STATUTORY INSTRUMENTS

1968 No. 861

PUBLIC HEALTH, ENGLAND AND WALES

The Public Health (Infective Jaundice) Regulations 1968

Made - - -	*29th May* 1968
Laid before Parliament	*7th June* 1968
Coming into Operation	*15th June* 1968

The Minister of Health, in exercise of the powers conferred on him by sections 143 and 283 of the Public Health Act 1936(a) and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Title and commencement

1. These regulations may be cited as the Public Health (Infective Jaundice) Regulations 1968, and shall come into operation on 15th June 1968.

Interpretation

2.—(1) In these regulations—
"the Act" means the Public Health Act 1936 ;
"local authority" means the council of a borough, urban district or rural district and the Common Council of the City of London ; and
"district" means the district of a local authority.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

(3) References in these regulations to the provisions of any enactment shall be construed, unless the context otherwise requires, as references to those provisions as amended or re-enacted by any subsequent enactment.

Enforcement

3. These regulations shall be enforced and executed in every district by the local authority thereof.

Copies of the regulations to be sent to medical practitioners

4. Every local authority shall send a copy of these regulations to each medical practitioner who after due enquiry is ascertained to be practising within their district.

Provisions of the Public Health Acts applied to infective jaundice

5. The provisions of Part V of the Act and of Part III of the Public Health Act 1961(c) which are specified in Part I of schedule 1 to these regulations shall apply to infective jaundice ; and section 144 of the Act (which relates to the notification of disease) shall so apply as modified and set out in Part II of that schedule.

(a) 1936 c. 49. (b) 1889 c. 63. (c) 1961 c. 64.

Form of certificate

6. The form set out in schedule 2 to these regulations is hereby prescribed as the form of certificate to be used for the purposes of section 144 of the Act as applied by these regulations.

Confidentiality

7. Any certificate of notification required by section 144 of the Act as applied by these regulations to be sent by a medical practitioner to a medical officer of health, and any accompanying or related document, shall be sent in such a manner that its contents cannot be read during transmission ; and the information contained therein shall not be divulged to any person except—

(*a*) so far as is necessary for compliance with any enactment (including these regulations) or

(*b*) for the purposes of such action as any medical officer of health considers reasonably necessary for preventing the spread of disease.

Compensation

8. Subsections (1) and (2) of section 278 of the Act (which provides for compensation for damage resulting from the exercise of powers under the Act) shall extend to anything done by any local authority in pursuance of these regulations or of any enactment applied thereby.

Revocation

9. The Jaundice Regulations 1943(a) are hereby revoked.

SCHEDULE 1

Regulation 5

PART I

PROVISIONS OF THE PUBLIC HEALTH ACT 1936 AND THE PUBLIC HEALTH ACT 1961 APPLIED TO INFECTIVE JAUNDICE

Public Health Act 1936

Section 145 (Supply of forms of certificate, and fees for certificates)

Section 146 (Notification of cases occurring in buildings occupied for purposes of the defence services)

Section 148 (Penalty on exposure of persons and articles liable to convey notifiable disease)

Section 149 (Persons suffering from notifiable disease not to carry on occupation to danger of others)

Section 150 (Child liable to convey notifiable disease may be ordered not to attend school)

Section 151 (Local authority may require list of day-scholars at school where notifiable disease exists)

Section 152 (Restrictions on sending or taking infected articles to laundry or public wash-house, or to cleaners)

Section 153 (Power to prohibit home work on premises where notifiable disease exists)

Section 156 (Infectious matter not to be placed in dustbins)

Section 157 (Provisions as to the letting of houses, or rooms in hotels, after recent case of notifiable disease)

Section 158 (Persons ceasing to occupy house to disclose to owner any recent case of notifiable disease, and to disinfect)

(a) Noted 1943 I, p. 1079.

Section 159 (Provision as to use of public conveyances by persons suffering from notifiable disease)

Section 160 (Duty of owner, &c. of public conveyance in regard to cases of notifiable disease)

Section 164 (Avoidance of contact with body of person who suffered from notifiable disease)

Section 165 (Wake not to be held over body of person who suffered from notifiable disease)

Section 169 (Provision for removal to hospital of persons suffering from notifiable disease where serious risk of infection being spread)

Section 170 (Power of justice to order detention in hospital of infected person without proper lodging to return to)

Public Health Act 1961

Section 38 (Power of justice to order a medical examination)

Section 39 (Information to be furnished by occupier in case of notifiable disease or food poisoning)

Section 40 (Exclusion of children from places of entertainment or assembly)

Section 41 (Compensation for stopping employment to prevent spread of disease)

PART II

SECTION 144 OF THE PUBLIC HEALTH ACT 1936, AS MODIFIED

144.—(1) When an inmate of any building used for human habitation is suffering from infective jaundice, every medical practitioner attending on or called in to visit that inmate (in this section referred to as "the patient") shall, as soon as he becomes aware that the patient is so suffering, send to the medical officer of health of the district in which the building is situated a certificate in the form set out in schedule 2 to the Public Health (Infective Jaundice) Regulations 1968.

(2) Any medical practitioner who fails to send a certificate which he is required by this section to send shall be liable to a fine not exceeding ten pounds, unless he satisfies the court that he believed, and had reasonable grounds for believing, that a certificate in respect of the patient had been duly sent by another medical practitioner.

(3) If a medical officer of health of a district receives a certificate under this section in respect of a person living in the district but ordinarily resident in another district, he shall forthwith send a copy of that certificate to the medical officer of health of that other district.

SCHEDULE 2

Regulation 6

FORM OF CERTIFICATE

To the Medical Officer of Health of .....

I hereby certify and declare that in my opinion the person of whom particulars are given below is suffering from infective jaundice.

Name in full .....

Present address in full .....

Date of birth ..... Sex .....

If patient is at present in a hospital, the address in full from which the patient was admitted to hospital is .....

.....

The case occurred

*(*a*) in my general practice

*(*b*) in my practice as medical officer of a public body or institution.

Signed.....

Address.....

.....

.....

Dated the ..... day of ..... 19.....

*Delete (*a*) or (*b*)

Given under the official seal of the Minister of Health on 29th May 1968.

(L.S.)

Kenneth Robinson,
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to infective jaundice provisions of the Public Health Act 1936 and the Public Health Act 1961 (as listed in Schedule 1) which relate to notification of disease and to preventing its spread.

These Regulations apply in England and Wales, whereas the Jaundice Regulations 1943 (which they supersede) applied only in certain eastern counties of England.