

Queensland



ANNO TRICESIMO TERTIO

ELIZABETHAE SECUNDAE REGINAE

No. 103 of 1984

An Act to amend the Health Act 1937-1984 in certain
particulars

[ASSENTED TO 12TH DECEMBER, 1984]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Health Act Amendment Act 1984 (No. 2)*.

(2) In this Act the *Health Act 1937-1982* as subsequently amended is referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Health Act 1937-1984*.

2. Amendment of s. 5. Interpretation. Section 5 of the Principal Act is amended by, in the definition "Venereal disease", omitting the word "Gonorrhoea" and substituting the words "Acquired immune deficiency syndrome, gonorrhoea".

3. Amendment of s. 54. Provisions relating to venereal disease. Section 54 of the Principal Act is amended by—

(a) in subsection (2), [Consulting medical practitioner] omitting the expression "\$200" and substituting the expression "\$1 000";

(b) in subsection (4), [Changing medical adviser] omitting the expression "\$50" and substituting the expression "\$200";

(c) omitting subsection (5) and substituting the following subsection:—

"(5) **Director-General to be notified of venereal diseases.** (a) When a person attended or treated by a medical practitioner is suffering from any venereal disease, the medical practitioner shall, forthwith upon learning of that condition, give notice thereof in the prescribed form to the Director-General.

(b) When a pathological examination of specimens of human origin indicates that the person from whom the specimens were taken is suffering from acquired immune deficiency syndrome, the person in charge of the place where the examination was undertaken shall, forthwith upon that condition being indicated, give notice thereof in the prescribed form to the Director-General.

(c) The notice required by paragraph (a) to be given—

(i) shall state the age, sex, occupation and marital status of the patient, the nature of the disease and such other particulars as are prescribed;

(ii) where the venereal disease in question is acquired immune deficiency syndrome, shall state in addition the name and address of the place of residence of the patient;

(iii) where the venereal disease in question is not that referred to in subparagraph (ii), shall not state the name or address of the patient.

(d) The notice required by paragraph (b) to be given shall state the name and address of the place of residence of the person from whom the specimens examined were taken and the nature of the disease.

(e) A person required by paragraph (a) or (b) to notify the Director-General who fails to comply with the relevant subsection shall be guilty of an offence and liable to a penalty not exceeding \$200."

(d) in subsection (6), adding at the end thereof the words "Penalty: \$1 000";

(e) in subsection (11)—

(i) omitting the words "; and for any neglect so to do shall be liable to a penalty not exceeding \$100";

(ii) omitting the words "; and for any failure so to do shall be liable to a penalty not exceeding \$100";

(f) in subsection (12), [Infecting others with venereal disease]—

(i) omitting the expression "\$1 000" and substituting the expression "\$10 000";

(ii) omitting the words "twelve months" and substituting the words "two years, or both";

(iii) adding at the end thereof the words "unless, at the time the infection was transmitted to the person so infected, the person so infected was the spouse of the first-mentioned person or was in a connubial relationship with the first-mentioned person, knew that the first-mentioned person was at that time infected with the venereal disease in question and voluntarily ran the risk of being so infected";

(g) in subsection (13), omitting the words "until he has undergone the course of treatment prescribed in relation to that disease" and substituting the following words:—

"until—

(a) in the case of acquired immune deficiency syndrome, he is shown, by means of the prescribed test, not to be suffering from the disease;

(b) in the case of any other venereal disease, he has undergone the course of treatment prescribed in relation to that disease".

4. Amendment of s. 59. Secrecy. Section 59 of the Principal Act is amended by, in subsection (1), adding at the end of the subsection the words "and may give information to any department or official of the Government of the Commonwealth having, in his opinion, a legitimate interest in possessing the information".

5. **New s. 60.** The Principal Act is amended by inserting after section 59 the following section:—

“60. Possession of bacterium etc. deemed to be disease. A person who is shown to have a bacterium, virus or other micro-organism that causes or is likely to cause a particular venereal disease shall be deemed, for the purposes of this Division VIII, to be suffering from that venereal disease.”.