
STATUTORY INSTRUMENTS

1979 No. 1435

The Public Health (Ships) Regulations 1979

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

(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;
- (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;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

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.