

1964. No. 92

[NC]

PUBLIC HEALTH**Prevention of Infectious and Epidemic Diseases****Ships**

REGULATIONS, DATED 16TH JUNE, 1964, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND UNDER THE PUBLIC HEALTH ACTS (NORTHERN IRELAND) 1878 TO 1962 AND SECTION 143 OF THE PUBLIC HEALTH ACT 1936.

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred upon it by the Public Health Acts (Northern Ireland) 1878 to 1962 and by section 143 of the Public Health Act 1936(a), as extended to Northern Ireland by the Public Health (Northern Ireland) (Extension of Enactments) Order 1939(b), and adapted by the Ministries of Northern Ireland (Transfer of Functions) Order 1945(c), and the Local Authorities (Transfer of Functions) (Northern Ireland) Order 1953, made by the Governor in the Privy Council of Northern Ireland, after consultation with the Minister of Transport and with the consent of the Commissioners of Customs and Excise, hereby makes the following regulations:—

Citation and Commencement

1.—(1) These regulations may be cited as the Public Health (Ships) (Amendment) Regulations (Northern Ireland) 1964 and shall come into operation on 6th July, 1964.

(2) These regulations and the Public Health (Ships) Regulations (Northern Ireland) 1954(d) may be cited together as the Public Health (Ships) Regulations (Northern Ireland) 1954 and 1964.

Interpretation

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

“the principal regulations” means the Public Health (Ships) Regulations (Northern Ireland) 1954;

“regulation” means regulation contained in the principal regulations.

(2) The Interpretation Act (Northern Ireland) 1954(e) applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Amendment of the Public Health (Ships) Regulations (Northern Ireland) 1954

3. The principal regulations shall be amended as follows:—

(1) For regulation 3(1) (which relates to the interpretation of the principal regulations) there shall be substituted the following paragraph:—

(a) 26 Geo. 5 & 1 Edw. 8. c. 49.

(b) S.R. & O. (N.I.) 1939/1438; Rev. XVIII, p. 881; 1939 II, p. 2914.

(c) S.R. & O. (N.I.) 1945/1423; Rev. XVI, p. 1057; 1945 I, p. 894.

(d) S.R. & O. (N.I.) 1954, No. 28.

(e) 1954. c. 33.

“(1) The Interpretation Act (Northern Ireland) 1954 shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.”

(2) In regulation 3(2) (which contains definitions of expressions):—

(a) for the definition of “excepted port” there shall be substituted the following definition:—

““excepted port” means a foreign port situated on the European coast of France, the coast of Belgium, Italy, the Netherlands, Greece, or the Federal Republic of Germany, including the East bank of the River Elbe between the entrance to the Kiel Canal and Hamburg, inclusive of both places, and also any port within the Kiel Canal;”

(b) for the definition of “International Sanitary Regulations” there shall be substituted the following definition:—

““International Sanitary Regulations” means the International Sanitary Regulations adopted by the Fourth World Health Assembly on 25th May, 1951, as amended by regulations adopted by any subsequent World Health Assembly and for the time being embodied in any document presented to the Parliament of the United Kingdom by command of Her Majesty(a);”

(c) after the definition of “valid” there shall be inserted the following definition:—

““valid International Vaccination Certificate” means a certificate of vaccination or re-vaccination against smallpox which is in the form laid down, and conforms with the rules as to validity contained, in Appendix 4 to the International Sanitary Regulations.”

(3) In regulation 3, there shall be added the following paragraph:—

“(4) Without prejudice to any statutory provision 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(b) following section 1(2) thereof, or to the officers and crew of any such ship.”

(4) In regulation 6 (which relates to the keeping by medical officers of health of lists of infected areas)—

(a) In paragraph (1) the words “including areas which have been delineated as yellow fever endemic zones by the World Health Organisation pursuant to the International Sanitary Regulations” shall be omitted;

(b) In paragraph (3) the words “or issued by the World Health Organisation.” shall be inserted at the end thereof.

(5) In regulation 9 (which relates to the examination of persons on ships):—

(a) after paragraph (2) there shall be inserted the following paragraphs:—

“(3) On the arrival of any ship which during its voyage has been in a foreign port or in a port or other coastal place in the Irish Republic,

(a) Cmnd. 30 (Misc. No. 3) (1957), Cmnd. 1165 (Misc. No. 13) (1960).

(b) 15 & 16 Geo. 6 & 1 Eliz. 2, c. 67.

the medical officer or an authorised officer, or at any port where their employment for this purpose is sanctioned by the Commissioners of Customs and Excise, a customs officer, may, and if so required by the Ministry shall, require any person on board or disembarking from the ship to produce a valid International Vaccination Certificate.

(4) An authorised officer or a customs officer may detain until the arrival of the medical officer, or for 3 hours, whichever is the shorter period, any such person as aforesaid who has been required to produce such a certificate and is unable to do so.

(5) Where any such person fails to satisfy the medical officer that he possesses such a certificate, the medical officer may detain him for examination at a place appointed for that purpose, and may apply in his case the additional measures mentioned in paragraphs (1) and (2) of Part IV of the Fourth Schedule.

(6) The powers conferred by paragraphs (3), (4) and (5) of this regulation shall not be exercised in respect of any person on board a ship arriving from an excepted port or from a port or other coastal place in the Irish Republic unless the Ministry has directed, or the medical officer is satisfied and has so informed the authorised officer or the customs officer, that the exercise of the powers is necessary on account of danger to public health.”;

(b) paragraph (3) shall be amended by the insertion of the words “or authorised officer or customs officer” after the words “medical officer” and paragraphs (3) and (4) shall be renumbered (7) and (8) respectively.

(6) In regulation 10(b) (which relates to persons suffering from tuberculosis) for the words “Northern Ireland Tuberculosis Authority” there shall be substituted the words “Northern Ireland Hospitals Authority”.

(7) In regulation 16 (which requires the making of declarations of health by the masters of certain ships) for paragraph (1) there shall be substituted the following paragraph:—

“(1) Subject to the provisions of this regulation, on the arrival of a ship which during its voyage has been in a foreign port, the master shall complete a Maritime Declaration of Health and the Declaration shall be countersigned by the ship’s surgeon, if one is carried:

Provided that in the case of a ship which during its voyage has not been in any foreign port other than an excepted port, the master shall not be bound to comply with the provisions of this regulation, unless he has been notified by the medical officer that compliance with those provisions is necessary on account of danger to public health.”.

(8) For regulation 31 (which relates to the surveillance of persons coming from infected areas) there shall be substituted the following regulation:—

“31. On the arrival of a ship the medical officer may place under surveillance for the appropriate period mentioned in regulation 37(1)—

(a) any person disembarking from the ship who has come from an infected area other than an area infected with yellow fever or plague; and

(b) any suspect disembarking from the ship who has come from an area infected with yellow fever or plague.”.

(9) In Part IV of the Fourth Schedule (which relates to additional measures with respect to smallpox) for paragraph (1) there shall be substituted the following paragraph:—

“(1) The medical officer shall offer vaccination to any person on board or disembarking from the ship who does not show sufficient evidence of protection by a previous attack of smallpox or who does not satisfy the medical officer that he possesses a valid International Vaccination Certificate.”.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 16th day of June, 1964.

(L.S.)

Wm. J. Morgan,
Minister of Health and Local Government.

Signed by order of the Commissioners of Customs and Excise this 11th day of June, 1964.

W. J. White

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations amend the Public Health (Ships) Regulations (Northern Ireland) 1954.

The principal amendments are as follows:—

- (a) The exemption for ships forming part of the armed forces of certain countries is extended to include ships of the armed forces of any Commonwealth country and any other country to which the Visiting Forces Act 1952 has been applied.
- (b) The definition of “excepted port” is extended to include any coastal port in Italy, Greece or in the Federal Republic of Germany. Ships coming from excepted ports are not required to comply with certain requirements of the regulations unless the port medical officer considers that compliance is necessary on account of danger to public health.
- (c) The reference to the International Sanitary Regulations is altered to take account of amending regulations adopted by the World Health Assembly since the main regulations were adopted in 1951.
- (d) The procedure for the examination of persons on board or disembarking from ships has been extended to enable port health officers to require the production of International Certificates of Vaccination against smallpox: If a person has not a certificate he may be offered vaccination, and may be placed under surveillance or in isolation.

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As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading NURSES AND MIDWIVES.