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STATUTORY INSTRUMENTS

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**1979 No. 1434**

**The Public Health (Aircraft) Regulations 1979**

**PART I**

**PRELIMINARY**

**Citation and commencement**

1. These regulations may be cited as the Public Health (Aircraft) 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 2 with respect to the diseases subject to the International Health Regulations as are appropriate;

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the take-off and landing of aircraft, not being an area the use of which for those purposes has been abandoned, and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the take-off and landing of aircraft capable of descending or climbing vertically;

“Aircraft Declaration of Health” means a declaration containing the information specified in schedule 1, being either a separate document or a part of the Aircraft General Declaration delivered in accordance with Appendix 5 of the International Health Regulations adopted by the 22nd World Health Assembly in 1969 as amended by the 26th World Health Assembly in 1973;

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

“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 responsible 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;

“commander” means the person for the time being in command of an aircraft;

“crew” means the personnel of an aircraft who are employed for duties on board;

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

“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;

“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;

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

“district” means the City of London, a London borough or a district;

“enactment” includes any 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 airport” means any airport in the excepted area;

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

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

“infected aircraft” means—

- (a) an aircraft 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) an aircraft on which a plague-infected rodent is found on arrival; or
- (c) an aircraft which has had a case of smallpox on board during its voyage and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided in these regulations;

“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;

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

“in flight” means the time elapsing between the closing of the doors of the aircraft before take-off and their opening on arrival;

“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 spread of infection;

“local authority” means—

- (i) as respects the City of London, the Common Council;
- (ii) as respects any district or London borough, the council of the district or borough;

“medical officer” means the medical officer of a responsible authority, or any other medical practitioner appointed by such authority under regulation 5;

“medical practitioner” means a registered medical practitioner;

“national airport” means an aerodrome for the time being vested in or under the control of the Secretary of State for Trade or owned or managed by the British Airports Authority;

“responsible authority”, in relation to an aerodrome or other place, means the authority charged under regulation 4 with the duty of enforcing and executing these regulations;

“sanitary airport” means a customs airport which has been designated in accordance with article 19 of the International Health Regulations;

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

“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 aircraft” means an aircraft

- (a) from which a case of cholera occurring on board during the voyage has been removed before the arrival of the aircraft, and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided for in these regulations, or
- (b) 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;

“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 3 to these regulations;

“voyage”, in relation to an aircraft, means the flight of the aircraft from its point of origin via any intermediate points to its point of termination.

(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 regulation.

(3) Any reference, however expressed, in these regulations to a person leaving an aircraft shall not be construed as a reference to that person leaving an aircraft and continuing his journey in that aircraft.

### **Regulations not to apply to aircraft 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 aircraft 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 such aircraft or to any aerodrome under the control of such forces.