
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 333

The Public Health (Ships) Regulations (Northern Ireland) 2008

PART V

MISCELLANEOUS

Compliance with directions, etc, under these Regulations

- 33.**—(1) Every person to whom these Regulations apply shall—
- (a) comply with every direction, requirement or condition given, made or imposed by an authorised officer or customs officer,
 - (b) 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),
- (2) Every person who has for the time being the custody or charge of a child or other person who is under legal disability shall—
- (a) comply with any direction, requirement, or condition so given, made or imposed, under paragraph (1); and
 - (b) furnish all such information in respect of that child or other person as may be reasonably required under that paragraph.

Surveillance

34.—(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:

- (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 placed under surveillance for plague, cholera, smallpox or viral haemorrhagic fever under this regulation by reason of his having come from an area infected with such a disease, 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 3, the period shall be reckoned in the manner therein specified.
- (4) Every person who is placed under surveillance under these Regulations shall—
- (a) give consent to any medical examination required by the medical officer or by the medical officer for any Board area in which he may be during the period of surveillance;

- (b) furnish all such information as a medical officer mentioned in sub-paragraph (a) 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 Board 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 regulation unless the Department has by direction (whether general or special) authorised the giving of instructions thereunder.

Charges for services

35.—(1) A Board may charge the owner or master of a ship for a service described in paragraph (2) in so far as the service is for preventing—

- (a) danger to the public health from a ship arriving in its area, or
- (b) the spread of infection from a ship leaving its area.

(2) The services mentioned in paragraph (1) are—

- (a) the inspection of the ship, or the application of measures required to be applied to the ship, in connection with the issue of a ship sanitation certificate in respect of the ship;
- (b) the extension of the period of validity of a ship sanitation certificate; or
- (c) the application, at the master's request, of any other measures that the master of a ship is required by these Regulations to carry out.

(3) A charge for a service under paragraph (1)—

- (a) must not exceed the actual cost of the service rendered;
- (b) must be—
 - (i) published at least ten days in advance of being levied;
 - (ii) described sufficiently that the owner or master of the ship is reasonably informed of the likely amount of the charge; and
- (c) must not be discriminatory, in particular—
 - (i) must not be levied so as to make a distinction based on the nationality, registry or ownership of the ship or containers, cargo, baggage, goods or postal parcels concerned; and
 - (ii) must not distinguish between national and foreign ships or containers, cargo, baggage, goods or postal parcels.

(4) A Board may require the whole or part of the amount of a charge for a service under paragraph (1) to be paid or deposited with it before the service is performed.

(5) At the master's request, a Board must provide the master of a ship with particulars in writing free of charge of—

- (a) measures taken for which a charge under paragraph (1) is made; and
- (b) the reasons why the measures were taken.

(6) At the request of a person in relation to whom measures have been taken, or of a person in possession of articles in relation to which measures have been taken, an authorised officer must provide particulars in writing free of charge of the measures taken for which a charge under paragraph (1) is made.

(7) Particulars under paragraph (6) shall include the date on which the measures were taken.

Expenses of Boards

36. Subject to regulation 35, any expenses incurred by a Board in the enforcement and execution of these Regulations shall be defrayed in the same manner as the expenses incurred by it in the execution and discharge of its other powers and duties.

Recovery of Charges

37. Every charge authorised by regulation 35 shall be recoverable either summarily as a civil debt, or as a simple contract debt in any court of competent jurisdiction.

Saving for masters of ships unwilling to comply with these Regulations

38.—(1) The master of a ship on arrival, or being already in a Board area, who is unwilling to comply with, any provision of, or requirement made under these Regulations shall notify the authorised officer, and the authorised officer may then require the master to remove the ship immediately from the Board area.

(2) If before leaving the Board area 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 Board area, it shall not, during its voyage, call at any other Board area.

Saving for existing enactments

39. Nothing in these Regulations shall affect the Immigration Act 1971.

Revocation

40. The Public Health (Ships) Regulations (Northern Ireland) 1971⁽¹⁾ are revoked.

(1) [S.R. & O. \(N.I\) 1971 No. 183](#)