
STATUTORY INSTRUMENTS

1979 No. 1435

PUBLIC HEALTH, ENGLAND AND WALES

The Public Health (Ships) Regulations 1979

<i>Made</i>	- - - -	<i>9th November 1979</i>
<i>Laid before Parliament</i>		<i>21st November 1979</i>
<i>Coming into Operation</i>		<i>1st January 1980</i>

The Secretary of State for Social Services in relation to England and the Secretary of State for Wales in relation to Wales in exercise of powers conferred by section 143 of the Public Health Act 1936 and now vested in them⁽¹⁾ and of all other powers enabling them in that behalf, and, so far as they apply to officers of customs and excise, with the consent of the Commissioners of Customs and Excise, hereby make the following regulations:—

PART I
PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Public Health (Ships) Regulations 1979, and shall come into operation on 1st January 1980.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

“additional measures” means such of the additional measures specified in schedule 4 with respect to the diseases subject to the International Health Regulations as are appropriate;

“animals” has the same meaning as in Article 2(1) of the Rabies (Control) Order 1974;

“approved port” means a port approved by the Secretary of State in accordance with paragraph 1 of Article 17 of the International Health Regulations for the issue of Deratting Exemption Certificates only;

“arrival”, in relation to a ship, means the entry within the limits of jurisdiction of a district of a ship which has not during its voyage or since it last

(1) See The Secretary of State for Social Services Order 1968, S.I. 1968/1699 Art. 2 and The Transfer of Functions (Wales) Order 1969, S.I. 1969/388 Art. 2(1).

- (a) called at a port outside the United Kingdom, or
- (b) met with an offshore installation, or
- (c) met with a ship which has proceeded from a foreign port, been subjected elsewhere in the United Kingdom to measures provided for in these regulations or any corresponding regulations in force in Scotland or Northern Ireland, apart from any measure which may have been applied there to any person, baggage or cargo landed from the ship, and “arrives” shall be construed accordingly;

“authorised officer” means the medical officer, the proper officer, as described by paragraph 13 of Schedule 14 of the Local Government Act 1972, or any other officer authorised by the health authority under regulation 4, to enforce and execute any of these regulations;

“baggage” means the personal effects of a traveller or of a member of the crew;

“crew” means the personnel of a ship who are employed for duties on board;

“customs officer” has the meaning assigned to the term “officer” in section 1(1) of the Customs and Excise Management Act 1979;

“day” means an interval of twenty-four hours;

“Deratting Certificate” means a certificate issued in accordance with Article 54 of the International Health Regulations;

“Deratting Exemption Certificate” means a certificate issued in accordance with Article 54 of the International Health Regulations;

“designated approved port” means an approved port designated by the Secretary of State in accordance with paragraph 2 of Article 17 of the International Health Regulations for the issue of both Deratting Certificates and Deratting Exemption Certificates;

“diseases subject to the International Health Regulations” means cholera, including cholera due to the E1 Tor vibrio, plague, smallpox, including variola minor (alastrim), and yellow fever;

“disinsecting” means the operation in which measures are taken to kill the insect vectors of human disease;

“district” means—

- (a) a port health district;
- (b) a London borough or a district which abuts on waters forming part of a port established for the purposes of the enactments relating to customs but not within the jurisdiction of a port health authority, and includes the waters on which it so abuts;

“enactment” includes an instrument having statutory effect;

“epidemic” means an extension of a disease subject to the International Health Regulations by a multiplication of cases in an area;

“excepted area” means all the territory of Belgium, Metropolitan France, Spain, Greece, the Republic of Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom, the Channel Islands and the Isle of Man;

“excepted port” means any port in the excepted area;

“foreign port” means a port or other coastal place situated elsewhere than in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland;

“free pratique” means permission for a ship to disembark and commence operation;

“health authority” means in relation to a port health district the port health authority, and in relation to any other district the council of that district;

“immigration officer” means any person appointed to act as an immigration officer under the Immigration Act 1971;

“infected area” means an area notified as such to health administrations by the World Health Organisation under Article 11 of the International Health Regulations and which has not been subsequently notified by that organisation as being free from infection;

“infected person” means a person who is suffering from a disease subject to the International Health Regulations or who is considered by the medical officer to be infected with such a disease or with some other infectious or contagious disease other than venereal disease or tuberculosis;

“infected ship” means—

- (a) a ship which has on board on arrival—
 - (i) a case of a disease subject to the International Health Regulations; or
 - (ii) a case of lassa fever, rabies, viral haemorrhagic fever or marburg disease; or
- (b) a ship on which a plague-infected rodent is found on arrival; or
- (c) a ship which has had on board during its voyage—
 - (i) a case of human plague which developed more than six days after the embarkation of the person affected; or
 - (ii) a case of cholera within five days before arrival; or
 - (iii) a case of yellow fever or smallpox;and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided for in these regulations;

“infectious disease” means a disease subject to the International Health Regulations or any other infectious or contagious disease other than venereal disease or tuberculosis;

“International Health Regulations” means the International Health Regulations adopted by the 22nd World Health Assembly in 1969 as amended by the 26th World Health Assembly in 1973;

“isolation”, when applied to a person or group of persons, means the separation of that person or group of persons from other persons, except the health staff on duty, in such a manner as to prevent the spreading of infection;

“Maritime Declaration of Health” means a declaration in the form set out in schedule 2;

“master” means the person for the time being in charge of or in command of a ship;

“medical officer” means the medical officer for a district, or any other medical practitioner appointed by the health authority under regulation 5;

“medical practitioner” means a registered medical practitioner;

“mooring station” means a place, situated within the waters of a district, which is specified by the health authority, with the consent of the collector of customs and excise for the area in which the district is situated and the harbour master, or in such other district as the Secretary of State may allow, for the mooring of ships for medical inspection so that they do not come into contact with other ships or the shore;

“offshore installation” has the meaning assigned to it in section 12(1) of the Mineral Workings (Offshore Installations) Act 1971;

“Secretary of State” means the Secretary of State for Social Services, and in Wales means the Secretary of State for Wales;

“ship” has the same meaning as the expression “vessel” bears for the purposes of the Public Health Act 1936 and accordingly includes—

- (a) any ship or boat;
- (b) any other description of vessel used in navigation;

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(c) any hovercraft within the meaning of the Hovercraft Act 1968;

“suspect” means a person (not being an infected person) who is considered by the medical officer as having been exposed to infection by an infectious disease and is considered capable of spreading that disease;

“suspected ship” means—

- (a) a ship which, not having on board on arrival a case of human plague, has had on board during the voyage a case of that disease which developed within six days of the embarkation of the person affected; or
- (b) a ship on which there is evidence of abnormal mortality among rodents, the cause of which is unknown on arrival; or
- (c) a ship which has had on board during the voyage a case of cholera which developed more than five days before arrival; or
- (d) a ship which left within six days before arrival an area infected with yellow fever;
- (e) a ship which has on board on arrival a person who the medical officer considers may have been exposed to infection from lassa fever, rabies, viral haemorrhagic fever or marburg disease;

Provided that a ship to which the foregoing paragraph (a) or (c) applies shall not be deemed to be a suspected ship if in respect of such case of human plague or cholera, as the case may be, the ship has before arrival been subjected to appropriate measures equivalent to those provided for in these regulations;

“valid” in relation to a Deratting Certificate or Deratting Exemption Certificate issued for a ship means, issued not more than six months before the production of the Certificate to the authorised officer, or, if the ship is proceeding immediately to an approved port or a designated approved port, not more than seven months before such production;

“valid International Vaccination Certificate” means a certificate of vaccination or revaccination against smallpox which is in the form laid down and conforms with the rules as to validity contained in schedule 5 to these regulations.

(2) Any reference in these regulations to a numbered regulation or schedule shall, unless the reference is to a regulation or schedule of specified regulations, be construed as a reference to the regulation or schedule bearing that number in these regulations.

(3) For the purposes of these regulations a ship shall not be deemed to have been in an infected area, if without having itself been in contact with the shore, it has landed there only mail, passengers and baggage, or has taken on board there only mail, fuel, water or stores or passengers, with or without baggage, who have not themselves been in contact either with the shore or with any person from the shore.

(4) For the purposes of these regulations a ship shall not be regarded as having met another ship or offshore installation unless in the course of the encounter a person has boarded one ship or installation from the other.

Regulations not to apply to ships of the armed forces

3. Without prejudice to any enactment or rule of law which applies in relation to Her Majesty's armed forces or to any of the other armed forces hereinafter mentioned as part thereof, nothing in these regulations shall apply to any ship forming part of Her Majesty's armed forces or of the armed forces of any country within the Commonwealth or of the armed forces of any other country for the time being designated for the purposes of all the provisions of the Visiting Forces Act 1952 following section 1(2) thereof, or to the officers and crew of any such ship.

PART II

GENERAL

Enforcement and execution of regulations

4.—(1) Subject to the provisions of paragraph (2) of this regulation, every health authority shall enforce and execute these regulations and shall exercise their functions through the medical officer and such other officers as they may authorise in that behalf, and shall make such inquiries and take such other steps as seem to them to be necessary for securing the proper exercise of those functions.

(2) Any two health authorities may agree, upon terms and conditions approved by the Secretary of State, that one of them shall undertake the enforcement and execution of and arrange for their authorised officers to enforce and execute the whole or specified provisions of these regulations in the district of the other, and for this purpose the district in which any such provision is so enforced and executed shall be deemed to be the district of the authority who enforces and executes it; and if their district is an approved port or a designated approved port and they so agree to enforce and execute in another district the provisions relating to Deratting Certificates and Deratting Exemption Certificates, the authorised officer for the district shall have authority to grant such Certificates in such other district.

Appointment and duties of authorised officers and provision of services by health authorities

5. For the purposes of these regulations a health authority may, and if so required by the Secretary of State, shall—

- (a) appoint such medical practitioners, in addition to their medical officer, as may be necessary for the proper enforcement and execution of these regulations;
- (b) give directions from time to time as to the duties which are to be performed by any medical practitioner so appointed or any other officer authorised to enforce and execute these regulations;
- (c) provide or arrange for the provision of—
 - (i) premises or waiting rooms for the medical inspection and examination of persons;
 - (ii) premises for the temporary isolation of persons under these regulations;
 - (iii) apparatus or other means for cleansing, disinfecting or disinsecting ships, persons or clothing and other articles;
- (d) arrange for the reception into a hospital of persons requiring to be removed thereto under these regulations;
- (e) arrange for the provision of means of transport for the conveyance of persons to any premises referred to in paragraph (c) of this regulation, or to a hospital;
- (f) do all such other things as in their opinion or the opinion of the Secretary of State, as the case may be, are necessary to enable the provisions of these regulations to be complied with.

List of infected areas

6.—(1) The authorised officer for every district shall from time to time prepare and keep up to date a list of ports and other areas which are infected or believed to be infected with a disease subject to the International Health Regulations or which may serve other places or areas so infected or believed to be so infected.

(2) The authorised officer shall supply copies of every such list and any amendment thereof to the pilots and customs officers employed in the district.

(3) In preparing and amending such list the authorised officer shall take into account all information sent to him from time to time by the Secretary of State or issued by the World Health Organisation.

PART III INCOMING SHIPS

Inspection of ships

7.—(1) The authorised officer may, for the purposes of these regulations, inspect any ship on arrival or already in the district.

(2) An authorised officer shall—

- (a) inspect on arrival any ship in respect of which the master has sent to the health authority a message or notification under regulation 13(1)(a)(ii) and (iii), (b) or (c), and
- (b) inspect any ship already in the district when he has reasonable grounds for believing that there is on board a case or suspected case of infectious disease.

(3) For the purposes of this regulation, the inspection of a ship may include the taking from the ship of samples of food and water for the purposes of analysis or examination with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases.

Direction of ships

8. Any authorised officer may for the purposes of these regulations require a ship on arrival or already in the district to be brought to, and if necessary moored or anchored at, some safe and convenient place for the purpose of medical inspection.

Examination, etc., of persons on ships

9.—(1) The medical officer may, and if so requested by the master or required by the Secretary of State shall, examine any person on board a ship on arrival or already in the district, when there are reasonable grounds for suspecting that—

- (a) the person is suffering from an infectious disease;
- (b) the person has been exposed to infection from an infectious disease;
- (c) the person is verminous.

(2) An authorised officer may—

- (a) detain any such person for such examination either upon the ship or at some place on shore appointed for the purpose;
- (b) require the clothing and other articles belonging to any person so examined to be disinfected and, where necessary, disinfected, and any person found to be verminous to be disinfected;
- (c) except as provided in regulation 31, prohibit any person so examined from leaving the ship, or permit him to leave it on such conditions and subject to the taking of such measures, under these regulations, as the authorised officer considers reasonably necessary for preventing the spread of infection; and

- (d) require the master to take or assist in taking such steps as in the opinion of the authorised officer are reasonably necessary for preventing the spread of infection, for disinsection and the destruction of vermin, and for the removal of conditions on the ship likely to convey infection, including conditions the existence of which might facilitate the harbouring of insects or vermin.
- (3) On the arrival of any ship which during its voyage has been in a foreign port other than an excepted port the authorised officer, or at any port where their employment for this purpose is sanctioned by the Commissioners of Customs and Excise, a customs officer, may, and if so required by the Secretary of State shall, require any person on board or disembarking from the ship to produce a valid International Vaccination Certificate.
- (4) A customs officer or other authorised officer may detain until the arrival of the medical officer or for three hours, whichever is the shorter period, any such person who has been required to produce such a certificate and is unable to do so.
- (5) Where any such person fails to satisfy the medical officer, that he possesses such a certificate, the medical officer may detain him for examination at a place appointed for that purpose, and may apply in his case the additional measures mentioned in part II of schedule 4 and in paragraphs (1) and (2) of part IV of schedule 4.
- (6) The powers conferred by paragraphs (3), (4) and (5) of this regulation shall not be exercised in respect of any person on board a ship arriving from an excepted port unless the Secretary of State has directed, or the medical officer is satisfied and has so informed the customs officer, that the exercise of this power is necessary on account of danger to public health.
- (7) The medical officer or customs officer shall immediately notify the health authority of any directions given to him by the Secretary of State under this regulation.
- (8) Nothing in this regulation shall be deemed to authorise the use of a ship for the isolation of a person who is suffering from, or had been exposed to infection from, an infectious disease unless such isolation can be effected without delaying or unduly interfering with the movements of the ship.

Powers in respect of certain persons on ships

- 10.**—(1) Where there is, or the medical officer suspects that there is, on board a ship on arrival or already in the district a person suffering from an infectious disease or tuberculosis, the medical officer may—
- (a) in the case of an infectious disease, cause such person to be removed from the ship and isolated or sent to a hospital or to some other suitable place approved for that purpose by the health authority, as may be appropriate; or, except as provided in regulation 31, the medical officer may, by notice in writing to the master, prohibit the removal of the person or his disembarking from the ship without the consent in writing of the medical officer;
- (b) in the case of tuberculosis, if the person disembarks, send information to that effect to the medical officer for the area in which the intended destination and address of the person is situated.
- (2) Where the Secretary of State is satisfied that a grave danger to public health exists by reason of infectious disease and notifies medical officers accordingly, the medical officer, if the Secretary of State so directs, shall require a person disembarking from a ship to state in writing his name and intended destination and address.

Supply of information, etc., by masters

- 11.**—(1) The master of a ship on arrival or already in a district shall—

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- (a) answer all questions as to the health conditions on board which may be put to him by a customs officer or an authorised officer and furnish any such officer with all such information and assistance as he may reasonably require for the purposes of these regulations;
 - (b) notify the authorised officer immediately of any circumstances on board which are likely to cause the spread of infectious disease, including in his notification particulars as to the sanitary condition of the ship and the presence of animals or captive birds of any species, or mortality or sickness among such animals or birds, on the ship;
 - (c) comply with these regulations, and with any directions or requirements of an authorised officer or customs officer given or made for the purposes of these regulations.
- (2) For the avoidance of doubt, the expression “captive birds” both in this regulation and in regulation 13 includes poultry.

Radio permission to enter district

12. An authorised officer may, when he is satisfied by information received by radio from a ship from a foreign port before arrival in his district, or by any other information, that the arrival of the ship will not result in or contribute towards the spread of infectious disease, transmit free pratique to the master by radio or otherwise.

Notification of infectious disease, etc., on board

- 13.—**(1) The master of a ship shall, in accordance with paragraph (2) below, report
- (a) the occurrence on board ship before arrival of
 - (i) the death of a person otherwise than as a result of an accident, or
 - (ii) illness where the person who is ill has or had a temperature of 38°C or greater which was accompanied by a rash, glandular swelling or jaundice, or where such temperature persisted for more than 48 hours, or
 - (iii) illness where the person has or had diarrhoea severe enough to interfere with work or normal activities;
 - (b) the presence on board of a person who is suffering from an infectious disease or who has symptoms which may indicate the presence of an infectious disease;
 - (c) any other circumstances on board which are likely to cause the spread of infectious disease; and
 - (d) the presence of animals or captive birds, and the occurrence of mortality or sickness amongst such animals or birds.
- (2) For the purposes of the foregoing provisions the master shall—
- (a) if the ship is equipped with a suitable radio transmitting apparatus, send before arrival, either directly to the health authority or through an agent approved by them, a radio message complying with paragraph (3) of this regulation;
 - (b) if the ship is not so equipped, notify the health authority, whenever practicable before arrival and otherwise immediately on arrival, of the presence on board of such infectious disease, symptoms or other similar circumstances.
- (3) Any radio message sent for the purpose of this regulation shall—
- (a) be sent so as to reach the health authority not more than twelve hours, and whenever practicable not less than four hours, before the expected arrival of the ship;

- (b) if it is in code, conform with Part VIII of the International Code of Signals as reproduced in Schedule 1, unless the health authority otherwise directs.

Signals

14.—(1) Where a ship is due to arrive in a district and the master of that ship has a report to make in accordance with regulation 13(1)(a), (b) or (c), the master shall, when the ship comes within the district, show or give between sunrise and sunset the appropriate day signal set out in Part VIII of the International Code of Signals as reproduced in Schedule 1, and between sunset and sunrise the night signal set out in that Schedule.

(2) The signal required by the foregoing paragraph of this regulation shall continue to be shown or given until the ship is granted free pratique by an authorised officer.

Maritime Declaration of Health

15.—(1) Subject to the provisions of this regulation, where on the arrival of a ship, the master

(a) has a report to make in accordance with regulation 13(1)(a), (b) or (c), or

(b) is directed by the medical officer to complete a Maritime Declaration of Health

he shall complete a Maritime Declaration of Health in the form set out in Schedule 2, which shall be countersigned by the ship's surgeon if one is carried:

Provided that in the case of a ship which during its voyage has not been in a foreign port other than an excepted port, and has not during the voyage met a ship which has proceeded from a foreign port outside the excepted area, the master shall not be bound to comply with the provisions of this regulation unless he has been notified by the medical officer that compliance with those provisions is necessary on account of danger to public health.

(2) The master shall deliver the Declaration to the authorised officer, who shall forward it to the health authority.

16. If, within four weeks after the master of a ship has delivered a Maritime Declaration of Health under regulation 15 or a corresponding provision in force in Scotland or Northern Ireland, the ship arrives in a district or calls at another district, as the case may be, the master shall report to the authorised officer any case or suspected case of infectious disease which has occurred on board since the Declaration was delivered and which has not already been reported.

Restriction on boarding or leaving ships

17.—(1) Where the authorised officer so directs, or where the master is required to make a report in accordance with regulation 13(1)(a), (b) or (c), no person, other than the pilot, a customs officer or an immigration officer, shall, without the permission of the authorised officer, board or leave a ship until free pratique has been granted, and the master shall take all reasonable steps to secure compliance with this provision.

(2) Before granting permission to a person to leave the ship, the authorised officer may require him to state his name and his intended destination and address, and to give any other information which the authorised officer may think necessary for transmission to the medical officer for the area in which the intended destination of the person is situated.

(3) If such a person cannot state his intended destination and address or arrives, within a period, not exceeding fourteen days after landing, to be specified to him by the authorised officer, at an address other than that which he has so stated, he shall immediately after his arrival at that address send particulars thereof to the authorised officer of the port where he left the ship.

Deratting Certificates and Deratting Exemption Certificates

18.—(1) If the master of a ship which during its voyage has been in a foreign port cannot produce to the authorised officer for the district in which the ship arrives or for any district at which the ship calls a valid Deratting Certificate or Deratting Exemption Certificate in respect of the ship in the form set out in schedule 3, the authorised officer shall—

- (a) if the district is an approved port or a designated approved port, require the ship to be inspected to ascertain whether it is kept in such a condition that it is free of rodents and the plague vector; or
- (b) if the district is not such a port, direct the ship to proceed at its own risk to the nearest approved port or designated approved port convenient to the ship at which a Deratting Certificate or Deratting Exemption Certificate, as the case may be, can be obtained.

(2) If, after the ship has been inspected, the authorised officer for the approved port or designated approved port is satisfied that the ship is free from rodents and the plague vector, he shall issue a Deratting Exemption Certificate.

(3) If, after the ship has been inspected, such authorised officer is not so satisfied, he shall—

- (a) if the district is a designated approved port, require the ship to be deratted in a manner to be determined by him; or
- (b) if the district is not a designated approved port, direct the ship to proceed at its own risk to the nearest designated approved port convenient to the ship for deratting.

(4) If the master produces a Deratting Certificate or a Deratting Exemption Certificate, but the authorised officer has evidence that the deratting was not satisfactorily completed or that there is evidence of rodents on board the ship the authorised officer may, notwithstanding such Certificate, exercise in relation to the ship his powers under the last preceding paragraph.

(5) The master shall forthwith make arrangements for any deratting required by the authorised officer for the designated approved port.

(6) When deratting has been completed to the satisfaction of the authorised officer for the designated approved port, he shall issue a Deratting Certificate.

(7) Before the authorised officer directs under this regulation that a ship shall proceed to another port, he shall consult with a customs officer for the district.

19. Upon receipt of an application in writing from the owner of a ship in an approved port, or from the master acting for and on behalf of the owner, for a Deratting Certificate or a Deratting Exemption Certificate in respect of the ship, the authorised officer shall take any steps which he considers necessary to satisfy himself that the ship is kept in such a condition that it is free of rodents and the plague vector, or at a designated approved port give directions for the deratting of the ship, as the case may require, and, on being satisfied as to the condition of the ship or that the deratting has been properly carried out, he shall issue the appropriate Certificate.

20.—(1) Every Deratting Certificate and Deratting Exemption Certificate shall be in the form specified in schedule 3.

(2) A copy of every such Certificate issued under regulation 18 or 19 shall be retained by the health authority.

(3) The owner or master of a ship shall pay to the health authority such charge as the Secretary of State may from time to time determine for the inspection of the ship for the purposes of regulation 18 or 19.

Detention of ships, and ships to be taken to mooring stations

21.—(1) On the arrival of an infected ship or a suspected ship, or any other ship on which there has been, during its current voyage and within the last four weeks before arrival, a case of a disease subject to the International Health Regulations in respect of which the ship has not, outside the United Kingdom, been subjected to appropriate measures equivalent to those provided for in these regulations, the master shall take it to a mooring station unless an authorised officer otherwise allows or directs.

(2) When the authorised officer has reason to believe that a ship on arrival may be one to which paragraph (1) of this regulation applies, he may direct the master to take it to a mooring station or to such other place as he considers desirable.

22. The authorised officer may for the purposes of these regulations direct that any ship from a foreign port shall on arrival be taken to a mooring station for medical inspection, and he may, if a customs officer is to be the first officer to board the ship, give a notice in writing of such direction to the customs officer, who shall deliver the notice to the master.

23. Where on the arrival of a ship from a foreign port it appears to a customs officer, from information in the Maritime Declaration of Health or otherwise, that the ship—

- (a) has during its voyage been in an infected area; or
- (b) is one to which regulation 21(1) applies,

he shall direct the master to take it to a mooring station for detention there unless an authorised officer otherwise allows or directs.

24. If after the arrival of a ship a case of disease subject to the International Health Regulations or of lassa fever, rabies, viral haemorrhagic fever or marburg disease occurs on board, or an animal infected with any such disease is discovered or suspected of being on board, the authorised officer may direct the master to take the ship to a mooring station.

25. A ship which has been taken to a mooring station or directed there by an authorised officer shall remain there until it has been inspected by the medical officer.

26. An authorised officer may detain, or give notice in writing to a customs officer to detain, any ship for medical inspection at its place of mooring (not being a mooring station) or at its place of discharge or loading.

27. The detention of a ship by a customs officer under these regulations shall cease as soon as the ship has been inspected by the medical officer or, if such inspection has not commenced within twelve hours after the ship has been so detained, on the expiration of that period:

Provided that nothing in this regulation shall affect the power of the authorised officer to continue the detention of a ship under regulation 28.

28.—(1) The medical officer shall inspect any ship and the persons on board as soon as possible after it has been taken or directed to a mooring station or after it has been detained under these regulations.

(2) If the ship is one to which the authorised officer is required to apply any further measure under these regulations or additional measures in schedule 4, or if after such inspection he considers it necessary to apply any such further or additional measures he may detain the ship at the mooring station or at such other place as he considers desirable, or continue the detention, as the case may be, if such detention or continued detention is necessary for the application of such further or additional measures.

29. The authorised officer may require the master of a ship which under these regulations has been taken or directed to a mooring station or detained because rodents have been discovered or

there are reasonable grounds for suspecting that rodents are on board to take all practicable measures to prevent the escape of rodents from the ship.

Persons from infected areas

30. On the arrival of a ship the medical officer may place under surveillance for the appropriate period specified in regulation 36(1)—

- (a) any person disembarking from the ship who has come from an infected area other than an area infected with yellow fever or plague; and
- (b) any suspect disembarking from the ship who has come from an area infected with yellow fever, plague, lassa fever, viral haemorrhagic fever or marburg disease.

Removal of infected persons from ships when required by master

31. The medical officer shall, if so required by the master of a ship on arrival, cause any infected person to be removed from the ship.

Additional measures

32. Without prejudice to any other provision in these regulations the additional measures in schedule 4 shall be applicable on the arrival of—

- (a) any infected ship or suspected ship;
- (b) any ship which has during its voyage been in an area infected with plague, cholera, yellow fever, lassa fever, rabies, viral haemorrhagic fever or marburg disease;
- (c) any suspect for smallpox on a ship other than an infected ship;
- (d) any other ship when the medical officer is satisfied that, notwithstanding that measures equivalent to such additional measures have been applied to the ship or any person on board at a previous port during its voyage, there is on board or has been on board since such previous application an infected person or suspect and that it is necessary again to apply any such measure, or the medical officer has evidence that such previous application was not effective.

PART IV

OUTGOING SHIPS

Examination, etc., of persons proposing to embark

33. Where a ship is due to depart for a destination, whether final or intermediate, outside the United Kingdom, the medical officer—

- (a) may examine any person who proposes to embark thereon if he has reasonable grounds for believing him to be suffering from a disease subject to the International Health Regulations or from lassa fever, viral haemorrhagic fever or marburg disease and, if after examination the medical officer is of the opinion that he shows symptoms of such a disease, shall prohibit his embarkation and the time and place of this examination shall be arranged to take into account any other formalities and to avoid delay;
- (b) shall prohibit any suspect from embarking thereon:

Provided that in the case of smallpox a person shall not be prohibited from embarking if he satisfies the medical officer that he is sufficiently protected by vaccination or by a previous attack of smallpox;

- (c) shall notify by the most expeditious means the master and, also, the health authority for the place to which the person is proceeding of any person embarking or proposing to continue his voyage thereon who, in the opinion of the medical officer, should be placed under surveillance;
- (d) notwithstanding the provisions of sub-paragraph (b) of this regulation may allow a person on an international voyage who, on arrival, was placed under surveillance to continue his voyage. The medical officer shall notify by the most expeditious means the health authority for the place to which the person is proceeding that such a person should, in the opinion of the medical officer, be placed under surveillance.

Infected places in England and Wales

34. Where the Secretary of State has, by notice published in the London Gazette, declared any place to be infected with a disease subject to the International Health Regulations or with any other disease which in his opinion constitutes a menace to other countries by reason of its spread or potential spread, then, until the notice is revoked by a subsequent notice published in the London Gazette, every medical officer shall comply with any requirement which may be made by the Secretary of State for preventing the spread of the disease, and in particular (but without prejudice to the generality of the foregoing provision) the following provisions of this regulation shall operate in relation to any ship departing from any district specified by the Secretary of State for a destination, whether final or intermediate, outside the United Kingdom:—

- (a) an authorised officer, if so required by the Secretary of State, shall require a valid vaccination certificate from departing travellers. In the absence of such a certificate the medical officer may offer vaccination to any such traveller and may apply the provisions of regulation 33(c);
- (b) the medical officer may, and within three hours after receiving a request from the master so to do shall, medically examine any person who proposes to embark on or is on board the ship;
- (c) the authorised officer may require any part of the ship which in his opinion may be infected to be cleansed and disinfected to his satisfaction;
- (d) an authorised officer shall inspect any clothing, bedding or other article which is on, or is intended to be taken by any person on the ship and which, in the opinion of the officer, may have been exposed to infection and may require the disinfection or destruction of any such clothing, bedding or article, and the master shall disclose to the authorised officer any relevant circumstances;
- (e) no person shall take or cause to be taken on board the ship any article which, in the opinion of an authorised officer, is capable of carrying infection unless that officer is satisfied that it has been efficiently disinfected and, where necessary, disinfected;
- (f) if any part of a district is included in the said notice in the London Gazette and is therein declared to be infected with plague, and if there is reason to believe that there are rodents on the ship, the authorised officer may, and if so required by the Secretary of State shall, take steps to secure the deratting of the ship.

PART V

MISCELLANEOUS

Compliance with directions, etc., under the regulations

35. Every person to whom these regulations apply shall comply with every direction, requirement or condition given, made or imposed by an authorised officer or customs officer under these regulations, and shall furnish all such information as that officer may reasonably require (including information as to his name and intended destination and address to which he is going on leaving a ship), and every person who has for the time being the custody or charge of a child or other person who is under disability shall comply with any direction, requirement or condition so given, made or imposed, and shall furnish all such information as aforesaid in respect of that child or other person.

Surveillance

36.—(1) Where these regulations permit a medical officer to place a person under surveillance, the period of such surveillance shall not exceed such of the following periods as may be appropriate:

- (a) in respect of plague, six days;
- (b) in respect of cholera, five days;
- (c) in respect of yellow fever, six days;
- (d) in respect of smallpox, fourteen days;
- (e) in respect of lassa fever, viral haemorrhagic fever, or marburg disease, twenty-one days.

(2) Where a person has been so placed under surveillance for plague, cholera, smallpox, lassa fever, viral haemorrhagic fever or marburg disease under regulation 30 by reason of his having come from an infected area, the period shall be reckoned from the date of his leaving the infected area.

(3) When a person has been so placed under surveillance under the additional measures in schedule 4, the period shall be reckoned in the manner therein specified.

37. Every person who is placed under surveillance under these regulations shall—

- (a) give facilities for any medical examination required by the medical officer or by the medical officer for any area in which he may be during the period of surveillance;
- (b) furnish all such information as the medical officer or any such medical officer may reasonably require with a view to ascertaining the person's state of health;
- (c) forthwith upon arrival during the period of surveillance at any address other than the one stated as his intended address when placed under surveillance, send particulars of that address to the medical officer;
- (d) if so instructed by the medical officer, report immediately to the medical officer for any area in which he may be during the period of surveillance, and thereafter during that period report to that officer at such intervals as he may require:

Provided that an instruction shall not be given under this sub-paragraph unless the Secretary of State has by direction (whether general or special) authorised the giving of instructions thereunder.

Charges for services

38.—(1) Where the master of a ship in a district is required by these regulations to carry out any measures with a view to reducing the danger or preventing the spread of infection, the health

authority may themselves, at the request of the master cause any such requirement to be complied with at his cost, instead of enforcing the requirement against the master.

(2) The amount of the charge for any such measures or requirement undertaken by the health authority shall be such reasonable sum as represents the actual or estimated cost to be incurred in undertaking the work excluding any charge or claim on the part of the health authority in respect of profit, but shall not exceed the sum of four hundred pounds unless notice of the proposed charge has been given to the master before the work is undertaken.

(3) Where under this regulation the health authority causes any requirement to be complied with at the cost of the master they may require the amount of the charge for the work or a part thereof to be paid to, or deposited with them, before the work is undertaken.

(4) Where, under these regulations, any measures have been taken with regard to a ship, the health authority or the authorised officer shall, on the request of the master, furnish him free of charge with particulars in writing of those measures and the reasons why they were taken.

(5) Where, under these regulations, any measures have been taken with regard to any person or to any articles in his possession, the authorised officer shall, on request by such person, furnish him free of charge with particulars in writing of those measures, including the date on which they were taken.

Recovery of charges

39. Every charge authorised by regulations 20 or 38 shall be recoverable either summarily as a civil debt, or as a simple contract debt in any court of competent jurisdiction.

Expenses of health authorities

40. Subject to the provisions of regulation 38, any expenses incurred by a health authority in the enforcement and execution of these regulations shall be defrayed in the same manner as the expenses incurred by them in the execution and discharge of their other powers and duties.

Saving for mails

41. Nothing in these regulations shall render liable to detention, disinfection or destruction any article forming part of any mail conveyed under the authority of the Post Office or of the postal administration of any other Government or shall prejudicially affect the receipt on board and delivery in due course at the place of destination of any such mail in accordance with the provisions of the Post Office Act 1953, as amended by Part II of Schedule 4 to the Post Office Act 1969.

Saving for ships unwilling to comply with these regulations

42.—(1) The master of a ship on arrival, or already in a district, who is unwilling to comply with, or submit to, any provision of, or requirement made, under these regulations which may be applicable shall notify the authorised officer, and the authorised officer may then require the master to remove the ship immediately from the district.

(2) If before leaving the district the master wishes to discharge cargo or disembark passengers or to take on board fuel, water or stores, the authorised officer shall permit him to do so, but may impose such conditions under these regulations as the authorised officer considers necessary.

(3) When the authorised officer has required the removal of a ship from the district, it shall not, during its voyage, call at any other district.

Saving for existing enactments

43. Nothing in these regulations shall affect the Immigration Act 1971.

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Revocations

44. The regulations specified in schedule 6 are hereby revoked:

Provided that this revocation shall not affect anything duly done or suffered or any right, privilege, obligation or liability acquired, accrued, or incurred under those regulations, and in particular (without prejudice to the generality of the foregoing) any agreement, appointment, approval, designation, determination, notice or recognition made or given under those regulations shall continue in force and have effect as if it had been made or given under these regulations.

SCHEDULE 1

Regulation 14

INTERNATIONAL CODE OF SIGNALS

SCHEDULE 2

Regulation 15

Maritime Declaration of Health

SCHEDULE TO THE DECLARATION PARTICULARS OF EVERY CASE OF ILLNESS OR DEATH OCCURRING ON BOARD

SCHEDULE 3

Regulation 18

DERATTING CERTIFICATE

DERATTING EXEMPTION CERTIFICATE

SCHEDULE 4

Regulation 32

ADDITIONAL MEASURES WITH RESPECT TO THE DISEASES SUBJECT TO THE INTERNATIONAL HEALTH REGULATIONS

PART 1

PLAGUE

A

Infected ships and suspected ships

(1) The medical officer may—

- (a) require any suspect on board to be disinfected and may place him under surveillance, the period of surveillance being reckoned from the date of arrival of the ship;
- (b) require the disinfecting and, if necessary, disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the ship which the medical officer considers to be contaminated.

(2) If there is any rodent infected with plague on board the medical officer or other authorised officer shall require the ship to be deratted in a manner to be determined by him, but without prejudice to the generality of this requirement the following special provisions shall apply to any such deratting:—

- (a) the deratting shall be carried out as soon as the holds have been emptied or when they contain only ballast or other material, unattractive to rodents, of such a nature or so disposed as to make a thorough inspection of the holds possible. A Deratting Exemption Certificate may be issued for an oil tanker with full holds;

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- (b) one or more preliminary derattings of a ship with the cargo in situ, or during its unloading, may be carried out to prevent the escape of infected rodents;
 - (c) if the complete destruction of rodents cannot be secured because only part of the cargo is due to be unloaded, a ship shall not be prevented from unloading that part, but the medical officer or other authorised officer may apply any measure which he considers necessary to prevent the escape of infected rodents, including placing the ship in quarantine.
- (3) On arrival of a ship having on board a person suffering from pulmonary plague, or if there has been a case of pulmonary plague on board a ship within the period of six days before its arrival, the medical officer may—
- (a) carry out the measure set out in paragraph 1 of Part 1 of this schedule;
 - (b) require any person on board to be placed in isolation for six days reckoned from the date of the last exposure to infection.

B

Ships which have been in infected areas

- (4) The medical officer may—
- (a) place under surveillance any suspect who disembarks; the period of surveillance being reckoned from the date of the departure of the ship from the infected area;
 - (b) regard as suspect any person not isolated for six days before departure from an area with an epidemic of pulmonary plague;
 - (c) require, in exceptional circumstances and for well founded reasons, the destruction of rodents on the ship and disinsecting, but he shall give the master notice in writing of the reasons for the requirement.
- Regulation 9(5)

PART II

CHOLERA

Infected ships and suspected ships

- (1) The medical officer
- (a) may place under surveillance any person who disembarks from a ship, the period of surveillance being reckoned from the date of disembarkation from the ship;
 - (b) shall be responsible for the supervision of the removal and safe disposal of any water, food (excluding cargo), human dejecta, waste water, including bilge water, waste matter, and any other matter which is considered to be contaminated, and shall be responsible for the disinfection of water tanks and food handling equipment.
- (2) Foodstuffs carried as cargo on board ships in which a case of cholera has occurred during the journey, may not be subjected to bacteriological examination except by the health authorities of the country of final destination.

PART III

YELLOW FEVER

Infected ships, suspected ships, and ships which have been in infected areas

The medical officer may require the ship to be disinfected for the destruction of vectors of yellow fever which may be on board.

Regulation 9(5)

PART IV

SMALLPOX

A

Infected ships

(1) The medical officer shall offer vaccination to any person on board or disembarking from the ship who does not show sufficient evidence of protection by a previous attack of smallpox or who does not satisfy the medical officer that he possesses a valid International Vaccination Certificate.

(2) The medical officer may either—

- (a) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date on which the medical officer considers the person was last exposed to infection; or
- (b) if he considers any such person is not sufficiently protected against smallpox, isolate him for a similar period.

(3) The medical officer shall require the disinfection of the baggage of any infected person, and of any other article on board and any part of the ship which the medical officer considers to be contaminated.

B

Suspects on other ships

(4) The medical officer may also apply the provisions of paragraphs (1) and (2) of this part to any suspect who disembarks from a ship which is not an infected ship.

PART V

LASS A FEVER, RABIES, VIRAL HAEMORRHAGIC FEVER OR MARBURG DISEASE

Infected ships and suspected ships

(1) The medical officer may—

- (a) place any suspect on board under surveillance, the period of surveillance being reckoned from the date of arrival of the ship;
- (b) require the disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the ship which the medical officer considers to be contaminated.

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(2) If there is any rodent on board, the authorised officer may require the ship to be deratted in a manner to be determined by him, but without prejudice to the generality of this requirement the following special provisions shall apply to any such deratting:—

- (a) the deratting shall be carried out as soon as the holds have been emptied or when they contain only ballast or other material, unattractive to rodents, of such a nature or so disposed as to make a thorough inspection of the holds possible. A Deratting Exemption Certificate may be issued for an oil tanker with full holds;
- (b) one or more preliminary derattings of a ship with the cargo in situ, or during its unloading, may be carried out to prevent the escape of infected rodents;
- (c) if the complete destruction of rodents cannot be secured because only part of the cargo is due to be unloaded, a ship shall not be prevented from unloading that part, but the authorised officer may apply any measure which he considers necessary to prevent the escape of infected rodents, including placing the ship in quarantine.

SCHEDULE 5

Regulation 2(1) and 9(3)

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST SMALLPOX

SCHEDULE 6

Regulation 44

REVOCATIONS

<i>Column (1)</i>	<i>Column (2)</i>
<i>Regulations Revoked</i>	<i>References</i>
The Public Health (Ships) Regulations 1970	S.I. 1970/1881.
The Public Health (Ships) (Amendment) Regulations 1974	S.I. 1974/269.
The Public Health (Ships) (Amendment) Regulations 1978	S.I. 1978/287.

5th November 1979

Patrick Jenkin
Secretary of State for Social Services

8th November 1979

Nicholas Edwards
Secretary of State for Wales

We consent to the making of these regulations so far as they apply to officers of customs and excise (referred to in these regulations as “customs officers”).

9th November 1979

N. Godfrey
Commissioner of Customs and Excise

EXPLANATORY NOTE

These Regulations consolidate the Public Health (Ships) Regulations 1970, the Public Health (Ships) (Amendment) Regulations 1974 and the Public Health (Ships) (Amendment) Regulations 1978 which provide for public health control of ships arriving at or leaving ports in England and Wales.

Part I contains definitions of terms used in the Regulations. Provision is made for a form of International Vaccination Certificate against smallpox (Schedule 5).

Part II provides for the enforcement and execution of the Regulations by port health authorities and, in respect of waters of a customs port outside the jurisdiction of a port health authority, by the councils of the boroughs or districts abutting on the waters of the port (Regulations 4 and 5). Part II also provides for the preparation by Authorised Officers of lists of ports and other areas infected or believed to be infected with specified diseases (Regulation 6).

Part III relates to incoming ships. It provides for the inspection of ships, the examination of persons suspected of suffering from, or having been exposed to infection from, an infectious disease or suspected of being verminous; and in these and other similar circumstances authorises measures to be taken for preventing danger to public health (Regulations 7 to 10). Regulation 11 requires the master of a ship to give information about health conditions on board the ship and to notify circumstances likely to lead to the spread of infection. Provision is also made for radio messages to be sent and the signals to be used in given circumstances (Regulations 12 to 14) and for the completion in specified circumstances of a Maritime Declaration of Health by the master of a ship (Regulations 15 and 16). Regulation 17 imposes restrictions on boarding or leaving ships until free pratique has been granted. Regulations 18 to 20 provide for deratting ships and for the grant of deratting certificates and deratting exemption certificates. Regulations 21 to 32 provide for the detention and inspection of infected or suspected ships, the placing under surveillance of persons from infected areas, the removal of infected persons from ships and the application of such of the additional measures set out in Schedule 4 as are appropriate to specified disease subject to the International Health Regulations of a kind particularly dangerous to public health.

Part IV relates to outgoing ships. It provides for the examination, etc in prescribed circumstances of persons proposing to embark for a destination outside the United Kingdom (Regulation 33), and, after publication by the Secretary of State in the London Gazette of a notice declaring any place to be infected with diseases, the spread of which might endanger public health, special measures may be taken to prevent the disease spreading (Regulation 34).

Part V contains miscellaneous provisions concerning periods of surveillance, charges for services, and expenses of the health authorities enforcing the Regulations. It also contains savings for mails carried by a ship (Regulation 41) and for removal from a district of any ship whose master is unwilling to comply with the Regulations (Regulation 42).

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