



Western Australia

Health Act 1911

## **Health (Venereal Diseases) Regulations 1973**

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Western Australia

## Health (Venereal Diseases) Regulations 1973

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### CONTENTS

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1.	Citation	1
2A.	Interpretation	1
2B.	Part IXA of Act applies to non-infectious syphilis	1
2C.	Notification of non-infectious syphilis by medical practitioners	2
3.	Form of notice	2
4.	Form of warrant	2
5.	Attendance at compulsory examination	3
6.	Apprehension and detention following report	3
7.	Warrant where condition infectious	3
8.	Effect of warrant	4
9.	Warrant to be executed	4
10.	Certain fees	4
11.	Certain forms	4
	<b>Appendix</b>	5
	<b>Notes</b>	
	Compilation table	17





Reprinted under the  
*Reprints Act 1984* as at  
18 July 2003

Western Australia

Health Act 1911

## Health (Venereal Diseases) Regulations 1973

### 1. Citation

These regulations may be cited as the *Health (Venereal Diseases) Regulations 1973*<sup>1</sup>.

[2. Omitted under the *Reprints Act 1984* s. 7(4)(f).]

### 2A. Interpretation

In these regulations —

“**the Act**” means the *Health Act 1911* as amended.

[Regulation 2A inserted in *Gazette* 9 May 1975 p. 1298.]

### 2B. Part IXA of Act applies to non-infectious syphilis

The non-infectious stages of syphilis are prescribed conditions of health to which Part IXA of the Act applies.

[Regulation 2B inserted in *Gazette* 4 Jun 1982 p. 1792.]

**r. 2C**

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**2C. Notification of non-infectious syphilis by medical practitioners**

- (1) A medical practitioner shall forthwith notify the Executive Director, Public Health in the form numbered 7 in the appendix on becoming aware that any person attended or treated by him is suffering from syphilis in a non-infectious stage.
- (2) The Executive Director, Public Health shall pay a fee of \$1.00 to a medical practitioner for each notification made to the Executive Director, Public Health by the medical practitioner under subregulation (1).
- (3) A medical practitioner who contravenes subregulation (1) commits an offence and is liable to a penalty which is not more than \$1 000 and not less than —
  - (a) in the case of a first offence, \$100;
  - (b) in the case of a second offence, \$200; and
  - (c) in the case of a third or subsequent offence, \$500.

*[Regulation 2C inserted in Gazette 4 Jun 1982 p. 1792; amended in Gazette 29 Jun 1984 p. 1782; 23 Dec 1988 p. 4974.]*

**3. Form of notice**

The notice to be given by the Executive Director, Public Health pursuant to section 307(1) of the Act to any person believed or suspected to be suffering from venereal disease shall be according to the form numbered 1 in the appendix.

*[Regulation 3 amended in Gazette 29 Jun 1984 p. 1782.]*

**4. Form of warrant**

Whenever by reason of the non-production of the required certificate or, if produced, of the unsatisfactory nature thereof, the Executive Director, Public Health shall consider that the circumstances of the case require the issue of his warrant for the

compulsory examination of such person, such warrant shall issue in the form numbered 2 in the appendix.

*[Regulation 4 amended in Gazette 29 Jun 1984 p. 1782.]*

**5. Attendance at compulsory examination**

Notice of the date, time and place of the compulsory examination referred to in the preceding regulation shall be given by post or by leaving the notice at the last known place of abode of the suspected person. If the suspected person fails to attend for examination in accordance with the requirements of the notice, the Executive Director, Public Health may issue a warrant in the form numbered 3 in the appendix for the apprehension of the suspected person for the purpose of examination aforesaid.

*[Regulation 5 amended in Gazette 29 Jun 1984 p. 1782.]*

**6. Apprehension and detention following report**

If, in the opinion of the Executive Director, Public Health, a report of examination is such as, in accordance with the provisions of section 307 of the Act, justifies the apprehension and detention of the person named in such report, the Executive Director, Public Health may issue his warrant accordingly and the warrant shall be in the form numbered 4 in the appendix.

*[Regulation 6 amended in Gazette 29 Jun 1984 p. 1782.]*

**7. Warrant where condition infectious**

The Executive Director, Public Health may, whenever the circumstances of the case so require, issue his warrant in the form numbered 5 in the appendix for the apprehension, if necessary, and further detention of any person suffering from venereal diseases in an infectious condition.

*[Regulation 7 amended in Gazette 29 Jun 1984 p. 1782.]*

**8. Effect of warrant**

Every warrant mentioned in these regulations shall be sufficient authority for the person or persons to whom it is directed —

- (a) to apprehend the person named therein;
- (b) to convey the person named therein to the place of examination or detention; and
- (c) to detain the person in the place of detention for the period specified in the warrant.

**9. Warrant to be executed**

Every warrant issued under these regulations shall have effect according to its tenor and all officials of the Health Department<sup>2</sup> and all governing authorities and officers of any hospital or place in which any person is detained under these regulations shall do all things necessary to carry into effect the provisions of these regulations.

*[Regulation 9 amended in Gazette 29 Jun 1984 p. 1782.]*

**10. Certain fees**

The appropriate fee for the purposes of section 300(2) and (2a) of the Act is, in each case, \$1.00.

*[Regulation 10 inserted in Gazette 18 Feb 1979 p. 484.]*

**11. Certain forms**

The forms to be used for the purposes of sections 299, 300(1), 300(1a), 301, 303 and 304 shall be those numbered 6, 7, 7A, 8, 9 and 10, respectively, in the appendix.

*[Regulation 11 inserted in Gazette 9 May 1975 p. 1298; amended in Gazette 5 Aug 1977 p. 2545.]*



**Appendix**

Form No. 1

Western Australia

*Health Act 1911*

*Health (Venereal Diseases) Regulations 1973*

**REQUEST FOR MEDICAL CERTIFICATE**

To

of

TAKE NOTICE that, having reason to believe (or having reasonable grounds to suspect) that you are a person suffering from venereal disease, I hereby require you to consult a medical practitioner and to produce to my satisfaction within \_\_\_\_\_ days of the service upon you of this notice a certificate under the hand of such medical practitioner that you are (or are not) suffering from venereal disease.

AND FURTHER TAKE NOTICE that if such certificate is not produced within the time stated or, if produced, is not to my satisfaction, a warrant for your compulsory examination may issue.

Dated at Perth this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

EXECUTIVE DIRECTOR,  
PUBLIC HEALTH AND SCIENTIFIC SUPPORT SERVICES.

**Appendix**

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Form No. 2

Western Australia

*Health Act 1911*

*Health (Venereal Diseases) Regulations 1973*

**WARRANT FOR COMPULSORY EXAMINATION**

To .....

.....

Medical Officer of Health (or 2 medical practitioners).

WHEREAS on the                      day of                      20    , a  
notice issued pursuant to regulation 3 was served upon  
of                      requiring him (or her) to consult a medical practitioner  
and to produce to my satisfaction within                      days a certificate of such  
medical practitioner that the said                      is (or is not) suffering from  
venereal disease, and whereas the time stated in such notice has expired but the  
said                      has not produced the required certificate (or, and  
whereas the certificate produced by the said                      is not to my  
satisfaction).

THESE ARE THEREFORE to authorise and require you forthwith to examine  
the said                      to ascertain whether he (or she) is suffering  
from venereal disease and to report the result of such examination to me.

Given under my hand at Perth this                      day of                      , 20    .

EXECUTIVE DIRECTOR,  
PUBLIC HEALTH AND SCIENTIFIC SUPPORT SERVICES.

Form No. 3

Western Australia

*Health Act 1911*

*Health (Venereal Diseases) Regulations 1973*

WARRANT FOR APPREHENSION AND DETENTION OF PERSON  
SUFFERING FROM VENEREAL DISEASE

To all Public Health Officials under the *Health Act 1911*, and to the Officer in Charge of the Gaol Hospital at .

WHEREAS on the                      day of                      , 20    , a warrant for the compulsory examination pursuant to regulation 4 of the above regulations, of                      a person believed or suspected to be suffering from venereal disease was issued but such person failed to attend at the appointed time and place as required by notice, in exercise of the powers conferred upon me by regulation 5 I hereby order you the said Public Health Officials forthwith to apprehend the said                      and convey him (or her) to                      for the purpose of examination in accordance with the terms of the warrant aforesaid.

Given under my hand at Perth this                      day of                      , 20    .

EXECUTIVE DIRECTOR,  
PUBLIC HEALTH AND SCIENTIFIC SUPPORT SERVICES.

**Appendix**

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Form No. 4

Western Australia

*Health Act 1911*

*Health (Venereal Diseases) Regulations 1973*

**WARRANT FOR APPREHENSION AND DETENTION OF PERSON  
SUFFERING FROM VENEREAL DISEASE**

To all Public Health Officials under the *Health Act 1911*, and to the Officer in Charge of the Hospital at .

WHEREAS on the                      day of                      , 20    , a warrant for the compulsory examination pursuant to regulation 4 of the above regulations of                      a person believed or suspected to be suffering from venereal disease was issued and in consequence of such examination it has been reported to me that the said                      is suffering from venereal disease in an infectious stage and is likely unless detained, to infect other persons.

IN EXERCISE of the powers conferred upon me by section 307 of the *Health Act 1911*, I hereby order you the said Public Health Officials forthwith to apprehend the said                      and convey him (or her) to the                      Hospital at                      (or to convey the said                      from the hospital or other place at which he is now an inmate to the gaol hospital at                      ) and deliver him (or her) to the officer in charge thereof.

AND I ORDER YOU the officer in charge of the said                      hospital to receive the said                      into your care and to detain him (or her) for the period of 2 weeks or until his discharge shall be sooner ordered.

AND I FURTHER ORDER such bacteriological and other examinations and investigations as may reasonably be necessary to be made of and in respect of the said                      during such detention.

Given under my hand at Perth this                      day of                      , 20    .

EXECUTIVE DIRECTOR,  
PUBLIC HEALTH AND SCIENTIFIC SUPPORT SERVICES.

Form No. 5

Western Australia

Health Act 1911

Health (Venereal Diseases) Regulations 1973

WARRANT FOR (APPREHENSION AND) FURTHER DETENTION OF  
PERSON SUFFERING FROM VENEREAL DISEASE

To all Public Health Officials under the *Health Act 1911*, and to the Officer in Charge of the \_\_\_\_\_ Hospital at \_\_\_\_\_.

WHEREAS on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a  
warrant for the apprehension and detention of \_\_\_\_\_ a person  
reported to be suffering from venereal disease was issued and pursuant thereto  
the said \_\_\_\_\_ was on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, apprehended and conveyed to the hospital at \_\_\_\_\_.

AND WHEREAS the period of detention stated in the warrant having expired it  
appears to me that the said \_\_\_\_\_ is suffering from venereal  
disease in an infectious condition and that it is necessary in the interests of the  
public further to detain the \_\_\_\_\_ (or WHEREAS  
the said \_\_\_\_\_ has absconded from the place of detention  
aforesaid) I THEREFORE AUTHORISE AND REQUIRE you the said Public  
Health Officials to apprehend the said \_\_\_\_\_ and convey  
him (or her) to the \_\_\_\_\_ hospital at \_\_\_\_\_  
and deliver him (or her) to the officer in charge thereof and I AUTHORISE  
AND REQUIRE you the said Officer in Charge of the said  
hospital to receive the said \_\_\_\_\_ into your care and to  
detain the said \_\_\_\_\_ for a further period of \_\_\_\_\_ weeks or until  
his (or her) discharge shall be sooner ordered.

AND I HEREBY DIRECT that the said \_\_\_\_\_ shall  
be subject during such detention to any such treatment and examination as I  
may think necessary in the circumstances.

Given under my hand at Perth this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

EXECUTIVE DIRECTOR,  
PUBLIC HEALTH AND SCIENTIFIC SUPPORT SERVICES.

**Appendix**

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Form No. 6

Western Australia

*Health Act 1911* (as amended)

Section 299(2)

NOTIFICATION OF CHANGE OF MEDICAL ADVISER

Date .....

Address .....

Dr .....

I have to inform you that your former patient ....., who is suffering from  
..... has now placed  
himself/herself under my care.

.....  
Signature of Medical Practitioner.

Form No. 7

Western Australia

*Health Act 1911* (as amended)

Part IXA and section 300(1)

NOTIFICATION OF VENEREAL DISEASE

To the Executive Director, Public Health and Scientific Support Services:

I have this day become aware that a person attended or treated by me is suffering from a venereal disease in a non-infectious\*/infectious\* stage as follows:

Disease:

- ☐ GONORRHOEA
- ☐ GRANULOMA INGUINALE
- ☐ SOFT SORE (chancroid)
- ☐ SYPHILIS (primary)
- ☐ SYPHILIS (secondary)
- ☐ SYPHILIS (early latent)
- ☐ SYPHILIS (late latent)
- ☐ SYPHILIS (tertiary)
- ☐ SYPHILIS (early congenital)
- ☐ SYPHILIS (late congenital)
- ☐ ANOGENITAL WART (new infection)
- ☐ ANOGENITAL WART (recurrence)
- ☐ H.P.V.\*\* CHANGES ON CYTOLOGY AND/OR HISTOLOGY (new infection)
- ☐ H.P.V.\*\* CHANGES ON CYTOLOGY AND/OR HISTOLOGY (recurrence)

Patient:

- ☐ Male
- ☐ Female

**Appendix**

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☐ ☐ Age

I believe that I am the first medical practitioner to have been consulted by the abovementioned person for this particular infection.\*

Medical practitioner ..... Stamp or Block  
Letters Please

Place: .....

Date: .....

Signature of medical practitioner: .....

\*Please delete if inapplicable

\*\*i.e. Human Papilloma Virus



Form No. 7A

Western Australia

*Health Act 1911* (as amended)

Section 300(1a)

**LABORATORY NOTIFICATION OF POSITIVE VENEREAL DISEASE  
TEST RESULTS**

To the Executive Director, Public Health and Scientific Support Services:

Compulsory notification by Clinical Laboratories of the positive results of tests for the detection of venereal disease, pursuant to section 300(1a) of the *Health Act 1911* as amended.

Please tick ALL BOXES of POSITIVE RESULTS:

NEISSERIA GONORRHOEAE	Type of Test	MICROSCOPY: <input type="checkbox"/> CULTURE: <input type="checkbox"/> PENICILLINASE PRODUCTION: <input type="checkbox"/>
SYPHILIS	Type of Test	Dark Ground Illumination: <input type="checkbox"/> V.D.R.L. <input type="checkbox"/> and Titre:..... F.T.A.(Abs.) <input type="checkbox"/> T.P.H.A. <input type="checkbox"/> OTHER TESTS DETAILS .....
CHANCROID and GRANULOMA INGUINALE	Type and Details of Positive Test(s):	

PATIENT'S	Age	Sex	Specimen Laboratory No.
REFERRING DOCTOR	Name: Address:		
NOTIFYING LABORATORY	Name: Address: Signature:	Date:	

**Appendix**

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Form No. 8

Western Australia

*Health Act 1911* (as amended)

Section 301

**NOTIFICATION OF NON-ATTENDANCE  
(VENEREAL DISEASE)**

To the Executive Director, Public Health and Scientific Support Services:

This is to notify you that a period of 10 days has elapsed since the day on which

.....  
(name of patient)

of .....  
(address of patient)

who was suffering from .....  
(disease)

ought to have attended me for treatment, or caused himself to be attended by me  
for treatment, and failed to do so.

I have not received notice from any other practitioner that the patient has  
changed his medical adviser.

MEDICAL PRACTITIONER ..... Stamp or  
Block Letters  
Please

Place: .....

Date: .....

Signature of  
Medical Practitioner: .....

Form No. 9

Western Australia

*Health Act 1911* (as amended)

Section 303

CERTIFICATE OF CURE

Date .....

Address .....

I certify that to the best of my knowledge and belief .....  
.....is not at this  
date suffering from venereal disease in any form.

.....  
Signature of Medical Practitioner.

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This certificate is not to be regarded as a guarantee of cure, for the reason that it is frequently impossible to definitely detect evidence of sexual disease. By it, the medical attendant implies that as a result of his observations he can no longer detect signs or symptoms of sexual disease.

No one should regard himself cured of syphilis unless he has been under active treatment for at least 2 years.

In the case of gonorrhoea, the cessation of all visible discharge does not of itself definitely indicate that the patient is non-infectious.

**Appendix**

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Form No. 10

Western Australia

*Health Act 1911* (as amended)

Section 304(2)

**CERTIFICATE OF CURE**

Date .....

Address .....

To the Executive Director, Public Health and Scientific Support Services:

I certify that to the best of my knowledge and belief .....  
.....is not at this date suffering from venereal disease in  
an infectious stage.

.....  
Signature of Medical Practitioner.

*[Appendix amended in Gazette 9 May 1975 p. 1298-9; 4 Jun 1982 p. 1792-3;  
29 Jun 1984 p. 1782; 27 Nov 1987 p. 4261.]*

### Notes

- <sup>1</sup> This reprint is a compilation as at 18 July 2003 of the *Health (Venereal Diseases) Regulations 1973* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Health (Venereal Diseases) Regulations 1973</i>	2 Mar 1973 p. 587-9	2 Mar 1973
Untitled regulations	9 May 1975 p. 1298-9	9 May 1975
Untitled regulations	18 Feb 1977 p. 484	18 Feb 1977
Untitled regulations	5 Aug 1977 p. 2545	5 Aug 1977
<i>Health (Venereal Diseases) Amendment Regulations 1982</i>	4 Jun 1982 p. 1792-3	4 Jun 1982
<i>Health Legislation Amendment Regulations 1984 r. 4</i>	29 Jun 1984 p. 1780-4	1 Jul 1984 (see r. 2)
<b>Reprint of the <i>Health (Venereal Diseases) Regulations 1973</i> as at 1 Aug 1985 (see <i>Gazette</i> 29 Aug 1985 p. 3051-63) (includes amendments listed above)</b>		
<i>Health (Venereal Diseases) Amendment Regulations 1987</i>	12 Jun 1987 p. 2323	12 Jun 1987
<i>Health (Venereal Diseases) Amendment Regulations (No. 2) 1987</i>	27 Nov 1987 p. 4261	1 Dec 1987 (see r. 2)
<i>Health (Offences and Penalties) Amendment Regulations (No. 2) 1988 Pt. 13</i>	23 Dec 1988 p. 4970-5	23 Dec 1988
<b>Reprint 2: The <i>Health (Venereal Diseases) Regulations 1973</i> as at 18 Jul 2003 (includes amendments listed above)</b>		

- <sup>2</sup> Under the *Alteration of Statutory Designations Order (No. 3) 2001* references in any law, unless the contrary is intended, to the Health Department shall be read as references to the Department of Health.