
STATUTORY INSTRUMENTS

1979 No. 1435

The Public Health (Ships) Regulations 1979

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—
- (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 satisfactory 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.