

## **RODRIGUES LEPROSY REGULATIONS 1926**

**GN 263/1926**

**(Lane 1/775) - section 158 - 6 November 1926**

### **COURTS ACT-RODRIGUES, ST.BRANDON AND AGALEGA**

#### **1. Short title**

These regulations may be cited as the Rodrigues Leprosy Regulations 1926.

#### **2. Definitions**

In these regulations-

"convict leper" shall mean any person detained in any prison for an offence or on a judgment for debt as hereinafter defined and being at the time of his detention or becoming during his detention affected with leprosy,

"judgment for debt" shall mean a judgment decreeing imprisonment by virtue of the Courts Civil Procedure Act, and the District and Intermediate Courts (Civil Jurisdiction) Act;

"Leper Hospital" shall mean the Leper Hospital established in Mauritius under section 123 of the Public Health Act;

"leprosy" shall mean all forms of disease caused by the bacillus leprae of Hansen.

"Leprosy Board" shall mean a Board composed of the Government Medical Officer and of the Magistrate;

"Magistrate" means the Magistrate for Rodrigues.

**Amended by [\[Act No. 70 of 1950\]](#); [\[Act No. 8 of 1971\]](#); [\[Act No. 21 of 1974\]](#)**

**3. Persons to notify suspected case of leprosy**

It shall be lawful for any person to whose knowledge it shall come that some other person in Rodrigues not exempted under regulation 9 from the provisions of these regulations, is affected or is suspected of being affected with leprosy, to report such fact or suspicion to the Government Medical Officer who shall bring the case to the notice of the Magistrate.

**4. Duty of Magistrate to cause medical examination to be made of suspect**

On the receipt of such a report by the Magistrate under the preceding regulation, he shall, after such inquiry, if any, as he may deem necessary, cause such person to be examined as soon as possible by the Leprosy Board, and obtain a report from them of such examination.

**5. Issue of detention order by Magistrate if Leprosy Board report suspect to be affected or case doubtful**

(1) If the Leprosy Board aforesaid shall report that the person alleged to be affected with leprosy is so affected or that it is doubtful whether he is so affected or not, the Magistrate shall, unless such person is exempted by him under regulation 9, order such person as in this regulation described to be removed to the Leper Hospital and detained therein.

(2) Any such order as in this regulation described shall be termed a detention order and shall be addressed to the Superintendent of the Leper Hospital and shall be delivered to a Police officer, together with the report mentioned in this regulation.

(3) A detention order shall authorize the reception and detention of the person named therein in the Leper Hospital and shall, if the person named therein is detained in isolation at any place outside the Leper Hospital, further authorize any Police officer to conduct such person to the Leper Hospital.

**6. Voluntary submission to treatment of persons affected with leprosy**

If any person suspects that he is affected with leprosy and shall desire to submit himself to treatment therefor, he may for such purpose present himself to the Magistrate who shall thereupon require the Leprosy Board to examine such person. If such Board shall report that such person is affected with leprosy or that it is doubtful whether such person is so affected or not, the provisions of regulation 5 shall apply to such case.

**7. Suspects and detained lepers deemed in lawful custody**

(1) Every person shall, during the course of removal to or while detained in the Leper Hospital under the provisions of these regulations, be deemed to be in lawful detention and until discharged therefrom and while in such detention shall be subject to the provisions of Part VI of the Public Health Act, and of any regulations made thereunder.

(2) Any person who shall escape from such lawful detention may be pursued, arrested without warrant and taken back into detention by any person whomsoever wheresoever he may be found.

**8. Disinfection of residence, etc**

Whenever any person shall have been removed to the Leper Hospital under regulation 5 or placed in isolation under regulation 9 the Government Medical Officer shall forthwith cause the residence of such person to be cleansed and disinfected and if necessary burnt:

Provided the Magistrate shall compensate any person who may have suffered any loss or damage through such disinfection or burning.

**9. Magistrate may exempt from operation of these regulations persons affected with leprosy on certain conditions**

- (1) The Magistrate shall have power to authorize any person affected with leprosy to reside in any private building if he is satisfied that proper provision will be made for the isolation, home segregation, treatment and supervision of any such person.
- (2) The Magistrate may, at any time, cancel any authorization given under the preceding paragraph if he considers that the conditions on which such authorization was given are not being properly observed or that its continuance would entail risks or spread of the disease, and thereupon the Magistrate shall issue a detention order and such person shall be removed to the Leper Hospital.
- (3) The Government Medical Officer may, at any time during the day, enter any private building where any person affected with leprosy is authorized to reside under paragraph (1) and inspect the same and examine such person; and every such private building shall be inspected and a report sent to the Magistrate by the Government Medical Officer at least once in every six months.

#### **10. Removal of convict lepers to Leper Hospital**

It shall be lawful for the President to authorize or cause the removal of any convict leper to the Leper Hospital for detention and treatment therein during the President's pleasure.

**Amended by [\[Act No. 48 of 1991\]](#)**

#### **11. Appeal from detention order**

- (1) Any party or any next of kin of such party aggrieved by an order of the Magistrate under these regulations may appeal from such order to the Supreme Court within fourteen days after the arrival of the first available steamer from Rodrigues. Such appeal shall be against the Magistrate and

the procedure shall be governed as nearly as may be by the procedure in appeals from District Magistrates in civil matters:

Provided that the applicant shall not be compelled to furnish security for costs.

- (2) Any party detained under these regulations or any next of kin of such party may at any time apply to the Supreme Court for a rule calling upon the Magistrate to show cause why such party should not be released.

## **12. Penalty**

Any breach of the provisions of these regulations shall be punishable by a fine not exceeding 500 rupees and by imprisonment not exceeding three months.