

## LEPROSY ORDINANCE 1954-1957.\*

## An Ordinance to provide for the Suppression and Treatment of Leprosy.

Short title.  
Short title  
amended:  
No. 17, 1938,  
s. 4.

Commence-  
ment.

1. This Ordinance may be cited as the *Leprosy Ordinance* 1954-1957.\*

2. This Ordinance shall come into operation on a date to be fixed by the Minister by notice in the *Gazette*.†

Repeal.

3. The *Leprosy Ordinance* 1928 is repealed.

Definitions.  
Amended by  
No. 11, 1957,  
s. 2.

4. In this Ordinance, unless the contrary intention appears—

“examine” includes to examine by clinical, bacteriological and other appropriate methods;

“leprosarium” means a place appointed under the provisions of this Ordinance to be a leprosarium;

“leprosy patient” includes—

(a) a person who, having been ordered to be detained at a leper hospital pursuant to the *Leprosy Ordinance* 1928, has not been released by order in writing under that Ordinance at the date when this Ordinance comes into operation; and

(b) a person in respect of whom a certificate under section fifteen of this Ordinance is in force;

“leprosy suspect” includes—

(a) a person who, pursuant to section five of this Ordinance, is deemed to be a leprosy suspect; and

\* The *Leprosy Ordinance* 1954-1957 comprises the *Leprosy Ordinance* 1954 as amended. Particulars of the Principal Ordinance and of the amending Ordinance are set out in the following table:—

Ordinance.	Number and Year.	Date of Assent by Administrator.	Date of Commencement.
<i>Leprosy Ordinance</i> 1954 .. ..	No. 11, 1954	8th December, 1954	25th July, 1955
<i>Leprosy Ordinance</i> 1957 .. ..	No. 11, 1957	12th April, 1957 ..	12th April, 1957

† The date fixed was 25th July, 1955—see table above.

(b) a person in respect of whom a certificate under section twenty-four of this Ordinance is in force;

“medical officer” means a person who is appointed and holds office as a medical officer for the purposes of this Ordinance;

“Minister” means the Minister of State for Health;

“police officer” means a member of the Northern Territory Police Force;

“superintendent” means the Superintendent of a leprosarium;

“the Chief Medical Officer” means the person appointed under the *Quarantine Act* 1908-1950 to be the Chief Quarantine Officer (General), Northern Territory.

5. A person who, immediately before the date when this Ordinance comes into operation, is subject to the provisions of section twenty-one or of section twenty-two of the *Leprosy Ordinance* 1928 is deemed to be a leprosy suspect.

Certain persons deemed to be leprosy suspects.

6.—(1.) The Chief Medical Officer may, in relation to any particular matter or class of matters or to any particular part of the Territory, by writing under his hand, delegate all or any of his powers and functions under this Ordinance (except this power of delegation) so that the delegated powers or functions may be exercised by the delegate with respect to the matter or class of matters or to the part of the Territory specified in the instrument of delegation.

Delegation.

(2.) A delegation under this section is revocable at will and does not prevent the exercise of a power or function by the Chief Medical Officer.

7. The Minister may, by notice in the *Gazette*—

(a) appoint a place to be a leprosarium for the treatment, detention and segregation of leprosy patients; and

Minister may appoint leprosaria.

(b) fix the limits of a leprosarium so appointed.

8.—(1.) The Chief Medical Officer may, by notice in the *Gazette*, appoint such medical officers as he considers to be necessary for the purposes of this Ordinance.

Appointment of medical officers.

(2.) The Chief Medical Officer shall not appoint a person to be a medical officer unless that person is a registered medical practitioner within the meaning of the *Medical Practitioners Registration Ordinance 1935-1945*.

Appointment  
of super-  
intendents.

9. The Chief Medical Officer shall appoint a person to be the superintendent of each leprosarium in the Territory.

Person  
affected  
with leprosy to  
report to  
medical  
officer, &c.

10. A person who knows that he is affected with leprosy, or who has reasonable grounds to believe that he is so affected, shall immediately report to the nearest medical officer or police officer.

Duty to  
report leprosy.

11.—(1.) A person who knows, or who has reasonable cause to believe, that another person is affected with leprosy shall immediately report the matter to the nearest medical officer or police officer.

(2.) A person making such a report without reasonable cause shall be guilty of an offence.

Duty of  
police officer.

12. A police officer who has reasonable cause to suspect that a person is affected with leprosy shall—

- (a) detain that person;
- (b) report the matter to the nearest medical officer; and
- (c) escort that person to the nearest medical officer.

Power of  
medical officer  
to enter  
premises, &c.

13. A medical officer who has reasonable cause to believe that there is a person who is or is liable to be affected with leprosy in a conveyance, ship or premises, may, without warrant—

- (a) enter that conveyance, ship or premises and there examine that person; and
- (b) require any person present in that conveyance, ship or premises to answer such questions as he sees fit to ask for the purpose of discovering the source of the affected person's infection.

Duty of  
medical officer  
to examine.

14. A medical officer shall examine any person concerning whom a report is made to him pursuant to this Ordinance and any person whom he knows or has reasonable cause to believe is, or is suspected of being, affected with leprosy.

Duty of  
medical officer  
regarding  
leprosy.

15. Where a medical officer, after having examined a person, whether pursuant to this Ordinance or otherwise, is satisfied that the person is affected with leprosy, he shall—

- (a) certify in writing that the person is affected with leprosy;

- (b) cause him to be detained in isolation until he can be conveyed to the nearest leprosarium; and
- (c) immediately forward a copy of that certificate to the Chief Medical Officer and to the Superintendent of the nearest leprosarium.

16.—(1.) The Chief Medical Officer shall arrange for a medical officer to examine every leprosy patient who is detained in a leprosarium at least once in every six months.

Leprosy patients to be examined every six months.

(2.) A medical officer who examines a leprosy patient who is detained in a leprosarium shall immediately report the result of that examination to the Chief Medical Officer.

17.—(1.) A leprosy patient may, at any time, appeal to the Chief Medical Officer for the revocation of the certificate by which he is declared to be a leprosy patient.

Leprosy patient may appeal to Chief Medical Officer.

(2.) An appeal under this section may be made—

- (a) in writing addressed to the Chief Medical Officer; or
- (b) orally to the superintendent of the leprosarium in which the leprosy patient is detained.

(3.) Where an appeal is made orally to a superintendent, the superintendent shall forthwith notify the Chief Medical Officer in writing of the fact that the leprosy patient has appealed, stating the name of the leprosy patient and the date upon which the appeal was made.

(4.) The Chief Medical Officer shall, as soon as is practicable after receiving an appeal in writing or written notice of an oral appeal having been made, examine the leprosy patient.

(5.) When the Chief Medical Officer has examined a leprosy patient who has appealed under this section—

- (a) he may revoke the certificate by which the leprosy patient was declared to be a leprosy patient;
- (b) reject the appeal; or
- (c) make such order under this Ordinance as he sees fit.

18. When the Chief Medical Officer considers that it is no longer necessary to detain a leprosy patient for treatment and segregation in a leprosarium, he shall order that the leprosy patient be released—

Chief Medical Officer may order conditional release of leprosy patient.

- (a) on condition that the leprosy patient shall report at intervals of not more than six months to a medical officer at a place appointed by the Chief Medical Officer to be examined; and
- (b) on such other conditions as he sees fit.

When leprosy patient released, to comply with conditions of release, &c.

**19.—**(1.) When a leprosy patient is ordered to be released by the Chief Medical Officer pursuant to the last preceding section the superintendent of the leprosarium in which the leprosy patient is detained shall, subject to the conditions of that order, immediately cause the leprosy patient to be released.

(2.) A leprosy patient shall comply with all of the conditions of an order made under the last preceding section.

Failure of leprosy patient to comply with conditions of release and revocation of order for release.

**20.—**(1.) Where a leprosy patient fails to comply with any of the conditions of the order under which he is released, the Chief Medical Officer may revoke that order.

(2.) When the Chief Medical Officer revokes an order pursuant to this section—

- (a) he shall notify the superintendent of the nearest leprosarium of that fact;
- (b) the leprosy patient is, from and including the date upon which the order is revoked, liable to be conveyed to and detained and treated in a leprosarium as though the order for his release had not been made.

Medical officer to report particulars of person liable to become affected with leprosy.

**21.** Where a medical officer, after having examined a person, whether pursuant to this Ordinance or otherwise, is satisfied that the person is not affected with leprosy but, by reason of that person's having associated with a person who is affected with leprosy, is liable to become affected with leprosy, he shall immediately forward a written report concerning that person to the Chief Medical Officer together with particulars as to the person's association with a person who is affected with leprosy.

Chief Medical Officer may enter, &c., leprosarium.

**22.** The Chief Medical Officer may—

- (a) enter or remain in a leprosarium;
- (b) be or remain within four hundred yards of a leprosarium; and
- (c) authorize a person to—
  - (i) enter or remain in a leprosarium; or
  - (ii) be or remain within four hundred yards of a leprosarium.

Offence for certain persons to enter, &c. leprosarium.

**23.** Subject to the last preceding section, a person shall not—

- (a) enter or remain in a leprosarium; or
- (b) be or remain within four hundred yards of a leprosarium,

unless—

- (c) he is the superintendent of that leprosarium;
- (d) he is a leprosy patient; or
- (e) he is authorized to be or to remain there pursuant to the last preceding section.

24.—(1.) The Chief Medical Officer may certify a person to be a leprosy suspect if— Leprosy suspects.

- (a) that person contravenes the provisions of the last preceding section, whether or not that person is convicted of an offence against that section; and
- (b) if a report is made under section twenty-one of this Ordinance concerning that person.

(2.) When the Chief Medical Officer certifies that a person is a leprosy suspect, he shall cause written notice to be served on that person, either personally or by post, stating that the person has been certified to be a leprosy suspect.

25. A person who, pursuant to section five of this Ordinance is deemed to be a leprosy suspect shall, until such time as a notice is served on him pursuant to the next succeeding section— Persons deemed to be leprosy suspects to comply with conditions, &c.

- (a) comply with any conditions and be subject to any restrictions applicable to him pursuant to section twenty-one of the *Leprosy Ordinance 1928*; and
  - (b) report for examination by a medical officer,
- as though the *Leprosy Ordinance 1928* had not been repealed.

26. The Chief Medical Officer may, from time to time cause written notice to be served on a leprosy suspect, either personally or by post— Notice requiring leprosy suspect to comply with conditions, &c.

- (a) imposing such restrictions on the leprosy suspect, as to his place and mode of living, as the Chief Medical Officer deems necessary to apply to the leprosy suspect for the purpose of preventing the transmission or possible transmission of leprosy; and
- (b) requiring the leprosy suspect to attend at such time and place as is specified in the notice for the purpose of being examined by a medical officer.

27. A leprosy suspect, upon whom a notice is served under the last preceding section, shall— Leprosy suspect to observe restrictions, &c.

- (a) observe such restrictions and comply with such conditions as are specified in the notice; and

- (b) attend at such time and place as is specified in the notice and then and there submit himself to be examined by a medical officer.

Leprosy suspect, &c., to notify change of address.

**28.** A leprosy suspect and a leprosy patient who has been released pursuant to section eighteen of this Ordinance shall notify the Chief Medical Officer in writing immediately any change in his address occurs.

Order that person no longer a leprosy suspect, &c.

**29.** When the Chief Medical Officer is satisfied that it is no longer necessary for a leprosy suspect or a leprosy patient who has been released under section eighteen of this Ordinance to continue to report for examination, he shall order that, subject to this Ordinance, the person is no longer a leprosy suspect or a leprosy patient, as the case may be.

Detention, &c., of leprosy patients.

**30.—(1.)** A police officer, a medical officer, a superintendent and a person appointed for the purpose by the Chief Medical Officer or by a superintendent may detain a leprosy patient, excepting a leprosy patient in respect of whom an order under section eighteen of this Ordinance is in force, and convey him to a leprosarium.

**(2.)** A superintendent shall detain a leprosy patient, excepting a leprosy patient in respect of whom an order under section eighteen of this Ordinance is in force, for treatment and segregation in a leprosarium.

**(3.)** A person may use such force and methods of restraint as he considers to be necessary in a particular case in exercising a power or performing a duty under this section.

Superintendent may take steps to prevent unauthorized departure of leprosy patients.

**31.** The superintendent of a leprosarium may cause a leprosy patient, who leaves or who attempts to leave a leprosarium without the consent of the Chief Medical Officer or of the superintendent of that leprosarium, to be placed under such restraint as he considers to be necessary to prevent the leprosy patient from again leaving or attempting to leave the leprosarium.

Powers of police.

**32.** A police officer may use such force or means of restraint as he considers to be necessary, in a particular case, for the purpose of detaining and conveying to a medical officer a person whom he knows is affected with leprosy or whom he has reasonable cause to believe is so affected.

Powers of medical officer.

**33.** A medical officer may use such force or means of restraint as he considers to be necessary, in a particular case, in order to examine a person for the purposes of this Ordinance.

**34** The Chief Medical Officer shall cause a register to be kept showing— Register of leprosy patients, &c., to be kept.

- (a) the names and addresses of all leprosy patients;
- (b) the names and addresses of all leprosy suspects;
- (c) particulars concerning leprosy patients who are released under section eighteen of this Ordinance and the conditions under which they are so released; and
- (d) particulars concerning restrictions imposed on a leprosy suspect pursuant to section twenty-six of this Ordinance.

**35.** A person shall not—

- (a) harbour a person whom he knows to be a leprosy patient or whom he has reasonable cause to believe is affected with leprosy; or
- (b) obstruct or hinder a person exercising a power or fulfilling a duty under this Ordinance.

Offence to harbour, &c.

**36.** A person, who acts or assists in the administration of this Ordinance or who is present in any room or at any place where a matter under this Ordinance concerning any other person is being discussed, shall preserve, and aid in preserving, secrecy concerning all matters and things which come to his knowledge whilst so acting, assisting or being present, except so far as his duties under this Ordinance require or except in answer to a question which he is bound to answer. Secrecy to be preserved.

**37.** A person who contravenes or fails to comply with any of the provisions of this Ordinance is guilty of an offence and upon conviction shall be liable to a penalty not exceeding Two hundred pounds or imprisonment for six months, or both. Penalty.

**38.** The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular for prescribing penalties not exceeding Fifty pounds for offences against the regulations. Regulations.

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