

Unvalidated References:

Public Health Act 1973

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 226D.

Public Health (Infectious Diseases) Regulation 1973

ARRANGEMENT OF SECTIONS.

PART I – INFECTIOUS DISEASES GENERALLY.

1. Report of infectious disease.
2. Fees.
3. Treatment at subsidized public hospitals.
4. Reports by medical practitioners.
5. Report of failure to continue treatment.
6. Warning to patients.

PART II – VENEREAL DISEASES.

7. Restriction of treatment.
8. Treatment of persons suffering from venereal disease.
9. Notice of change of medical practitioner.
10. Certificate of cure, etc.
 - “certificate of cure”
 - “certificate of freedom from liability to infect”
11. Duty of parents and guardians.
12. Special warrant.
13. Return of cases.
14. General penalty.

SCHEDULE 1

Public Health (Infectious Diseases) Regulation 1973

MADE under the *Public Health Act 1973*.

Dated 200 .

PART I. – INFECTIOUS DISEASES GENERALLY.

1. REPORT OF INFECTIOUS DISEASE.

A report under Section 16, 17, 18 or 19 of the Act shall be in Form 1.

2. FEES.

Where an arrangement is made by the Minister under Section 50(1) of the Act for the examination or treatment by medical practitioners of persons suffering from venereal diseases, the remuneration to the medical practitioners is–

- (a) for an examination–K 1.00; and
- (b) for treatment–
 - (i) for the first attendance on each patient–K0.70; and

- (ii) for each subsequent attendance—K0.50.

3. TREATMENT AT SUBSIDIZED PUBLIC HOSPITALS.

At the request of a medical practitioner, the committee of a subsidized hospital may receive any person certified by the medical practitioner to be suffering from a venereal disease into its institution, as an outpatient or inpatient, for examination and treatment free of charge.

4. REPORTS BY MEDICAL PRACTITIONERS.

(1) For the purposes of Section 52(1) of the Act, the prescribed form is Form 2, and the period within which it shall be given is seven days.

(2) The fees payable to a medical practitioner for notices sent or given to the Commissioner under Section 52(1) of the Act are—

- (a) for each case that occurs in his private practice—K0.25; or
- (b) for each case that occurs in his practice as medical officer of a hospital, if he is not in receipt of any remuneration as an officer of the hospital—K0.10.

5. REPORT OF FAILURE TO CONTINUE TREATMENT.

For the purposes of Section 52(3) of the Act, the prescribed form is Form 3.

6. WARNING TO PATIENTS.

For the purposes of Section 53(1)(a) of the Act, the prescribed form is Form 4.

PART II. – VENEREAL DISEASES.**7. RESTRICTION OF TREATMENT.**

(1) A pharmacist who sells or supplies drugs or medicines for the treatment of venereal disease to any person, otherwise than on the prescription of a medical practitioner, is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(2) The following drugs shall not be sold or supplied by a pharmacist except where prescribed by a medical practitioner:—

- (a) a patent or proprietary medicine that is specifically recommended for the cure, alleviation or treatment of a venereal disease;
- (b) a synthetic organic arsenic compound;
- (c) a synthetic organic silver compound;
- (d) grey oil or a mercurial emulsion specifically prepared for the cure, alleviation or treatment of a venereal disease;
- (e) hydrargyrum *cum creta* (or its admixtures), biniodide of mercury, tannate of mercury or cyanide of mercury, in pill or tablet form;
- (f) sandalwood oil or its derivatives, or copaiba or its derivatives, in the form of emulsions or capsules;
- (g) methylene blue in the form of pills, tablets or capsules;
- (h) any medicated bougie;
- (i) gonococcus vaccines, serums or gonorrhoeal phylactogen.

8. TREATMENT OF PERSONS SUFFERING FROM VENEREAL DISEASE.

(1) A person who is suffering from syphilis shall attend for the prescribed treatment at least once every two weeks during the continuance of primary or secondary symptoms, and afterwards not less than once every four weeks.

(2) A person who is suffering from gonorrhoea shall attend for the prescribed treatment at least once every seven days during the continuance of acute symptoms, and afterwards once every 14 days.

(3) A person who is suffering from soft chancre shall attend for the prescribed treatment at least once every seven days.

(4) A person who is suffering from gonorrhoeal ophthalmia shall attend for the prescribed treatment every day during the acute stage, and afterwards once every seven days.

(5) A person who is suffering from venereal granuloma or venereal warts shall attend for the prescribed treatment once every seven days.

(6) A person who is suffering from gleet shall attend for the prescribed treatment once every 14 days.

9. NOTICE OF CHANGE OF MEDICAL PRACTITIONER.

For the purposes of Section 58 of the Act, where a person suffering from a venereal disease, who has consulted and placed himself under treatment by a medical practitioner, has consulted and placed himself under the treatment of another medical practitioner and informed him of the name and last-known address of the medical practitioner by whom he was previously treated—

- (a) the second medical practitioner shall immediately notify the previous medical practitioner in Form 5; and
- (b) the previous medical practitioner shall immediately notify the Commissioner in Form 6.

10. CERTIFICATE OF CURE, ETC.

(1) In this section—

“**certificate of cure**” means a certificate under Section 59 of the Act that a person is cured of, or is free from, venereal disease;

“**certificate of freedom from liability to infect**” means a certificate under Section 59 of the Act that a person has ceased to be liable to convey infection by venereal disease.

(2) A certificate of cure or of freedom from liability to infect shall be in Form 7.

(3) In the case of syphilis, a certificate of cure or, subject to Subsection (4), of freedom from liability to infect shall not be given unless—

- (a) two years have elapsed from the first appearance of the primary manifestation; and
- (b) the patient has undergone treatment for a period of at least 12 months to the satisfaction of the medical practitioner in attendance; and
- (c) after a period of at least three months has elapsed since the completion of the last course of treatment, there has been no manifestation of syphilis; and
- (d) a specimen of the patient’s blood—
 - (i) taken at least 48 hours after an injection of Salvarsan, or an efficient substitute, has given a negative Wasserman’s reaction when examined by a medical practitioner; or
 - (ii) where it is clinically inexpedient to use Salvarsan or its substitutes—has given a negative Wasserman’s reaction on two occasions, separated by at least two months.

(4) A certificate of freedom from liability to infect may be given—

- (a) if—
 - (i) one year has elapsed from the first appearance of the primary manifestation; and
 - (ii) the other conditions prescribed by Subsection (3) have been satisfied; or
- (b) if two years have elapsed with satisfactory intermittent treatment, even though the Wasserman's reaction remains positive.

(5) In the case of gonorrhoea, a certificate of cure or of freedom from liability to infect shall not be given unless—

- (a) all signs of inflammation have been absent for at least one month; and
- (b) microscopic urinary examination by a medical practitioner for the purpose has failed to detect the presence of Gram-negative diplococci resembling gonococci.

(6) An examination for the purposes of Subsection (5)(b) shall include at least two specimens taken at intervals of at least one week.

(7) In the case of soft chancre, a certificate of cure or of freedom from liability to infect shall not be given until the lesions have entirely healed.

(8) A medical practitioner who has issued a certificate of cure or of freedom from liability to infect shall immediately notify the Commissioner in Form 8.

11. DUTY OF PARENTS AND GUARDIANS.

(1) A report for the purposes of Section 60(3) of the Act shall be in Form 9.

(2) Directions for the purposes of Section 61 of the Act shall be given in Form 10.

(3) A parent, guardian or other person who refuses or neglects to carry out a direction under Section 61 of the Act is guilty of an offence.

Penalty: A fine not exceeding K20.00.

12. SPECIAL WARRANT.

The special warrant under Section 70 of the Act shall be in Form 11.

13. RETURN OF CASES.

Each medical practitioner shall forward to the Commissioner on or before 31 January in each year a return in Form 12 of the number of cases of venereal disease—

- (a) treated by him; and
- (b) cured,

during the preceding calendar year.

Penalty: A fine not exceeding K40.00.

14. GENERAL PENALTY.

A person who commits an offence against this Regulation for which no specific penalty is provided is liable to a fine not exceeding K40.00.

SCHEDULE 1

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 1 – Report of Infectious Disease.

Act, Secs. 16,17,18,19. Form 1.–Reg., Sec. 1.

To the Local Medical Authority,

Name of patient:

Age: . . . Sex: . . . Married or Single:

Address: *(name of town, village, plantation, mission station or other address; the fullest information to be given)*

Disease:

Comments: *(particulars relating to the date of onset of the disease, the possible or probable source of the disease, the condition of the patient and the measures taken to prevent spread of the infection).*

Dated . . . 20

(Signature of person making report.)

(Degrees, titles, etc.)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 2 – Notification of Person Suffering from Venereal Disease.

Act, Sec. 52(1). Form 2.–Reg., Sec. 4(1).

To the Commissioner,

The following particulars relate to a person attended or treated by me, who is suffering from venereal disease:—

Identification No.:

Nature of disease:

(The venereal diseases named in the Act are gonorrhoea, gleet, gonorrhoeal ophthalmia, syphilis, soft chancre, venereal warts and venereal granuloma.)

Date of first consultation:

Probable date of infection:

Age:

Country of birth:

Sex:

Occupation:

Marrried or single:

Has patient been treated by any other medical practitioner for same complaint? If so, state when, and give name and address of doctor:

Has patient been previously notified by you? If so, state date:

Source of infection (*locality only*):

Remarks:

In accordance with Section 53 of the Act, I have given the patient the warning notices and documents prescribed.

Dated . . . 20

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 3 – Notification of Failure to Continue Treatment.

Act, Sec. 52(3). Form 3.–Reg., Sec. 5.

To the Commissioner,

In accordance with Section 52(3) of the *Public Health Act*, I notify that (*insert name and address of patient*), suffering from (*insert in detail nature of disease*), whose identification number in my records is (*insert number taken from butt of Notification Register*) has failed to consult me within the period prescribed by Section 8 of the *Public Health (Infectious Diseases) Regulation*, and that I have not received notice within the 10 days following the expiration of that period from any other medical practitioner that the patient is under treatment.

Dated . . . 20

(*Signature of Medical Practitioner.*)

(*Address.*)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 4 – Warning Notice to Patients.

Act, Sec. 53(1)(a). Form 4.&break;Reg., Sec. 6.

To

You are suffering from a venereal disease. Venereal diseases are contagious. If you knowingly communicate the disease to any other person or do or permit to be done any act likely to lead to the communication of the disease to others, you are liable under the *Public Health Act* to a fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

You are warned not to marry before you are medically certified as cured under the Act. If you do, you are liable under the Act to a fine not exceeding K1,000.00 or imprisonment for a term not exceeding five years, or both.

Dated . . . 20

(Signature of Medical Practitioner.)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 5 – Notice of Change of Medical Practitioner.

Act, Sec. 58(2). Form 5.–Reg., Sec. 9(a).

In accordance with Section 58(2) of the *Public Health Act*, I have to inform you that (*name of patient*), who states that he has previously been under treatment by you for venereal disease, has placed himself under my care. My identification number for this patient is

Dated . . . 20

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 6 – Notice to Commissioner of Change of Medical Practitioner.

Reg., Sec. 9(b). Form 6.

To the Commissioner,

In accordance with Section 9(b) of the *Public Health (Infectious Diseases) Regulation*, I notify that a patient previously under my treatment for venereal disease, and whose identification number in my records is . . . , has now placed himself under the care of Dr. . . . , whose identification number for that patient is

Dated . . . 20

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act 1973.

***Form 7 – Certificate of Cure/Certificate of Freedom from Liability to
Infect.***

Act, Sec. 59. Form 7.–Reg., Sec. 10(2).

The person described below has been subjected to all necessary examinations in order to ascertain whether he is free from or cured of venereal disease, and in accordance with the result of those examinations.

I certify that, in my opinion, he is cured of/free from* the disease or is no longer liable to convey infection*.

Name in full:

Address:

Age: Sex:

Nature of disease:

Date of last examination:

This certificate applies to the above-named person only on the date of last examination.

Dated . . .20

(Signature of Medical Practitioner.)

(Address.)

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Public Health Act 1973.

***Form 8 – Notification to Commissioner of Certificate of Cure Certificate
of Freedom from Liability to Infect.***

Act, Sec. 59. Form 8.–Reg., Sec. 10(8).

I notify you that I have this day issued a Certificate of Cure (or a Certificate of Freedom from Liability to Infect) to a person whose identification number in my records is . . . , who was suffering from (*state nature of disease from which patient was suffering*) and who has been under my care for treatment.

Dated . . . 20

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 9 – Report by Parent or Guardian or Person in Charge of Child.

Act, Sec. 60(3). Form 9.–Reg., Sec. 11(1).

The Commissioner,

In accordance with Section 60(3) of the *Public Health Act*, I have to report that (*full name*), aged ... years and ... months, of whom I am the (*father, mother, guardian or person in charge*), is suffering from a venereal disease, and has failed to comply with the law in regard to (*particulars as to failure to comply*).

Dated ... 20

(*Signature of Parent, etc.*)

(*Address.*)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 10 – Directions to Parent or Guardian.

Act, Sec. 61. Form 10.&break;Reg., Sec. 11(2).

(*Name of child*), of whom you are the parent or guardian, is suffering from a venereal disease. You are warned that every person in charge of a child suffering from venereal disease must—

- (a) provide a separate bed for the child; and
- (b) provide separate towels and other toilet requisites; and
- (c) wash the child in a separate bath; and
- (d) disinfect all soiled clothing by boiling or other effective means; and
- (e) prevent the child from coming into contact with other children; and
- (f) carry out the directions and instructions of the medical attendant.

If you fail to comply with these directions, you will be liable to a fine not exceeding K20.00.

Dated . . . 20

(Signature of Medical Practitioner.)

PAPUA NEW GUINEA.

Public Health Act 1973.

Form 11 – Special Warrant.

Act, Sec. 70. Form 11.&break;Reg., Sec. 12.

To . . . , a member of the Police Force and to all other members of that Force.

WHEREAS . . . the Commissioner appointed under Part V of the *Public Health Act* has this day made complaint on oath before me that he has reason to believe, and does believe, that—

- (a) (*articles, medicines, instruments or appliances*) that is to say, . . . , are in the (*house, office, shop, room or other place*), situated at . . . ; and
- (b) the (*articles, medicines, instruments or appliances*) are capable of being used for the alleviation or cure of venereal disease; and
- (c) the (*house, office, shop, room or other place*) is not the house, office, shop, room or surgery of a medical practitioner or of a pharmacist; and
- (d) the (*articles, medicines, instruments or appliances*) are kept, held or exhibited in the (*house, office, shop, room or other place*) for the purpose of (*sale or unlawful use*).

You are therefore authorized—

- (a) to enter and search the (*house, office, shop, room or other place*); and
- (b) if necessary to obtain assistance and use force, by breaking open doors or otherwise, in order to effect entrance; and
- (c) to seize and bring before any magistrate or Judge, the (*articles, medicines, instruments or appliances*) and all articles, medicines, instruments or appliances found in the (*house, office, shop, room or other place*) that are capable of being used for the alleviation or cure of any venereal disease.

Given under my hand and seal at . . . on . . . 20

Judge (or Magistrate.)

PAPUA NEW GUINEA.

Public Health Act 1973.

**Form 12 – Return of Cases of Venereal Disease Treated and Cured
During Year Ended . . . 20 . . .**

Reg., Sec. 13.

Form 12.

| Nature of venereal disease. | No. of cases treated. | No. of cases cured. | Remarks. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------|----------|
| Gonorrhoea Gonorrhoeal ophthalmia Gleet Syphilis (all forms) of genital origin of extra-genital origin of doubtful origin of congenital origin Soft chancre Venereal warts Venereal granules | | | |

Dated . . . 20

(Signature of Medical Practitioner.)

(Address.)

Public Health (Infectious Diseases) Regulation 1973