
STATUTORY INSTRUMENTS

1979 No. 1435

The Public Health (Ships) Regulations 1979

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:
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- (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.

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.