
STATUTORY INSTRUMENTS

1988 No. 1550 (S.155)

PUBLIC HEALTH, SCOTLAND

The Public Health (Notification of Infectious Diseases) (Scotland) Regulations 1988

<i>Made</i>	- - - -	<i>8th September 1988</i>
<i>Laid before Parliament</i>		<i>9th September 1988</i>
<i>Coming into force</i>	- -	<i>1st October 1988</i>

The Secretary of State, in exercise of the powers conferred on him by section 4(1) of the Infectious Disease (Notification) Act 1889(1) and section 1(1)(a) of the Public Health (Scotland) Act 1945(2), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Health (Notification of Infectious Diseases) (Scotland) Regulations 1988 and shall come into force on 1st October 1988.

Interpretation

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

“area” means the area for which a Health Board is constituted by an order made under section 2(1) of the National Health Service (Scotland) Act 1978(3);

“chief administrative medical officer” means the chief administrative medical officer for the area of the Health Board by which he is appointed;

“Chief Medical Officer” means the Chief Medical Officer of the Scottish Home and Health Department;

“enteric fever” includes paratyphoid fever;

“Health Board” means a Health Board constituted by an order under section 2(1) of the National Health Service (Scotland) Act 1978;

“infectious disease” includes food poisoning;

(1) 1889 c. 72; section 4(1) was amended by virtue of the Local Government (Scotland) Act 1894 (c. 58), section 7, the Scottish Board of Health Act 1919 (c. 20), section 4(1)(a) and Schedule 1, paragraph 1, the Reorganisation of Offices (Scotland) Act 1928 (c. 34), section 1(1) and (4)(a), and the Reorganisation of Offices (Scotland) Act 1939 (c. 20), section 1(1) and (6)(b).
(2) 1945 c. 15
(3) 1978 c. 29; section 2(1) was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 7, paragraph 1.

“medical practitioner” means a registered medical practitioner;

“notification”, where referring to a written intimation, includes the transmission of a completed certificate in the form specified in Schedule 2 or in a form to the like effect, and “notify” shall be construed accordingly;

“notifiable” means requiring to be notified in accordance with regulation 3(1);

“week” means a period of seven days ending on Friday at the expiry of a Health Board’s ordinary office hours.

(2) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations, and any reference in a regulation to a numbered paragraph is a reference to the paragraph bearing that number in that regulation.

Notification

3.—(1) Subject to the provisions of these Regulations, a medical practitioner, on becoming aware that a patient is suffering from any disease listed in Schedule 1, shall forthwith notify the chief administrative medical officer for the area.

(2) Notification under paragraph (1) shall be by way of a certificate in the form specified in Schedule 2, or in a form substantially to the same effect.

(3) A notification under paragraph (1) shall be transmitted by being delivered to the chief administrative medical officer or by being sent by post addressed to him at the office of the Health Board.

(4) Nothing in these Regulations shall derogate from the provisions of the Infectious Disease (Notification) Act 1889 with respect to the obligations to notify any disease to which that Act applies.

Weekly return of notifiable diseases

4. The chief administrative medical officer shall, at the end of each week or as soon as practicable thereafter, send to the Common Services Agency for the Scottish Health Service a return of the number of cases of each notifiable disease notified to him during that week.

Exchange of information

5. A chief administrative medical officer who receives a notification of a case of infectious disease relating to a patient whose usual place of residence is not within the chief administrative medical officer’s area shall forthwith notify the chief administrative medical officer of the area in which the patient is usually resident of the case of that disease.

Diseases to be reported to the Chief Medical Officer

6. The chief administrative medical officer shall immediately report to the Chief Medical Officer any serious outbreak of any infectious disease (whether or not notifiable) which, to his knowledge, has occurred in the area.

Confidentiality of documents and disclosure of contents

7. Any notification to which these Regulations relate, or copy thereof and any accompanying or related document, shall be transmitted in such a manner as to ensure complete confidentiality of the contents during transmission, and the information contained therein shall not be divulged to any person except insofar as is necessary for compliance with any enactment including these Regulations.

Enforcement

8. These Regulations shall be enforced and executed by the Health Board for the area.

Revocation

9. The Regulations specified in Schedule 3 are hereby revoked.

St Andrew's House,
Edinburgh
8th September 1988

Michael B Forsyth
Parliamentary Under Secretary of State, Scottish
Office

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SCHEDULE 1

Regulation 3(1)

NOTIFIABLE INFECTIOUS DISEASES

PART I

Diseases notifiable by virtue of these Regulations

Anthrax
Bacillary
Dysentery
Chickenpox
Food Poisoning
Legionellosis
Leptospirosis
Malaria
Measles
Meningococcal infection
Mumps
Plague
Poliomyelitis
Rabies
Rubella
Tetanus
Tuberculosis
Viral Haemorrhagic Fevers
Viral hepatitis
Whooping cough

PART II

Diseases notifiable by virtue of these Regulations and to which the Infectious Disease (Notification) Act 1889 applies

Smallpox
Cholera
Diphtheria
Membranous croup
Erysipelas
Scarlet fever
Fevers known by any of the following names, typhus, typhoid, enteric*, relapsing, continued or puerperal A disease which is locally notifiable**

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NOTES

* See the definition of “enteric fever” in regulation 2(1).

** A disease is locally notifiable if subject to a direction under section 7 of the Infectious Disease (Notification) Act 1889.

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SCHEDULE 2

Regulation 3(2)

NOTIFICATION OF INFECTIOUS DISEASE

To the Chief Administrative Medical Officer, Health Board Date

It is my opinion that

A. Patient details

Surname Forenames Male/Female*
Address† Age
Occupation
Usual place of residence (if different)
This patient is suffering from

B. Details of disease (Please ring as appropriate)

- Anthrax Plague
Bacillary Dysentery Poliomyelitis
Chickenpox Puerperal Fever
Cholera Rabies
Diphtheria Relapsing Fever
Erysipelas Rubella
Food Poisoning Scarlet Fever
Legionellosis Smallpox
Leptospirosis Tetanus
Malaria Tuberculosis (respiratory or non-respiratory)**
Measles Typhoid Fever
Membranous Croup Typhus Fever
Meningococcal infection Viral Haemorrhagic Fevers
Mumps Viral hepatitis
Paratyphoid Fever Whooping cough

In the case of Tuberculosis please state organ or part affected

If a disease is locally notifiable in the area and has occurred*** please give details

C. Was this disease contracted in the United Kingdom? YES/NO*

D. Certifying medical practitioner

(a) Signed Medical Practitioner
(b) Address

NOTES

* Please delete whichever does not apply.
† If not a house the identifying particulars given should be sufficient to enable the address to be promptly found.
** Please provide additional information requested.
*** A disease is locally notifiable if subject to a direction under section 7 of the Infectious Disease (Notification) Act 1889.

SCHEDULE 3

Regulation 9

REVOCATIONS

<i>Regulations Revoked</i>	<i>Reference</i>
The Public Health (Infectious Diseases) (Scotland) Regulations 1975	S.I. 1975/308
The Public Health (Infectious Diseases) (Scotland) Amendment Regulations 1976	S.I. 1976/1240
The Public Health (Infectious Diseases) (Scotland) Amendment Regulations 1977	S.I. 1977/206
The Public Health (Infectious Diseases) (Scotland) Amendment Regulations 1983	S.I. 1983/1008

EXPLANATORY NOTE*(This note is not part of the Regulations)*

These Regulations consolidate with amendments the Public Health (Infectious Diseases) (Scotland) Regulations 1975 (“the 1975 Regulations”) relating to the notification and prevention of infectious disease.

Certain infectious diseases are statutorily notifiable by virtue of the Infectious Disease (Notification) Act 1889 and were listed in the 1975 Regulations. Those diseases are now listed in Part II of Schedule 1 to these Regulations (see regulation 3). The 1975 Regulations separately listed other diseases as notifiable in terms of the 1975 Regulations. The majority of these diseases are now listed in Part I of Schedule 1 (see regulation 3). The form used for notification purposes is updated and appears in Schedule 2.

The principal changes from the earlier listings are:—

- (a) that chickenpox, food poisoning, legionellosis, mumps, rubella and tetanus are made notifiable, and that leprosy and ophthalmia neonatorum are no longer notifiable;
- (b) that references to Lassa fever, Marburg disease and yellow fever are removed, since these diseases are now covered by the general term “viral haemorrhagic fevers”;
- (c) that leptospiral jaundice is termed “leptospirosis”, dysentery is termed “bacillary dysentery”, and paralytic and non-paralytic poliomyelitis are replaced by the term “poliomyelitis”.

The provisions in the 1975 Regulations relating to the reporting of diseases to the Chief Medical Officer are now simplified (regulation 6) and Part III (provisions for preventing the spread of certain diseases) of the 1975 Regulations is revoked. The provision in that Part relating to typhus and relapsing fever is no longer required, and since section 71 of the Health Services and Public Health Act 1968 (c. 46) makes adequate provision for the medical examination of a carrier of infectious disease, the provision relating to examination of carriers is revoked.

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Regulations concerning weekly returns of infectious diseases notified (regulation 4), exchange of information about cases of infectious disease (regulation 5) and confidentiality of information concerning these diseases (regulation 7) are updated.

The 1975 Regulations and subsequent amending Regulations are revoked (regulation 9).