

NORTHERN TERRITORY OF AUSTRALIA
NOTIFIABLE DISEASES AMENDMENT ACT 1998

No. 82 of 1998

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Principal Act
4. Interpretation
5. Repeal and substitution:

"8. NOTIFICATION BY MEDICAL PRACTITIONER"
6. Repeal and substitution:

"16. PATHOLOGY INVESTIGATION"
7. Heading to Part IIIA
8. Interpretation
9. Liability of hospitals and medical practitioners, &c.
10. Liability where requirements not complied with
11. Liability of blood donor
12. Regulations
13. Repeal



NORTHERN TERRITORY OF AUSTRALIA

No. 82 of 1998

AN ACT

to amend the *Notifiable Diseases Act*

[Assented to 7 December 1998]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Notifiable Diseases Amendment Act 1998*.

2. COMMENCEMENT

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Notifiable Diseases Act* is in this Act referred to as the Principal Act.

4. INTERPRETATION

Section 5 of the Principal Act is amended by omitting from subsection (1) the definition of "notifiable disease" and substituting the following:

Notifiable Diseases Amendment

"'notifiable disease' means a disease declared to be a notifiable disease under section 6;"

5. REPEAL AND SUBSTITUTION

Section 8 of the Principal Act is repealed and the following substituted:

"8. NOTIFICATION BY MEDICAL PRACTITIONER

"(1) The Minister may, by notice in the *Gazette*, specify —

- (a) a notifiable disease in relation to which information is to be given;
- (b) the information to be given in relation to a notifiable disease; and
- (c) the manner in which information in relation to a notifiable disease is to be given.

"(2) If a medical practitioner —

- (a) diagnoses that a person is an infected person; or
- (b) considers that a person is a suspect person,

in relation to a notifiable disease specified under subsection (1), the medical practitioner must give to a medical officer the information required under subsection (1) to be given in relation to the disease.

"(3) The medical practitioner must give the information in the manner required under subsection (1)."

6. REPEAL AND SUBSTITUTION

Section 16 of the Principal Act is repealed and the following substituted:

"16. PATHOLOGY INVESTIGATION

"(1) The Minister may, by notice in the *Gazette*, specify —

- (a) a notifiable disease in relation to which information is to be given;
- (b) the information to be given in relation to a notifiable disease; and

Notifiable Diseases Amendment

- (c) the manner in which information in relation to a notifiable disease is to be given.

"(2) If a laboratory receives results from a pathology investigation that indicate that a person is an infected person in relation to a disease specified under subsection (1), the person in charge of the laboratory must give to the Chief Health Officer the information required under subsection (1) to be given in relation to the disease.

"(3) The person in charge of the laboratory must give the information in the manner required under subsection (1).".

7. HEADING TO PART IIIA

The heading to Part IIIA of the Principal Act is amended by omitting "AIDS" and substituting "TRANSMITTABLE DISEASES".

8. INTERPRETATION

Section 26A of the Principal Act is amended —

- (a) by omitting the definition of "AIDS" in subsection (1);
- (b) by omitting "AIDS" (twice occurring) from paragraph (a) of the definition of "specified action" in subsection (1) and substituting "a transmittable disease";
- (c) by omitting "AIDS" from paragraph (b) of the definition of "specified action" in subsection (1) and substituting "a transmittable disease";
- (d) by omitting "paragraph (a)." from paragraph (b) of the definition of "specified action" in subsection (1) and substituting "paragraph (a).";
- (e) by adding at the end of subsection (1) the following:

"'transmittable disease' means any of the following diseases:

- (a) the disease known as Acquired Immune Deficiency Syndrome in any of its forms or stages;
- (b) hepatitis B;
- (c) hepatitis C;

Notifiable Diseases Amendment

- (d) any disease resulting from infection by the Human T cell Lymphoma virus 1 or 2;
 - (e) syphilis;
 - (f) hepatitis G;
 - (g) New Variant Creutzfeldt Jakob Disease;
 - (h) a prescribed disease.";
- (f) by omitting from subsection (2)(a) "a declaration comprising or including the form in Schedule 6" and substituting "a declaration in the form approved under subsection (3)";
- (g) by omitting from subsection (2)(b) "antibodies to the AIDS virus" and substituting "any pathogen capable of causing the relevant transmittable disease"; and
- (h) by adding at the end the following:

"(3) The Minister may, by notice in the Gazette, approve the form of a declaration for the purposes of subsection (2).".

9. LIABILITY OF HOSPITALS AND MEDICAL PRACTITIONERS, &c.

Section 26C of the Principal Act is amended by omitting from paragraph (c) "antibodies to the AIDS virus" and substituting "any pathogen capable of causing the relevant transmittable disease".

10. LIABILITY WHERE REQUIREMENTS NOT COMPLIED WITH

Section 26D of the Principal Act is amended by omitting from subsections (1), (2)(a) and (3) "antibodies to the AIDS virus" and substituting "any pathogen capable of causing the relevant transmittable disease".

11. LIABILITY OF BLOOD DONOR

Section 26E of the Principal Act is amended —

- (a) by omitting from subsection (1) "\$5,000" and substituting "\$10,000"; and
- (b) by omitting from subsection (2) "AIDS" and substituting "a transmittable disease".

Notifiable Diseases Amendment

12. REGULATIONS

Section 39 of the Principal Act is amended by omitting subsection (3).

13. REPEAL

Schedules 3, 4, 5 and 6 to the Principal Act are repealed.
