

# BILL

No. 41 of 1919.

An Act to amend The Venereal Diseases Prevention Act.

(Assented to                      , 1919.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

*The Venereal Diseases Prevention Act*, being chapter 50 of the Statutes of Alberta, 1918, is amended as follows:

1. Section 2: By striking out clause (c) thereof.

2. Section 3: By striking out the words "provincial medical officer of health" and substituting therefor the word "board".

By striking out the words "physically examine or".

Subsection 2: By striking out the words "provincial medical officer of health" wherever they occur and substituting therefor the word "board".

By striking out the words "physically examine or".

Subsection 4: By striking out the words "provincial medical officer of health" wherever they occur and substituting therefor the word "board".

By striking out the word "shall" in the third line and substituting therefor the word "may".

By striking out the word "and" after the word "proper" in the sixth line and substituting therefor the word "or".

By striking out the word "he" in the seventh line and substituting therefor the words "the board".

Subsection 5: By striking out the words "provincial medical officer of health" and substituting therefor the word "board".

3. By inserting immediately after section 3, as section 3a, the following:

"3a. The board may, in any part of the province, cause to be arrested, detained, isolated, examined, quarantined, or treated, or may authorize or instruct in writing, over the seal of the board, the local board of any health district, within its health district, to cause to be arrested, detained, isolated, examined, quarantined, or treated, any person

whom the board or local board respectively may suspect, believe or be credibly informed, to be infected with or to have been exposed to infection from venereal disease.

“(2) Any person so arrested, detained, isolated, examined, quarantined or treated may be caused to pay for the expense incidental to his arrest, detention, isolation, examination, quarantine or treatment, or in case such person is unable to pay, the health district in which he is domiciled shall pay such expenses and in unorganized territory in case he is unable to pay the provincial government shall pay such expenses.

“(3) The board is hereby empowered to do or to authorize or to instruct any local board or any person to do any act necessary to effect the mitigation and suppression of venereal disease.

“(4) Every person infected with venereal disease shall carry out such directions or instructions as may be given him personally from time to time by any executive officer or other person authorized by the board or given generally from time to time by any pamphlet or other printed matter published by the board.”

4. Section 5: By striking out the words “The Provincial Medical Officer of Health or”.

By striking out the word “him” in the second line and substituting therefor the words “the board”.

By striking out the words “for that purpose” in the third line and substituting therefor the words “may in any part of the province, or a legally qualified medical practitioner appointed in writing by any local board, which latter has been authorized in writing by and over the seal of the board, within its health district”.

By striking out the words “upon the request or with the consent in writing of the council of any municipality”.

By striking out the words “situated within such municipality”.

By inserting after the word “place” in the third line from the end of the section the words “for treatment or may cause him to be treated in such house, outhouse or premises”.

By striking out the word “or” after the word “place” in the third line from the end of the section and substituting therefor the word “and”.

5. Section 6: By striking out the words “provincial medical officer of health” and substituting therefor the word “board”.

By inserting after the word “conditions” the words “prescribed by the board or as”.

By striking out the words “under this Act”.

6. Section 8, subsection 1: By striking out the said subsection and substituting therefor the following:

“8. Every person who, with intention to recommend or suggest the purchase of or to promote the sale of any article as a drug, medicine, appliance or instrument or as part of any treatment for the alleviation or cure of any venereal disease or of any disease or affection of the genito-urinary organs or intended to convey an offer to give or prescribe any form of treatment for any of the aforesaid diseases—

“(a) Publishes or causes or allows to be published in a newspaper or magazine or other periodical publication any notice, advertisement, statement, testimonial letter or other matter;

“(b) Issues or publishes or causes to be issued or published any book, almanac, pamphlet, fly-sheet, document or other matter;

“(c) Posts up or exhibits in any place so as to be visible to persons being in or passing along any street, highway, railway or public place, any notice, statement, advertisement, testimonial letter or other matter;

“(d) Distributes, circulates or delivers or sends by post to any person any pamphlet, circular, notice, statement, advertisement, testimonial, letter or other matter;

shall incur a penalty of not more than \$500 and in default of immediate payment thereof shall be imprisoned for a period not exceeding twelve months.”

Subsection 2: By inserting after the word “by” the word “the”.

7. Section 9, clause (a): By striking out the words “by this Act”.

Clause (b): By striking out the words “provincial medical officer of health or”.

Clause (c): By inserting after the word “Act” the words “or regulations”.

8. Section 11: By striking out the words “and in default he shall in addition to any other penalty forfeit his office or be dismissed from his employment” after the word “Act” in the sixth line thereof.

9. Section 12, clause (c): By striking out the words “For distributing” and substituting therefor the words “Providing for the distribution”.

Clause (e): By striking out the words “For preventing” and substituting therefor the words “Providing for the prevention of”.

Clause (i): By inserting after the word "penalties" the words "by fine or imprisonment".

Clause (k): By inserting after the word "health" the words "medical practitioner or executive officer".

By adding immediately after clause (l) the following clauses:

"(m) Providing for the procedure relative to arrest, detention, isolation, examination, quarantine, treatment or prevention of infection from any person;

"(n) Providing for the giving of authority under the provisions of this Act to magistrates, executive officers of the board, medical officers of health, or other persons duly appointed under *The Public Health Act* or this Act to do any act or thing which in the opinion of the board may be in the interest of public health;

"(o) Providing in the case of any person or class of persons as to who shall bear the expense in connection with the carrying out of the provisions of this Act with regard to such person or class of persons;

"(p) Prescribing the functions, duties and jurisdiction of local boards and medical officers of health in cities, towns, villages and municipal districts, under the provisions of this Act;

"(q) Prescribing the duties of the corporation of every city, town, village and municipal district with regard to the supplying of funds for the carrying out of the work of its local board or medical officer of health, under the provisions of this Act;

"(r) Providing for the division of the responsibility for and bearing expense of the carrying out of the provisions of this Act, or regulations by the various health districts or the provincial government;

"(s) Providing a schedule of charges that may be made by medical practitioners in connection with the treatment of venereal diseases including the setting of limits to the amounts that may be charged;

"(t) Providing as to the length of time resident in or otherwise connected with a health district that any person shall be in order to constitute legal domiciliation under *The Venereal Diseases Prevention Act*."

Subsection 2: By inserting after the word "board" in the third line the following:

"appoint or pay one or more executive officers or duly qualified medical practitioners respectively for the purpose of carrying out the provisions or any of them respectively of this Act, pay such expenses as in the opinion of the board are necessary and".

By striking out the word "such" in the fourth line.

By striking out the words "as are named in the regulations of".

**10.** By adding immediately after section 12, as section 12*a*, the following:

**"12*a*.** All regulations so made shall take effect from the approval thereof by the Lieutenant Governor in Council and shall be forthwith published in The Alberta Gazette, and shall be deemed to have the force of law and be so recognized by all courts, and shall be sufficiently proved by the production of a copy of The Alberta Gazette containing the same, or by a pamphlet purporting to be a copy of the regulations printed by the King's Printer or by a type-written or mimeograph circular purporting to be a copy of the regulations or any one of them and signed by the chairman of the Provincial Board of Health."

**11.** Section 13: By inserting after the word "health" in the second line the words "or medical practitioner appointed by the board or by any medical officer of health or local board".

By inserting after the word "Act" the words "or regulations".

Subsection 2: By striking out the words "as the board may deem" and substituting therefor the word "deemed".

By inserting after the word "necessary" the words "by the board".

**12.** By adding the following sections:

**"14.** Section 22, subsection 6, of *The Public Health Act* shall also apply to the nonfeasance or misfeasance of local boards under this Act.

**"15.** The provisions of *The Public Health Act* shall as far as applicable apply to the procedure and to all matters and things dealt with in this Act.

**"16.** Words signifying the masculine shall be taken also to include the feminine."

No. 41.

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SECOND SESSION  
FOURTH LEGISLATURE  
9 GEORGE V  
1919

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BILL

An Act to amend The Venereal Dis-  
eases Prevention Act.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. MACKAY.

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EDMONTON:  
J. W. JEFFERY, KING'S PRINTER  
A. D. 1919.