section, the term "child" means a person under the age of *sixteen* years.

#### Offences.

Restrictions on employment of persons suffering from venereal disease.

6. (1.) Every person who, while suffering from any venereal disease in a communicable form, is employed or engaged in or about any factory, shop, hotel, restaurant, house, or other place in any capacity requiring him to handle food intended for consumption by any other person or persons shall be guilty of an offence, and shall be liable on summary conviction to imprisonment for a period not exceeding *one* year, or to a fine not exceeding *one hundred* pounds. 40

(2.) Every person shall be guilty of an offence punishable by a fine of not less than *twenty* pounds and not more than *one hundred* pounds who at any time, after the passing of this Act, employs or continues to employ any person suffering from any venereal disease in a communicable form, if, by reason of such employment, such person is required or is permitted to handle any food intended for consumption by any person other than the person employed or his employer or the members of the employer's family or household, unless the defendant proves that he did not know or suspect, and had no reasonable means of knowing or suspecting, that the person so employed by him was suffering from such disease. 50

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7. Every person, other than a registered medical practitioner, who undertakes for payment or other reward the treatment or cure of any venereal disease commits an offence, and is liable, on summary conviction, to a fine not exceeding *one hundred* pounds or to imprisonment for a term not exceeding *one* year.

Offence for any person not being a registered medical practitioner to undertake treatment of any venereal disease.

8. Every person who knowingly infects any other person with a venereal disease, or knowingly does or permits or suffers any act likely to lead to the infection of any other person with any such disease commits an offence and is liable, on summary conviction before a Stipendiary Magistrate, to a fine not exceeding *one hundred* pounds or to imprisonment for a term not exceeding *twelve* months, or to both such fine and imprisonment.

Infecting any person with venereal disease an offence.

9. (1.) The Governor-General may, by Order in Council gazetted, prohibit the sale or supply of any drug or drugs that may be specified in that Order in Council, except pursuant to the written prescription of a registered medical practitioner:

Governor-General may prohibit sale or supply of certain drugs except pursuant to medical prescription.

Provided that nothing in any such Order in Council shall interfere with the sale or supply of drugs by any wholesale dealer in the ordinary course of wholesale dealing.

(2.) Every person who sells or supplies any drug or drugs contrary to the terms of any such Order in Council commits an offence, and is liable on summary conviction, to a fine not exceeding *fifty* pounds or to imprisonment for a term not exceeding *six* months.

(3.) For the purposes of this section every person shall be deemed to sell or supply any drug who sells or supplies the same either on his own account or as the servant or agent of any other person, and in the case of the sale or supply of any such drug by a servant or agent his principal or employer shall be under the same liability as if he had effected the sale or supply personally.

10. Without limiting the operation of the foregoing provisions of this Act, or of section two hundred and thirty-one of the Crimes Act, 1908, every person who, without legal justification or excuse, falsely alleges, whether by words or otherwise, that any other person is suffering or has suffered from venereal disease (whether the form of such disease is specified or not) shall be guilty of the offence of publishing a defamatory libel, and the provisions of the Crimes Act, 1908, as to the offence of publishing a defamatory libel shall apply accordingly.

Offence to falsely allege that any person is suffering from venereal disease.

11. Every person who wilfully commits a breach of any regulation made under this Act in respect of the breach of which any penalty by way of fine or imprisonment is prescribed by regulations, shall be guilty of an offence punishable, on summary conviction, by the penalty so prescribed.

Breach of regulations.

#### *Appointment of Health Patrols.*

12. (1.) The Minister of Public Health may from time to time appoint as Health Patrols such number of persons, of either sex, as he may consider necessary, whose duty it shall be, subject to regulations in that behalf to be made under this Act, to protect the health and morality of young persons.

Power to appoint persons as Health Patrols.

(2.) Every person appointed as a Health Patrol under this section shall have and may exercise the powers of police constables,

and shall be entitled to the same protection and privileges in the performance of their duties as police constables :

Provided that no person so appointed shall be entitled in the execution of his duties to address any person of the opposite sex.

*Duties of Hospital and Charitable Aid Boards.*

Hospital and Charitable Aid Boards on request of Minister to provide for treatment of patients suffering from venereal disease.

13. (1.) It shall be the duty of every Hospital and Charitable Aid Board, if required so to do by the Minister of Public Health, to make effective provision, in accordance with regulations under this Act, for the reception, accommodation, examination, and treatment of persons suffering from venereal disease.

(2.) Every Hospital and Charitable Aid Board required by the Minister to make provision as aforesaid for persons suffering from venereal disease shall keep a separate account of all moneys expended by it for that purpose, and shall be entitled to receive by way of subsidy an amount equal to seventy-five per centum of the moneys so expended in any financial year.

(3.) All moneys payable by way of subsidy under this section shall be paid in the same manner in all respects as if they were moneys payable by way of subsidy under section thirty-eight of the Hospital and Charitable Institutions Act, 1909, and the provisions of that section shall, so far as applicable, apply accordingly.

*Additional Powers of Minister of Public Health.*

Additional powers of Minister of Public Health.

14. In respect of the administration of this Act, the Minister of Public Health shall have and may exercise, in addition to any other powers conferred on him by this Act, the powers following, that is to say :—

- (a.) He may arrange for the treatment of persons suffering from venereal disease otherwise than in a prison hospital established under this Act ;
- (b.) He may arrange for clinical, chemical, bacteriological, and other examinations and investigations, to be made free of charge, for the purpose of ascertaining whether any person is suffering from or is cured of any venereal disease, or is free from any such disease in a communicable form ;
- (c.) He may make such provisions as he thinks proper for the supply of information with respect to the nature, effects, and proper treatment of venereal diseases ; and
- (d.) He may encourage the establishment of associations for the purpose of checking the spread of venereal disease, and of securing the proper treatment of persons suffering from any such disease, and may authorize the grant of subsidies, out of moneys appropriated by Parliament for the purpose, to any such association.

*Regulations.*

Regulations.

15. (1.) The Governor-General may, from time to time, by Order in Council gazetted, make regulations—

- (a.) Regulating the establishment, management, maintenance, and inspection of hospitals for the purposes of this Act ;

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- (b.) Regulating and prescribing the appointment and duties of officers and servants of such hospitals and of persons appointed as Health Patrols under this Act ;
- 5 (c.) Regulating the classification treatment, control, and discipline of persons detained in such hospitals ;
- (d.) Prescribing compulsory employment for persons detained in such hospitals ;
- (e.) Prescribing the forms of applications, notices, orders, warrants, and other instruments required for the purposes of this Act ;
- 10 (f.) Prescribing conditions as to the free treatment of persons suffering from venereal disease ;
- (g.) Prescribing the fees to be paid to persons making clinical, chemical, bacteriological, or other examinations for the purposes of this Act ;
- 15 (h.) Prescribing the preventive measures against the spread of infection to be taken by persons suffering from any venereal disease, and by persons attending or having the care or charge of any such person ;
- 20 (i.) Prescribing penalties by way of fine or imprisonment for offences against any such regulation, or for offences against any of the provisions of this Act for which no penalty is provided by this Act, but so that the fine so prescribed shall not in any case exceed *twenty* pounds or the term of imprisonment exceed *one* month ; and
- 25 (j.) Generally, prescribing all such other matters or things as may be necessary for the purpose of giving effect to the provisions of this Act.
- (2.) All regulations under this section shall be laid before  
30 Parliament within thirty days after the date of the gazetting thereof, if Parliament is then in session, and, if not, then within thirty days after the commencement of the next ensuing session.