



Health (Infectious and Notifiable Diseases) Regulations 2016

Patsy Reddy, Governor-General

Order in Council

At Wellington this 21st day of November 2016

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 117 of the Health Act 1956 on the advice and with the consent of the Executive Council.

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Regulations

- 1 Title**
These regulations are the Health (Infectious and Notifiable Diseases) Regulations 2016.
- 2 Commencement**
These regulations come into force on 4 January 2017.
- 3 Transitional, savings, and related provisions**
The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.
- 4 Interpretation**
In these regulations, unless the context otherwise requires, **Act** means the Health Act 1956.

*Notifications***5 Purpose of regulations 6 to 10**

The purpose of regulations 6 to 10 is to provide for the form, content, and method of notifying infectious and notifiable diseases under Part 3 of the Act.

6 Meaning of identifying information for purposes of notifications to be given on non-identified basis

For the purposes of section 74(3C)(b) of the Act, the person's contact details (including phone number, email address, and URL) are identifying information (and accordingly must not be disclosed in notices of diseases listed in section C of Part 1 of Schedule 1 of the Act).

7 Form for health practitioners giving notice of notifiable disease

- (1) Notice of a notifiable disease required by section 74(1) of the Act must be in—
 - (a) form 1 of Schedule 2 (if the disease is listed in section A or B of Part 1 of Schedule 1 of the Act); or
 - (b) form 2 of Schedule 2 (if the disease is listed in section C of Part 1 of Schedule 1 of the Act).
- (2) Notice of a notifiable disease required by section 74(3) of the Act must be in—
 - (a) form 3 of Schedule 2 (if the disease is listed in section A or B of Part 1 of Schedule 1 of the Act); or
 - (b) form 4 of Schedule 2 (if the disease is listed in section C of Part 1 of Schedule 1 of the Act).

8 Requirements for medical laboratories giving notice of notifiable disease

Notice of a notifiable disease required by section 74AA(2) of the Act must include, at a minimum, the information set out in Schedule 3.

9 Form for funeral director, etc, giving notice of death from infectious disease

Notice of a death from an infectious disease required by section 85 of the Act must be in—

- (a) form 5 of Schedule 2 (if the disease is listed in section A or B of Part 1 of Schedule 1 of the Act); or
- (b) form 6 of Schedule 2 (if the disease is listed in section C of Part 1 of Schedule 1 of the Act).

10 How notifications must be given

- (1) A notice required by section 74 or 85 of the Act must be given—
 - (a) by electronic means (for example, by email or fax); or

- (b) if it is not reasonably practicable to give it by electronic means, by post or delivery.
- (2) This regulation does not apply to notices under section 74AA (which may be given orally or by any other means under that section).

Management of infectious diseases

11 Co-ordination of environmental health officers and medical officers of health

- (1) The purpose of this regulation is to provide for environmental health officers carrying out duties in local authority districts to co-ordinate with medical officers of health (and so effectively protect public health from risks arising from infectious diseases).
- (2) An environmental health officer (**EHO**) must, in performing his or her duties under the Act,—
 - (a) keep medical officers of health informed of any matters that affect the risk to public health from infectious diseases, including by notifying a medical officer of health of the following:
 - (i) any case where the EHO believes or suspects that a person (whether or not the person has an infectious disease) is likely to cause the spread of an infectious disease; and
 - (ii) the results of any investigation or inspection carried out by the EHO that relate to an infectious disease; and
 - (b) take account of any guidance provided to EHOs by medical officers of health on the management of public health risks from infectious diseases; and
 - (c) act in accordance with any directions from a medical officer of health relating to preventing the outbreak or spread of infectious disease.
- (3) Nothing in this regulation requires an EHO to act inconsistently with the Act.

12 Information to be provided to individuals if public health directions or orders sought

- (1) The purpose of this regulation is to provide for the management of persons with, or suspected of having, infectious diseases by requiring them to be given certain information.
- (2) This regulation applies if—
 - (a) a medical officer of health gives a direction or notice to a person under subpart 2 of Part 3A of the Act; or
 - (b) an order is made against a person under subpart 3 of Part 3A of the Act.
- (3) The following matters must be notified to that person (**person A**) in accordance with regulation 13:

- (a) the following general information that the medical officer of health thinks relevant:
 - (i) symptoms, diagnosis, and treatment of the relevant infectious disease;
 - (ii) how the risk of onset or transmission of the relevant infectious disease may be minimised;
 - (b) how to seek further information or the assistance of an interpreter or a patient support advocate (if relevant to person A);
 - (c) how to seek information about obtaining legal aid.
- (4) This regulation is in addition to the obligation to inform individuals of various matters under section 92E of the Act.

13 How and when information must be provided for public health directions and orders

The information required by regulation 12 must be provided,—

- (a) if it is a direction or notice, by the same method and at the same time as service of the direction or notice is required under section 92N of the Act; or
- (b) if it is an urgent public health order given to person A under section 92ZF of the Act, by a medical officer of health (or the person authorised by the medical officer of health) providing the information to person A at the same time as (or promptly after) the order is given to him or her; or
- (c) if it is a court order, by a medical officer of health providing the information to person A promptly after the court has made the order.

14 Information that may be required from individual with, or suspected of having, infectious disease

- (1) The purpose of this regulation is to set out information that an individual with, or suspected of having, an infectious disease (**person A**) may be required to provide under section 92ZZC(4)(e) of the Act about each person with whom he or she has been in contact (**person B**).
- (2) The following information may be required (if known by person A):
 - (a) whether person B has been diagnosed with the disease or confirmed as not having the disease (and when that diagnosis or confirmation was given); and
 - (b) the timing and nature of person B's association with person A and the place of that association; and
 - (c) medical information about person B that increases or decreases the risk of person B having or transmitting the disease; and

- (d) behaviour or activities of person B that increase or decrease the risk of person B having or transmitting the disease.

Miscellaneous

15 International certificate of vaccination

A health practitioner who vaccinates a person, for the purposes of an International Certificate of Vaccination or Revaccination, against yellow fever or any other disease for which proof of vaccination may be required for travellers as a condition of entry to another country, must—

- (a) complete and sign the International Certificate of Vaccination or Revaccination in the form set by the World Health Organisation International Health Regulations (2005); and
- (b) stamp the form with a stamp provided by the centre administering the vaccine.

16 Health (Infectious and Notifiable) Diseases Regulations 1966 revoked

The Health (Infectious and Notifiable Diseases) Regulations 1966 (SR 1966/87) are revoked.

Schedule 1

Transitional, savings, and related provisions

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Part 1

Provisions relating to these regulations as made

There are no transitional, savings, or related provisions relating to these regulations as made.

Schedule 2

Forms

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Form 1

Health practitioner notice of notifiable disease (identified basis)

Section 74(1), Health Act 1956

To the medical officer of health for [*district*]

***And to** [*name of local authority*]

*This notice needs to be given to the local authority only if the notified disease is listed in section A of Part 1 of Schedule 1 of the Act.

Date:

1 Patient details

Name:

National health index number (if known):

Address:

Date of birth:

Date of death (if applicable):

Sex:

Ethnicity (if known):

Nature of work or education (if known):

Recent travel history (if known):

2 Details of disease

Disease or suspected disease being notified:

Date of onset of illness (approximately):

Laboratory tests done or ordered (if any):

Results of laboratory tests (if available):

Has the patient been hospitalised? Yes/No

If the patient has been hospitalised, the name of the hospital and date of the admission:

Any other information relevant to the risk of the patient having or transmitting the disease (for example, vaccine history, sexual behaviour or activity, or sex of partner or partners, if known):

3 Details of notifying health practitioner

Name:

Phone number:

Address:

Email address:

Instructions on use: This form must not be used to notify diseases listed in section C of Part 1 of Schedule 1 of the Act. Those diseases must be notified using form 2.

Form 2

Health practitioner notice of notifiable disease (non-identified basis)

*Section 74(1) and (3A), Health Act 1956*To the medical officer of health for [*district*]

Date:

1 Patient details

First 2 letters of surname and the first letter of first name:

National health index number (if known):

DHB district of usual address:

Date of birth:

Date of death (if applicable):

Sex:

Ethnicity (if known):

Nature of work or education (if known):

Recent travel history (if known):

2 Details of disease

Disease or suspected disease being notified:

Date of onset of illness (approximately):

Laboratory tests done or ordered (if any):

Results of laboratory tests (if available):

If the disease or suspected disease is HIV or AIDS, whether or not there is laboratory evidence of newly acquired HIV infection (if known):

If the disease or suspected disease is HIV, AIDS, or syphilis, the date and place of last negative laboratory test (if known):

Has the patient been hospitalised? Yes/No

If the patient has been hospitalised, the name of the hospital and date of the admission:

If the disease or suspected disease is HIV, AIDS, or syphilis, has the patient been referred to specialist care? Yes/No

Any other information relevant to the risk of the patient having or transmitting the disease (for example, vaccine history, sexual behaviour or activity, or sex of partner or partners, if known):

3 Contact tracing

Are there other persons infected or likely to have been infected with the disease? Yes/No

If not already referred to contact tracing, do you consider contact tracing is required? Yes/No

4 Notifying health practitioner details

Name:

Phone number:

Address:

Email address:

Instructions on use: This form is for notification of diseases listed in section C of Part 1 of Schedule 1 of the Act. The name, address, and other contact details of the patient must not be included in this form. However, a medical officer of health may require disclosure of those matters if necessary under section 74(3B) of the Act.

Form 3

Health practitioner post-mortem notice of notifiable disease (identified basis)

*Section 74(3), Health Act 1956*To the medical officer of health for [*district*]

Date:

1 Patient details

Name:

National health index number (if known):

Address:

Date of birth:

Date of death:

Address of place of death:

Sex:

Ethnicity (if known):

Nature of work or education (if known and relevant to public health risk):

Recent travel history (if known):

2 Details of disease

Disease or suspected disease being notified:

3 Notifying health practitioner details

Name:

Phone number:

Address:

Email address:

Instructions on use: This form must not be used to notify diseases listed in section C of Part 1 of Schedule 1 of the Act. Those diseases must be notified using form 4.

Form 4

Health practitioner post-mortem notice of notifiable disease (non-identified basis)

*Section 74(3) and (3A), Health Act 1956*To the medical officer of health in [*district*]

Date:

1 Patient details

First 2 letters of surname and the first letter of first name:

National health index number (if known):

DHB district of usual address:

Date of birth:

Date of death:

DHB district of place of death:

Sex:

Ethnicity (if known):

Nature of work or education (if known and relevant to public health risk):

Recent travel history (if known):

2 Details of disease

Disease or suspected disease being notified:

3 Contact tracing

Are there other persons infected or likely to have been infected with the disease? Yes/No

If not already referred to contact tracing, do you consider contact tracing is required? Yes/No

4 Notifying health practitioner details

Name:

Phone number:

Address:

Email address:

Instructions on use: This form is for notification of diseases listed in section C of Part 1 of Schedule 1 of the Act. The name, address, and other contact details of the patient must not be included in this form. However, a medical officer of health may require disclosure of those matters if necessary under section 74(3B) of the Act.

Form 5

Funeral director, etc, notice of death from infectious disease (identified basis)

*Section 85, Health Act 1956*To the medical officer of health for [*district*]

Date:

1 Deceased details

Name:

National health index number (if known):

Date of birth:

Date of death:

Place of death:

Name of health practitioner who signed death certificate:

Date of death certificate:

Sex:

Ethnicity (if known):

2 Details of disease

Disease or suspected disease being notified:

3 Details of notifying funeral director (or other person in charge of funeral)

Name:

Phone number:

Address:

Email address:

Instructions on use: This form must not be used to notify diseases listed in section C of Part 1 of Schedule 1 of the Act. Those diseases must be notified using form 6.

Form 6

Funeral director, etc, notice of death from infectious disease (non-identified basis)

*Section 85, Health Act 1956*To the medical officer of health for [*district*]

Date:

1 Deceased details

First 2 letters of surname and the first letter of first name:

National health index number (if known):

Date of birth:

Date of death:

DHB district of place of death:

Name of health practitioner who signed death certificate:

Date of death certificate:

Sex:

Ethnicity (if known):

2 Details of disease

Disease or suspected disease being notified:

3 Details of notifying funeral director (or other person in charge of funeral)

Name:

Phone number:

Address:

Email address:

Instructions on use: This form is for notification of diseases listed in section C of Part 1 of Schedule 1 of the Act. The name, address, and other contact details of the deceased must not be included in this form.

Schedule 3
Minimum information requirements for notice of notifiable disease
by medical laboratory

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1 Patient details

The following information must be provided about the patient:

- (a) either—
 - (i) the patient's name; or
 - (ii) (if the disease is listed in section C of Part 1 of Schedule 1 of the Act) the first 2 letters of the patient's surname and first letter of the patient's first name:
- (b) national health index number (if known):
- (c) address or (if the disease is listed in section C of Part 1 of Schedule 1 of the Act) the DHB district of usual address:
- (d) date of birth:
- (e) date of death and cause of death (if applicable):
- (f) sex:
- (g) ethnicity (if known).

2 Details of disease

The following information must be provided about the disease or suspected disease being notified by the medical laboratory:

- (a) name of disease or suspected disease:
- (b) laboratory tests done or ordered by it:
- (c) results of laboratory tests (if available):
- (d) for all specimens taken for testing,—
 - (i) site of specimens:
 - (ii) type of specimens:
 - (iii) date taken.

3 Details of person in charge of laboratory and relevant health practitioner

The following information must be provided:

- (a) name of the person in charge of the medical laboratory and his or her phone number, address, and email address:
- (b) name of the clinical microbiologist or technician and his or her phone number, address, and email address:

- (c) name of the health practitioner ordering laboratory tests and his or her phone number, address, and email address.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 4 January 2017, replace the Health (Infectious and Notifiable Diseases) Regulations 1966 by updating them, particularly to give effect to changes to the Health Act 1956 (the **Act**) relating to the management of infectious diseases and to remove provisions that are now redundant or unnecessary. The main changes are to—

- set new forms and minimum information requirements for notifications of infectious diseases by health practitioners, persons in charge of medical laboratories, and funeral directors. These forms require notifications to be on a non-identified basis for particular diseases (such as HIV):
- simplify and update provisions supporting the co-ordination of environmental health officers with medical officers of health in managing the public health risk of infectious diseases:
- set notice requirements that ensure individuals against whom directions, notices, or orders are issued or made under Part 3 of the Act are informed of key information about the public health risk of diseases and options for support services:
- set out the information that, under the Act, contact tracers may require from persons with, or suspected of having, infectious diseases about persons with whom they have been in contact:
- remove provisions about local committees, lists of infectious diseases, and specific disease management measures as these are now adequately covered by the Act or other means.

Issued under the authority of the Legislation Act 2012.
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These regulations are administered by the Ministry of Health.