
STATUTORY INSTRUMENTS

1986 No. 2229

The Health and Personal Social Services and Public Health (Northern Ireland) Order 1986

Public health

Regulations for control of certain diseases

17. In the Public Health Act—

- (a) after section 2 there shall be inserted—

“Regulations for control of certain diseases.

2A.—(1) Subject to the provisions of this section, the Department may, as respects the whole or part of Northern Ireland, including coastal waters, make regulations—

- (a) with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases, and
- (b) for preventing danger to public health from vessels or aircraft arriving at any place,

so, however, that before making regulations under sub-paragraph (b) the Department shall consult, in the case of vessels, the Secretary of State.

(2) Without prejudice to the generality of subsection (1), the Department may by any such regulations apply, with or without modifications, to any disease to which the regulations relate any enactment relating to the notification of disease or to notifiable or infectious diseases.

(3) Regulations made under this section may provide for—

- (a) the signals to be displayed by vessels or aircraft having on board any case of epidemic, endemic or infectious disease,
- (b) the questions to be answered by masters, pilots and other persons on board any vessel or aircraft as to cases of such disease on board during the voyage or on arrival,
- (c) requiring persons alighting from aircraft to answer questions pertaining to their state of health or their contact with infection,
- (d) the detention of vessels or aircraft and of persons on board them,
- (e) the duties to be performed in cases of such diseases by masters, pilots and other persons on board vessels or aircraft,

and may authorise the making of charges and provide for the recovery of such charges and of any expenses incurred in disinfection.

(4) Subject to section 2B, regulations made under this section—

- (a) shall provide for their enforcement and execution by Health and Social Services Boards, and

(b) may also provide for their enforcement and execution by officers of customs and excise,

but regulations so made shall require—

(i) so far as they apply to officers of customs and excise, the consent of the Commissioners of Customs and Excise;

(ii) so far as they apply to signals, in the case of vessels, the consent of the Secretary of State.

(5) Subject to section 2B, the following persons, that is to say—

(a) authorised officers of any such Board as is specified by the regulations in accordance with subsection (4)(a), and

(b) officers of customs and excise,

may enter any premises for the purpose of executing, or superintending the execution of, regulations under this section.

(6) Any person who wilfully neglects or refuses to obey or carry out, or obstructs the execution of, any regulations made under this section shall be guilty of an offence and, in a case where no provision is made in the regulations for his punishment, be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(7) Where a person is convicted of an offence under subsection (6) and where that subsection is again contravened within one year after the conviction he shall be liable on summary conviction to a further fine not exceeding £50 for every day subsequent to the day on which he is first convicted of an offence under subsection (6) on which it is so contravened.

Application of section 2A to certain aerodromes.

2B.—(1) In relation to aerodromes for the time being vested in or under the control of the Secretary of State and in relation to persons and aircraft arriving at any such aerodromes—

(a) subsection (4) of section 2A shall have effect as if, for paragraph (a) of that subsection, there were substituted—

“(a) may provide for their enforcement and execution by officers designated for that purpose by the Secretary of State, and” ,

(b) so much of that subsection as requires the consent of the Commissioners of Customs and Excise shall not apply, and

(c) subsection (5) of that section shall have effect as if, for paragraph (a) of that subsection, there were substituted—

“(a) officers designated in accordance with subsection (4)(a) (as modified by section 2B(1)(a)), and” .

(2) In this section “aerodrome” has the meaning given by section 105(1) of the Civil Aviation Act 1982.”;

(b) after section 22(1) (powers of entry) there shall be inserted—

“(1A) Subsection (1)(c) shall not apply to regulations under section 2A.” ;

(c) in section 24 (general penalty) after “shall” there shall be inserted “ subject to section 2A(6) and (7) ”;

(d) in section 32 (interpretation)—

- (i) in the definition of “building” for “ship, vessel, boat, hover vehicle” there shall be substituted “ vessel or aircraft ”;
- (ii) the definition of “hover vehicle” shall be omitted;
- (iii) in the definition of “infectious disease” after “but” there shall be inserted “(except in section 2A(1)(a)) ”;
- (iv) at the end there shall be inserted—
““ vessel ” has the same meaning as in the Merchant Shipping act 1894 except that it includes a hovercraft within the meaning of the Hovercraft Act 1968 and “master” shall be construed accordingly.” .

Changes to legislation:

There are currently no known outstanding effects for the The Health and Personal Social Services and Public Health (Northern Ireland) Order 1986, Section 17.