

Reprint
as at 4 January 2017



Venereal Diseases Regulations 1982 (SR 1982/215)

Venereal Diseases Regulations 1982: revoked, on 4 January 2017, by section 19 of the Health (Protection) Amendment Act 2016 (2016 No 35).

David Beattie, Governor-General

Order in Council

At the Government Buildings at Wellington this 20th day of September 1982

Present:

The Right Hon D MacIntyre presiding in Council

Pursuant to section 117 of the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Contents

	Page
1 Title and commencement	2
2 Interpretation	2
3 Chancroid	3
4 Gonorrhoeal infection	3
5 Syphilis	3
6 Venereal granuloma	4
7 Duties of medical practitioner	4

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Health.

8	Powers of Medical Officer of Health	5
9	Merchant seamen	6
10	Free treatment <i>[Revoked]</i>	6
11	Intervals between treatments	6
12	Patients to supply particulars	7
13	Offences	7
14	Avoidance of publicity	7
15	Revocations	7
	Schedule	8
	Prescribed forms	

Regulations

1 Title and commencement

- (1) These regulations may be cited as the Venereal Diseases Regulations 1982.
- (2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2 Interpretation

In these regulations, unless the context otherwise requires,—

medical practitioner means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine

microbiological examination means laboratory identification using microscopic examination of a smear and culture by accepted laboratory techniques

pathologist means a medical practitioner whose scope of practice includes pathology

scope of practice has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003

venereal disease means—

- (a) chancroid:
- (b) gonorrhoeal infection affecting any site:
- (c) syphilis:
- (d) venereal granuloma (*Lymphogranuloma venereum* or *granuloma inguinale*)

venereal diseases clinic means a part of a hospital used solely for the reception, investigation, and treatment of persons suffering or suspected to be suffering from venereal disease.

Regulation 2 **medical practitioner**: inserted, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Regulation 2 **pathologist**: substituted, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Regulation 2 **scope of practice**: inserted, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

3 Chancroid

Every person suffering from chancroid suffers from chancroid in a communicable form for the purposes of these regulations unless the lesions have healed completely.

4 Gonorrhoeal infection

- (1) Every person (in this regulation called the **patient**) suffering from gonorrhoeal infection suffers from gonorrhoeal infection in a communicable form for the purposes of these regulations unless—
 - (a) the affected parts are entirely free from inflammation; and
 - (b) a pathologist or some other person approved for the purpose by the Director-General has reported that microbiological examination, conducted in accordance with the relevant provisions of this regulation, of the discharges or specimens taken from the sexual or other relevant organs (for example, the anus, throat, or eyes) of the patient has failed to prove the presence of *Neisseria gonorrhoeae*.
- (2) Where the patient is a male, the discharges to be examined for the purposes of subclause (1) shall include specimens from the secretion of the urethra, and, if these are inconclusive, from the urinary sediment.
- (3) Specimens of each type mentioned in subclause (2) shall be taken and examined on not less than 2 occasions within 14 days after apparent clinical cure.
- (4) Where the patient is a female, the discharges or specimens to be examined for the purposes of subclause (1) shall include a specimen from the secretion of the urethra, taken (where possible) not less than 2 hours after the patient has passed urine, and a specimen from the secretion of the cervical canal or (if the hymen is intact) from the vagina.
- (5) Specimens of each type mentioned in subclause (4) shall be taken and examined on not less than 2 occasions, at intervals of not less than 7 days, after treatment and apparent clinical cure.

5 Syphilis

- (1) Every person (in this regulation called the **patient**) who is suffering from syphilis suffers from syphilis in a communicable form for the purposes of these regulations unless—
 - (a) where the patient has received a course of full and adequate treatment, the patient—

- (i) is free from any sign of the disease; and
 - (ii) has undergone the serological tests described in subclause (2), and the tests have returned satisfactory results; or
- (b) where the patient has not received such a course of treatment,—
 - (i) the patient is free from any sign of the disease; and
 - (ii) a period of 5 years has elapsed since the symptoms were first manifested or, if the patient has manifested no symptoms of the disease, since the infection was first discovered through serological testing.
- (2) The serological tests referred to in subclause (1)(a) are examinations of blood by a pathologist or other person approved for the purpose by the Director-General, once in every month for a period of 6 months, thereafter once in each of the next 2 succeeding periods of 3 months, and thereafter once in each of the next 2 succeeding periods of 6 months.

6 Venereal granuloma

Every person suffering from venereal granuloma suffers from venereal granuloma in a communicable form for the purposes of these regulations unless the lesions have healed completely.

7 Duties of medical practitioner

- (1) Where any medical practitioner (including any medical officer of any hospital) has been treating any person (in this regulation called the **patient**) who is suffering from venereal disease in a communicable form, and the patient either—
 - (a) fails for 1 week after the date fixed for the purpose by the medical practitioner to attend for further treatment; or
 - (b) fails on 2 or more successive occasions to attend for treatment as directed by the medical practitioner,—the medical practitioner shall, unless he knows that the patient has in the meantime placed himself under treatment by another medical practitioner, forthwith send to the Medical Officer of Health a notice relating to the patient in form 1 of the Schedule.
- (2) Where any medical practitioner has reason to believe that a patient whom he is or has been treating for venereal disease in a communicable form has had, within the period during which he was probably infected, intimate sexual contact with a person whose name, address, or description is supplied to the medical practitioner, or of which he otherwise becomes aware, the medical practitioner may send to the Medical Officer of Health a notice in form 2 of the Schedule.
- (3) For every notice given by a medical practitioner (other than the medical officer of a hospital) under subclause (1) or subclause (2) there shall be paid, out of

money appropriated by Parliament for the purpose, a fee of such amount as the Minister of Finance may from time to time determine.

- (4) Where a medical practitioner is consulted by a patient suffering from venereal disease who is or appears to be at least 16 years of age, he shall give to the patient a notice in form 3 of the Schedule; and for the purpose of this subclause, the Medical Officer of Health shall, on application to him by any medical practitioner, supply to the medical practitioner a sufficient number of printed copies of that form 3.
- (5) Where any medical practitioner is of the opinion that any child under or appearing to be under the age of 16 years is suffering from venereal disease, he shall notify the parent, guardian, or other person in charge of the child unless in his opinion it would be undesirable to do so in the interest of the health or well-being of the child or in the wider interests of public health.

8 Powers of Medical Officer of Health

- (1) Whenever the Medical Officer of Health has reason to believe that any person may be suffering from venereal disease in a communicable form (whether or not a notice in respect of that person has been given under subclause (1) or subclause (2) of regulation 7), he may give to such person a notice in form 4 of the Schedule, requiring him to submit himself for examination to a medical practitioner, and to forward to the Medical Officer of Health a medical certificate in form 5 of the said schedule as to the state of his health in relation to venereal disease.
- (2) Notwithstanding anything in subclause (1), where the disease specified in the notice referred to in that subclause is syphilis, the notice shall require the person to whom it is given to submit himself to the medical practitioner for 1 further examination (in addition to the examination referred to in that subclause), if called upon to do so by the medical practitioner, on such date or within such period as the medical practitioner may specify, for the purpose of enabling the medical practitioner to determine whether or not that person is suffering from syphilis.
- (3) A certificate for the purposes of subclause (1) shall be provided on request free of charge to the person to whom it relates by the person in charge of any venereal diseases clinic controlled by any district health board or other organisation funded under the New Zealand Public Health and Disability Act 2000 to provide services of that kind.
- (4) Where the certificate given under subclause (1) does not provide sufficient information to satisfy the Medical Officer of Health as to the state of health in relation to venereal disease of the person referred to in the certificate, the Medical Officer of Health may require the person, by a notice in form 6 of the Schedule, to submit himself for examination to a medical practitioner nominated by the Medical Officer of Health, and to obtain a certificate from that medical practitioner.

Regulation 8(3): substituted, on 1 July 1993, by regulation 2(1) of the Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162).

Regulation 8(3): amended, on 1 January 2001, by section 111(2) of the New Zealand Public Health and Disability Act 2000 (2000 No 91).

9 Merchant seamen

- (1) In this regulation **prescribed form** means the form prescribed by or under Article 3 of the international agreement respecting facilities to be given to merchant seamen for the treatment of venereal diseases, signed at Brussels on 1 December 1924.
- (2) When a merchant seaman receives treatment for venereal disease at a hospital or clinic, the medical practitioner attending him shall enter or cause to be entered on a document, drawn in the prescribed form and supplied to the merchant seamen, the following particulars:
 - (a) the diagnosis, with a summary of the clinical particulars noted at the time of the examination:
 - (b) the treatment carried out at the hospital or clinic:
 - (c) the treatment to be followed on the voyage:
 - (d) the results of serological tests undertaken in cases of syphilis.
- (3) The Medical Officer of Health shall furnish to the master of every merchant ship arriving at a port in New Zealand from any place outside New Zealand, and to any owner in New Zealand of any such ship, notices showing the times and places where a medical practitioner may be consulted free of charge by any member of the crew of that ship who is suffering, or suspects that he is suffering, from venereal disease; and the master and any such owner shall make the information contained in those notices available to all the members of that crew.

Regulation 9(2): amended, on 1 July 1993, by regulation 3 of the Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162).

10 Free treatment

[Revoked]

Regulation 10: revoked, on 1 July 1993, by regulation 4 of the Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162).

11 Intervals between treatments

- (1) Subject to subclause (2), the intervals referred to in section 88(2) of the Health Act 1956 at which treatment shall be undergone by any person suffering from venereal disease shall be 1 week.
- (2) A medical practitioner treating any person for venereal disease may, if he considers no treatment would be appropriate in the interim, excuse the patient from attendance for any period not exceeding 4 weeks.

12 Patients to supply particulars

Every person suffering from venereal disease who consults a medical practitioner with respect to the disease shall, on the first consultation, correctly state the particulars of his name, address, and occupation; and shall thereafter, upon any change occurring in those particulars while he is under treatment by that medical practitioner, immediately inform the practitioner of the particulars of that change.

13 Offences

Every person commits an offence against these regulations who—

- (a) except as may be approved by the medical practitioner treating him or by the Medical Officer of Health, engages, while suffering from venereal disease in a communicable form, in any employment, or acts in any capacity, in or about any factory, shop, hotel, restaurant, house, or other place if by reason thereof any food intended for consumption by any other person or any food utensil is exposed to infection from venereal disease or is likely to be so infected; or
- (b) while suffering from venereal disease in a communicable form, is employed for hire or reward in any occupation involving the care of children under 5 years of age; or
- (c) while undergoing medical examination or treatment for venereal disease, fails to carry out faithfully the directions of the medical practitioner by whom he is being examined or treated; or
- (d) contravenes or fails to comply with any requirement of a Medical Officer of Health under regulation 8; or
- (e) contravenes or fails to comply with any of the provisions of regulation 12.

14 Avoidance of publicity

All notices and other communications sent through the post for the purposes of these regulations shall, if relating to any person suffering or alleged to be suffering from venereal disease, be conspicuously marked with the word “Confidential”, and shall be securely enclosed in an envelope, which shall also be marked on the outside with the word “Confidential”.

15 Revocations

The following regulations are hereby revoked:

- (a) the Venereal Diseases Regulations 1964 (SR 1964/209);
- (b) the Venereal Diseases Regulations 1964, Amendment No 1 (SR 1975/68).

Schedule Prescribed forms

Form 1

Notification of venereal disease

r 7(1)

*Under the Venereal Diseases Regulations 1982***Confidential**

To the Medical Officer of Health, [*specify*]

Pursuant to the provisions of the Venereal Diseases Regulations 1982, I hereby notify that [*name, address, occupation*], who has been under treatment by me for [*specify disease*] since [*date*], has failed (for 1 week after a date fixed by me in that behalf to attend for further treatment) (*or* on at least 2 successive occasions to attend for treatment as directed by me). When last examined by me on [*date*] (*or, if patient has attended a clinic in charge of the practitioner, on last attendance at the clinic on [date]*) the patient was, in my opinion, still suffering from the said disease in a communicable form, and he has not to my knowledge placed himself under treatment by another medical practitioner.

Dated at: [*place, date*]

Signature of Medical Practitioner:

Form 2
Notification of contact

r 7(2)

Under the Venereal Diseases Regulations 1982

Confidential

To the Medical Officer of Health, [*specify*]

Pursuant to the provisions of the Venereal Diseases Regulations 1982, I hereby notify you that I have reason to believe that [*name, address, occupation*], who is or has been under treatment by me for [*specify disease*], had intimate sexual contact within the period during which he (*or* she) was probably infected, being the period from or about [*date*] to or about [*date*], with [*insert particulars of name(s), address(es) and description(s) of person(s) referred to so far as such particulars are known*].

*I have the following additional reason(s) to believe that the said [*insert name or description of suspect*] is probably suffering from the said disease:

Dated at: [*place, date*]

Signature of Medical Practitioner:

*Delete if inapplicable.

Form 3
Warning

r 7(4)

Under the Venereal Diseases Regulations 1982

Take notice that you are suffering from an infectious venereal disease, namely [*specify disease*].

Under the provisions of the Health Act 1956 and the Venereal Diseases Regulations 1982:

- (a) you are required to receive medical treatment until pronounced cured:
- (b) if at any time you change your medical adviser, you should notify your former adviser; otherwise your name, address, occupation, and condition of health are required to be notified to the Medical Officer of Health. If you continue treatment, no such notice is required to be given, and the fact that you are undergoing treatment remains confidential:
- (c) until further notice, you are required to attend for further treatment as follows: [*insert directions*]:
- (d) if you fail to continue treatment as required an order for your detention in hospital may be issued and legal proceedings can be taken against you:
- (e) you are expressly warned against having intimate sexual contact with any other person until you have been medically certified as cured. If you knowingly infect another person with venereal disease, you may be imprisoned for a term of up to 12 months and fined a sum up to \$1,000:
- (f) if you are suffering from syphilis and have any children, you should have them examined as soon as possible and carry out instructions regarding any necessary treatment for them:
- (g) while suffering from venereal disease in a communicable form you must not engage, except with the approval of the medical practitioner treating you or of the Medical Officer of Health, in employment whereby any food for consumption by others or any food utensils are exposed to infection or are likely to be infected:
- (h) while suffering from venereal disease in a communicable form you must not engage in employment for hire or reward in any occupation involving the care of children under 5 years of age.

Dated at: [*place, date*]

Signature of Medical Practitioner:

Form 4
Notice requiring person to furnish medical certificate in relation to venereal
disease

r 8(1)

Under the Venereal Diseases Regulations 1982

Confidential

To [name, address]

Whereas I have reason to believe that you may be suffering from venereal disease, namely [specify] in a communicable form:

Now therefore, pursuant to the powers conferred on me by the Venereal Diseases Regulations 1982, I do require you—

- (a) to submit yourself forthwith to a medical practitioner or the medical officer of any venereal diseases clinic for examination; and
- (b) if the venereal disease specified above is syphilis, and the medical practitioner so requires, to submit yourself to him for a further examination on a date or within a period to be fixed by him; and
- (c) to forward to me, as soon as practicable after each such examination, a medical certificate in the enclosed form* as to the state of your health in relation to venereal disease.

(**Note:** For the purposes of this notice a medical certificate may be obtained free of charge from the person in charge of any venereal diseases clinic controlled by a district health board or other organisation funded under the New Zealand Public Health and Disability Act 2000 to provide services of that kind.)

Warning

You are hereby informed that if you fail to produce a medical certificate as herein required you may be committed to a hospital or other suitable place, and may be detained there for examination and treatment.

Dated at: [place, date]

Signature of Medical Officer of Health:

*This document shall be in form 5.

Schedule form 4: amended, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Schedule form 4: amended, on 1 January 2001, by section 111(2) of the New Zealand Public Health and Disability Act 2000 (2000 No 91).

Schedule form 4: amended, on 1 July 1993, by regulation 5(1) of the Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162).

Schedule form 4: amended, on 1 July 1993, by regulation 5(2) of the Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162).

Form 5

Certificate with reference to infection with venereal disease

r 8(1)

*Under the Venereal Diseases Regulations 1982***Confidential**

I hereby certify that, within the last 14 days, I have examined [*name*] with reference to venereal disease, and report as follows:

Chancroid:

No (*or* the following) evidence of chancroid was found:

Gonorrhoeal infection:

I have examined the patient for the existence of gonorrhoeal infection, and my examination included the following steps and conclusions:

- (a) (*in the case of a male patient*):
- (i) With no urethral discharge:
a specimen taken from the urethra and urinary specimen (first catch) under microbiological examination (microscopy and culture) was negative/positive for gonorrhoeal infection.
 - (ii) With a urethral discharge:
a specimen of the discharge under microbiological examination (microscopy and culture) was negative/positive for gonorrhoeal infection.
 - (iii) In the case of a homosexual contact, additional specimens taken from the anus and throat under microbiological examination (microscopy and culture) were negative/positive for gonorrhoeal infection.
- (b) (*in the case of a female patient*):
- Two specimens taken at intervals of not less than 48 hours (from cervix, urethra, and anus), or (if the hymen was intact) from the vagina were cultured and gonorrhoeal infection (was)/(was not) found.

Syphilis:

I have obtained a specimen of blood from the patient and submitted it to a pathologist for a serological test. The result of the test was:

I have examined the patient for the existence of a primary syphilitic sore or any other clinical manifestation of the disease. My findings were:

I am arranging a further serological test for syphilis.

or

This is the second certificate in form 5 in respect of this patient. [*If the first test is positive delete this paragraph. If the first test is negative, delete inapplicable alternative.*]

Venereal granuloma:

No (*or* the following) evidence of venereal granuloma was found:

Date:

Signature of Medical Practitioner:

Form 6

Notice requiring person to be examined by nominated medical practitioner

r 8(4)

*Under the Venereal Diseases Regulations 1982***Confidential****To** [*name, address*]

*Whereas I have received a certificate (*or* certificates) relating to you in form 5 of the Schedule of the Venereal Diseases Regulations 1982:

*And whereas that certificate does (*or* those certificates do) not provide sufficient information to satisfy me as to your state of health in relation to venereal disease:

Now, therefore, pursuant to the powers conferred on me by the Venereal Diseases Regulations 1982, I do require you—

- (a) to submit yourself forthwith to the Medical Officer in charge of the Venereal Diseases Clinic at [*specify*] or one of the undermentioned medical practitioners: [*specify*]; and
- (b) if the venereal disease specified above is syphilis, and the Medical Officer or other medical practitioner so requires, to submit yourself to him for a further examination on a date or within a period to be fixed by him; and
- (c) to forward to me, as soon as practicable after such examination, and each such examination, a medical certificate in the enclosed form as to the state of your health in relation to venereal disease.

Warning

You are hereby informed that if you fail to produce a medical certificate as herein required you may be committed to a hospital or other suitable place, and may be detained there for examination and treatment.

Dated at: [*place, date*]

Signature of Medical Officer of Health:

*Delete inapplicable alternative.

Schedule form 6: amended, on 1 July 1993, by regulation 5(3) of the Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162).

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 23 September 1982.

Reprints notes

1 *General*

This is a reprint of the Venereal Diseases Regulations 1982 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Health (Protection) Amendment Act 2016 (2016 No 35): section 19

Health Practitioners Competence Assurance Act 2003 (2003 No 48): section 175(3)

New Zealand Public Health and Disability Act 2000 (2000 No 91): section 111(2)

Venereal Diseases Regulations 1982, Amendment No 2 (SR 1993/162)