

INFECTIOUS DISEASES REGULATIONS. ⁽¹⁾

1. These Regulations may be cited as the *Infectious Diseases Regulations*.⁽¹⁾ Infectious diseases.

2. In these Regulations, unless the contrary intention appears— Definitions

“House” includes dwellings of any kind, schools, hotels, factories, work-rooms, shops, lodging houses, and any other buildings or structures (whether temporary or permanent);

“Infectious disease” means—

(a) any disease specified in the First Schedule to these Regulations; or

(b) any disease declared by the Administrator by notice⁽²⁾ in the *New Guinea Gazette* to be an infectious disease;

“Local Medical Authority” means, in the District of New Britain, the Director of Public Health, or such other medical officer as the Director of Public Health may, in writing, appoint to act as a local medical authority in the District of New Britain, and means, in districts other than the District of New Britain, a medical officer in any of those districts who is in the employment of the Administration, or such other medical officer as may be appointed, in writing, by the Director of Public Health to act as the local medical authority in any one of these districts:

(1) The *Infectious Diseases Regulations* (made under the *Administrator's Powers Ordinance 1923-1938*) comprise the original *Infectious Diseases Regulations*, as amended by the other Regulations referred to in the following Table:—

REGULATIONS MADE BY THE ADMINISTRATOR.

Description.	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which took effect.
<i>Infectious Diseases Regulations</i>	27.6.1927	1.7.1927	“Forthwith” ^(a) (<i>N.G. Gaz.</i> of 1.7.1927)
<i>Amending Regulation</i>	7.12.1932	15.12.1932	“Forthwith” ^(a) (<i>N.G. Gaz.</i> of 15.12.1932)
<i>Amending Regulations</i>	1.3.1933	3.3.1933	“Forthwith” ^(a) (<i>N.G. Gaz.</i> of 3.3.1933)
<i>Amending Regulation</i>	30.4.1934	15.5.1934	2.7.1934 (<i>N.G. Gaz.</i> of 15.5.1934)

(a) Each of the sets of Regulations to which this note (a) applies stated in their respective introductory parts that they were “to come into operation forthwith.” At the relevant dates in 1927-1933 Section 3 of the *Administrator's Powers Ordinance 1923-1938* (under which each of these sets of Regulations were made) provided that “all regulations made under this Ordinance shall be published in the *New Guinea Gazette* and shall take effect from the date of such publication, or from a later date specified therein.” At the relevant dates in 1927-1933 there was no other Ordinance or regulation of general application providing for the publication of regulations, the date on which they were to take effect, or the meaning of “forthwith.”

(2) Pursuant to Regulation 2, the Administrator, by notice dated 25.6.1935 and published in *N.G. Gaz.* of 29.6.1925 declared “*Tropical Typhus* to be an infectious disease.”

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Provided that, in the absence of a medical officer (being in the employment of the Administration) in any district, the expression "local medical authority" shall include any medical practitioner appointed, in writing, by the Director of Public Health to act as a local medical authority :

Provided further that, in the absence of a medical officer (or of a medical practitioner appointed, in writing, by the Director of Public Health to act as a local medical authority), the expression "local medical authority" shall include the District Officer ;

"Medical assistant" means a medical assistant appointed under the provisions of the *Public Service Ordinance* 1922-1926 ;⁽³⁾

"Typhoid fever carrier" means a person in any of whose discharges the bacillus associated with typhoid fever and known as the *Bacillus Typhosus* is at any time discovered, and who does not show clinical evidence of typhoid fever.

3.—(1.) Every medical practitioner or medical assistant shall, immediately upon any case of infectious disease coming to his knowledge, report the case to the local medical authority.

(2.) The report to be made to the local medical authority under this regulation shall be made in accordance with the Second Schedule to these Regulations.

4.—(1.) The superintendent, head teacher, overseer or other person in charge of any educational establishment, mission station, mission school or other institution, or the manager, overseer or other person in charge of any plantation shall, immediately upon any case of infectious disease or suspected infectious disease being discovered amongst the inmates of the educational establishment, mission station, mission school or other institution, or amongst the persons employed or residing at the institution or plantation, report the case to the local medical authority.

(1A.) Every employer shall, immediately upon any case of infectious disease or suspected infectious disease being discovered amongst his employees, report the case to the local medical authority.

(2.) A report to be made to the local medical authority under either of the last two preceding sub-regulations shall be made in accordance with the Second Schedule to these Regulations.

(3.) The provisions of this regulation shall apply to public or private hospitals and to all public or private institutions.

(3) Now the *Public Service Ordinance* 1922-1940.

All medical practitioners or medical assistants to report infectious diseases.

All officers in charge of public or private institutions must report infectious diseases.

Sub-reg. (1A.) ad. by Regs. gazetted on 3.3.1933, r. 1.

Sub-reg. (2) am. by Regs. gazetted on 3.3.1933, r. 1.

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5. A medical practitioner, who is in attendance at any house in which there is any person suffering from an infectious disease, shall furnish to the occupier of that house a certificate to the effect that there is in that house a person suffering from an infectious disease.

Medical practitioner to furnish certificate.

6. Whenever any infectious disease occurs in any house, in which any child attending at any school resides, the parent or guardian of the child shall, within twenty-four hours, give to the head teacher of the school notice of the occurrence of the disease.

School teacher to be notified in certain cases.

7. Any officer of the Administration shall, immediately upon any case of infectious disease coming to his notice, report the case to the local medical authority.

Administration officers must report infectious diseases.

Provided that he shall not be required to make a report if he has reasonable cause to believe that the case is being attended to by a medical practitioner or by a medical assistant, or that the case has been duly reported to a local medical authority.

8. The local medical authority shall, immediately upon any case of anthrax, cholera, amoebic dysentery, plague, yellow fever or small-pox coming to his knowledge, report the case to the Director of Public Health by radio, telephone or by the quickest practicable method and shall forward a report in accordance with the Second Schedule to these Regulations.

Special diseases to be reported urgently.

Penalty: Fifty pounds, or imprisonment for six months, or both.

9. If the local medical authority is of the opinion that the cleansing and disinfection of any house (or any part thereof), or of any articles therein likely to retain infection, would tend to prevent or check infectious disease, he may give notice in writing to the owner or occupier of that house (or part thereof) requiring him to cleanse or disinfect the house (or part thereof), or any articles therein, to the satisfaction of the local medical authority, within a time specified in the notice, and may order and supervise the use of disinfectants and take such other sanitary precautions as he may deem necessary to cleanse and disinfect the house (or part thereof), or any article therein, and for that purpose may remove any articles.

Local medical authority may cleanse and disinfect certain articles.

10. The local medical authority may direct the destruction of any bedding, clothing or other articles, which, in his opinion, have been exposed to infection from any infectious disease.

Local medical authority may destroy certain articles.

11. Where a local medical authority certifies in writing to a District Officer that the destruction of a house is necessary to prevent or check infectious disease and requests the destruction of the house, the District Officer may order the destruction of the house.

Local medical authority may certify the necessity for the destruction of houses.

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Local medical authority may certify the necessity for the removal of certain persons to institutions.

12.—(1.) If any hospital or suitable place for the reception of the sick is provided in a District, any person who is suffering from any infectious disease and who—

- (a) is without proper lodging or accommodation;
- (b) is lodged in a house occupied by more than one family;
- (c) is lodged in any hotel or lodging house; or
- (d) is on board any vessel,

may, upon a certificate to that effect being signed by a local medical authority, be removed by the order of any District Officer to such hospital or place as is named in the order, and shall be kept at the hospital or place until released by the order of the local medical authority.

(2.) On an order being signed by the local medical authority, district officer, patrol officer or medical assistant, any Asiatic or native suffering from any infectious disease, or suspected to be suffering from any infectious disease, shall be removed to the hospital, native compound or other place specified in the order, and shall remain in that hospital, compound or place until released by the local medical authority.

(3.) Any order under this regulation may be addressed to any member of the New Guinea Police Force or to such officer of the Department of Public Health as the person making the order deems expedient.

Persons suffering from certain diseases may be ordered into hospital.

13. Upon the certificate of the local medical authority that any person is suffering from cholera, small-pox, plague, anthrax, yellow fever, amoebic or bacillary dysentery, typhoid fever or epidemic influenza and that the removal of that person is necessary in order to prevent the disease from spreading, that person may, under the direction of the local medical authority, be forthwith removed to any place specified by the Director of Public Health and kept at that place, until he is released by an order of the local medical authority, Director of Public Health or Administrator.

Administrator may proclaim infected areas.

14.—(1.) The Administrator may, by notice⁽⁴⁾ in the *New Guinea Gazette*, declare that any part of the Territory, in which he suspects that an infectious disease exists, shall, for a period to be fixed by the notice, be an infected area.

(2.) The Administrator may, in any notice made under the last preceding sub-regulation which declares any part of the Territory to be an infected area, or by a notice in the *New Guinea Gazette*, which is published after a notice declaring any part of the Territory to be an infected area, declare that the provisions of the next two succeeding regulations shall not apply to any persons or class of persons specified in the notice.

(4) No notices made pursuant to Section 14 are still in force.

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15. No person shall enter into or depart from any part of the Territory which has been declared, in pursuance of regulation 14 of these Regulations; to be an infected area, unless he shall have first obtained the permission in writing of the Director of Public Health or the local medical authority.

Persons may not leave infected areas. Am. by Regs. gazetted on 15.12.1932, r. 1.

Penalty: Fifty pounds, or imprisonment for six months, or both.

16.—(1.) Any person, who unlawfully departs from any part of the Territory which has been declared, in pursuance of regulation 14 of these Regulations, to be an infected area, may be arrested by any member of the New Guinea Police Force, or by any local medical authority, medical officer or medical assistant, and taken back into the infected area, or may be kept in custody until it is ascertained whether he has or has not contracted an infectious disease.

Persons leaving such areas may be arrested.

(2.) Where a person, who has been detained under the provisions of the last preceding sub-regulation, is found to have contracted an infectious disease, he may be further kept in custody until any danger of his communicating the disease to any other person ceases.

16A.—(1.) If the Administrator is satisfied that, for the purpose of preventing the spread of typhoid fever, it is advisable to do so, he may, by notice⁽⁵⁾ in the *New Guinea Gazette*, declare that the provisions of this regulation shall apply to any part of the Territory specified in the notice.

Measures for the prevention of typhoid fever.

R. 16A. ad. by Regs. gazetted on 3.3.1933, r. 2; sub. by Regs. gazetted on 15.5.1934, r. 1.

(2.) Subject to the provisions of this regulation, every person who is resident in a declared part of the Territory shall present himself to a medical practitioner or a medical assistant for the purpose of anti-typhoid inoculation not later than fourteen days from—

- (a) the publication of a notice in the *New Guinea Gazette* in accordance with the provisions of sub-regulation (1.) of this regulation declaring that the provisions of this regulation shall apply to the part of the Territory in which he is resident; or
- (b) his entry into the declared part of the Territory; or
- (c) if previously given an anti-typhoid inoculation, the expiration of twelve months from his last such inoculation,

whichever last happens.

Penalty: Twenty pounds.

(3.) Not earlier than eleven months nor later than thirteen months after every anti-typhoid inoculation, a person resident in a declared part of the Territory shall again present himself to a medical

(5) A Table containing particulars of notices made pursuant to Regulation 16A. is printed on p. 2462, and the notices still in force are printed immediately after the Table.

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practitioner or a medical assistant for a further anti-typhoid inoculation.

Penalty: Twenty pounds.

(4.) It shall be the duty of every person resident in a declared part of the Territory and being a parent or guardian of a child who is required to present himself in accordance with the provisions of sub-regulations (2.) and (3.) of this regulation to ensure that the child shall present himself accordingly.

Penalty: Five pounds.

(5.) Every employer of a native under the *Native Labour Ordinance* 1922-1933⁽⁶⁾ shall, within fourteen days after the native's arrival in a declared part of the Territory, cause the native to present himself for anti-typhoid inoculation to a medical practitioner or a medical assistant.

Penalty: Five pounds.

(6.) When any medical practitioner or medical assistant has given an anti-typhoid inoculation, he shall give the person inoculated a certificate showing the date of the inoculation:

Provided that in the case of a native employed under the *Native Labour Ordinance* 1922-1933⁽⁶⁾ the medical practitioner or medical assistant shall merely endorse on the contract the date and fact of the anti-typhoid inoculation.

(7.) Any person being resident in a declared part of the Territory and being the holder of any certificate, given under sub-regulation (6.) of this regulation, shall, on being given forty-eight hours' notice in writing either by a District Officer, an officer of the Public Health Department, or a European member of the police force, produce the certificate to the person specified in the notice.

Penalty: Five pounds.

(8.) Any person resident in a declared part of the Territory shall, on being given forty-eight hours' notice in writing either by a District Officer, an officer of the Public Health Department, or a European member of the police force, produce to the person specified in the notice the contracts of the natives employed by him under the *Native Labour Ordinance* 1922-1933.⁽⁶⁾

Penalty: Five pounds.

(9.) If a local medical authority is of opinion on medical grounds that, in the case of any person, an anti-typhoid inoculation is not advisable, he may, by certificate in writing, exempt the person from the provisions of sub-regulations (2.) and (3.) of this regulation for such period as he thinks fit.

(6) Repealed and replaced by the *Native Labour Ordinance* 1935-1939.

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(10.) The local medical authority may, by certificate in writing, exempt any person from compliance with the provisions of sub-regulations (2.) and (3.) of this regulation until a date specified in the certificate and later than the time respectively allowed by each of the sub-regulations mentioned.

(11.) The burden of proving compliance by him with the provisions of this regulation shall be on the person charged with a breach of the provisions of this regulation.

(12.) Anti-typhoid inoculation by a medical officer or a medical assistant shall be performed free of charge.

(13.) In this regulation—

“anti-typhoid inoculation” means a first injection intramuscularly of 0.5 cubic centimetres of a suspension of killed bacteria containing 1,000 million Bacilli Typhosi and 750 million Bacilli Paratyphosi A and 750 million Bacilli Paratyphosi B together with approved preservative in each cubic centimetre, such first injection to be followed after an interval of not less than five days nor more than ten days by a second injection intramuscularly of 1.0 cubic centimetres of a similar suspension of killed bacteria ;

“child” means a child under the age of sixteen years ;

“contract” means a contract of service under the *Native Labour Ordinance 1922-1933* ;⁽⁶⁾

“declared part of the Territory” means a part of the Territory specified in a declaration made in accordance with the provisions of sub-regulation (1.) of this regulation ;

“resident” means being present in any declared part of the Territory and having been there for a period of fourteen days.

17.—(1.) Any person who—

(a) when suffering from an infectious disease and knowing he is so suffering intentionally exposes himself, without taking reasonable precautions against spreading the disease, in any street, shop, eating house, club, bar or place of common resort or public conveyance ; or enters any public conveyance without previously notifying the owner or the person in charge thereof that he is so suffering ;

Infected persons not to willfully enter without due precautions, any place of common resort or public conveyance.

(b) being in charge of any person suffering from an infectious disease, whom he knows to be so suffering, causes or permits that person to be exposed in any street, shop, eating house, club, bar or place of common resort or public conveyance, or permits that person to enter any public conveyance without previously notifying the

(6) Repealed and replaced by the *Native Labour Ordinance 1935-1939*.

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owner or the person in charge thereof that the person under his charge is so suffering; or

- (c) gives, lends, sells, transmits, or exposes, without previous disinfection, any bedding, clothing, rags or other things which have been exposed to infection from any infectious disease,

shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for six months, or both.

(2.) Any person, who, while suffering from any infectious disease, enters a public conveyance in contravention of the provisions of paragraph (a) of the last preceding sub-regulation, may, in addition to any penalty that may be imposed under that sub-regulation, be ordered by the Court to pay, to the owner or driver of the conveyance, the amount of any loss or expense incurred by the owner or driver in respect of the disinfection of his conveyance.

(3.) No proceedings under this regulation shall be taken against persons who, with proper precautions, transmit any bedding, clothing, rags or other things for the purpose of having them disinfected.

Owners to
disinfect
conveyances.

18. Every owner or driver of a public conveyance shall disinfect, to the satisfaction of a local medical authority, a conveyance, immediately after it has, to his knowledge, conveyed any person suffering from an infectious disease; but no owner or driver of a conveyance shall be required to convey any person suffering from an infectious disease, until he has been paid a sum of money sufficient to cover any loss or expense incurred by him in conveying the person so suffering or in disinfecting his conveyance.

Recently
infected persons
forbidden to
attend
institutions or
places at which
people
congregate.

19.—(1.) Any person, who knowingly or negligently sends to, allows to attend at, or returns to, any school, plantation, mission or other place at which people congregate, any person who then is, or, within the space of eight weeks, has been, suffering from scarlet fever, diphtheria, measles, small-pox, or any other disease, to which this regulation may, from time to time, be extended by the Administrator by notice⁽⁷⁾ in the *New Guinea Gazette*, without furnishing the head teacher of the school or the officer-in-charge of the place with a written certificate from a medical practitioner to the effect that that person is free from infectious disease and infection, and that the clothes of that person are free from risk of conveying infection, shall be guilty of an offence.

Penalty: Fifty pounds.

Local medical
authority may
enter premises.

20. A local medical authority may enter any house or premises in which an infectious disease exists or has existed, and may examine all persons who reside at or are discovered in that house or those premises for the purpose of ascertaining if those persons are in an infectious condition.

(7) No notice has been published in *N.G. Gaz.*

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21. Any person who knowingly lets for hire any house, room or part of a house, in which any person affected with any infectious disease has resided, without causing the house, room or part of a house and all articles therein liable to retain infection to be disinfected to the satisfaction of the local medical authority, as testified by a certificate signed by him, shall be guilty of an offence.

Infected houses not to be let for hire.

Penalty: Fifty pounds.

22. Any person who lets for hire, or shows for the purpose of letting for hire, any house or part of a house and who does not inform the person, who is hiring or negotiating for the hire of, the house or part of a house, of the fact of there being, or within six weeks previously of there having been, therein any person suffering from any infectious disease, shall be guilty of an offence.

Liability to inform person hiring a house of any recent infectious disease therein.

Penalty: Fifty pounds, or imprisonment for six months, or both.

23. Any person who ceases to occupy any house (or part of a house), in which an infectious disease has existed within the space of six weeks prior to his departure, without having the house (or part of a house), and all articles therein, which are liable to retain infection, disinfected to the satisfaction of a medical practitioner, as testified by a certificate signed by the medical practitioner, and without having given the owner of the house (or part of a house) notice that an infectious disease has existed therein, shall be guilty of an offence:

Liability to disinfect by person vacating house.

Provided that no person shall be deemed to have committed a breach of the provisions of this regulation if it is proved, to the satisfaction of the Court, that a medical practitioner was not available within a reasonable distance of the place in which the house (or part of a house) was situated.

24. Any person who knowingly casts into any ash-pit, ash-tub or other receptacle for the deposit of refuse, any infected rubbish without having previously disinfected it, shall be guilty of an offence.

Disposal of infected matter.

25. Where a medical practitioner gives a certificate in writing that, as a result of his observation, he has reason to suspect that any person is a typhoid fever carrier, a District Officer, on the application in writing of the medical practitioner, may order that person to place himself, at a time and date to be named in the order in a hospital specified in the order, for any period not exceeding one week, for the purpose of bacteriological investigation by a local medical authority.

Compulsory examination of suspected typhoid fever carrier.

26. Any person who—

Penalties.

- (a) commits a breach of these Regulations;
- (b) omits to do anything which is, by any of the provisions of

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these Regulations, required to be done by that person;
or

(c) disobeys any lawful order of a local medical authority, medical practitioner, medical assistant or District Officer, shall where no other penalty is provided, be liable to a fine not exceeding Twenty pounds.

THE SCHEDULES.

THE FIRST SCHEDULE.

INFECTIOUS DISEASES.

1. Anthrax.
2. Beriberi.
3. Chickenpox, including "tropical varicella."
4. Cholera (Asiatic).
5. Dengue fever.
6. Diphtheria (membranous croup).
7. Dysentery (amoebic and bacillary).
8. Epidemic cerebro-spinal meningitis.
9. Epidemic influenza.
10. Epidemic ulcerated sore mouth or throat ("New Guinea Mouth Disease").
11. German measles.
12. Glanders.
13. Leprosy.
14. Measles.
15. Mumps.
16. Morbilloid ("Fourth Disease").
17. Ophthalmia neonatorum: (suppurative conjunctivitis in the new born).
18. Paragonimiasis.
19. Paratyphoid fever.
20. Plague.
21. Pneumonia (epidemic).
22. Poliomyelitis, acute anterior: (infantile paralysis).
23. Puerperal septicæmia.
24. Rabies.
25. Scarlet fever.
26. Small-pox.
27. Tetanus.
28. Trachoma.
29. Tuberculosis: (Phthisis, including also bony tuberculosis: miliary tuberculosis).
30. Typhoid fever.
31. Typhus fever.
32. Whooping cough.

Infectious Diseases Regulations.

THE SECOND SCHEDULE.

TERRITORY OF NEW GUINEA.

Regulation 3.

Infectious Diseases Regulations.

The Local Medical Authority,

Date.....

Name of patient

Age Sex Married or Single

Address ^(a)

Disease

Comments ^(b)

Signature

Degrees or titles

(a) Here insert name of town, village, plantation, mission station, or other address. The fullest information must be given.

(b) Here insert 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.