

1974 No. 1008 (S.85)

PUBLIC HEALTH, SCOTLAND

**The Public Health (Ships) (Scotland) Amendment
Regulations 1974**

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| <i>Made</i> | - - - | 10th June 1974 |
| <i>Laid before Parliament</i> | | 21st June 1974 |
| <i>Coming into Operation</i> | | 12th July 1974 |

In exercise of the powers conferred on me by section 1 of the Public Health (Scotland) Act 1945(a) and by that section as extended by section 62 of the Health Services and Public Health Act 1968(b), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Public Health (Ships) (Scotland) Amendment Regulations and shall come into operation on 12th July 1974.

(2) In these regulations, “the principal regulations” means the Public Health (Ships) (Scotland) Regulations 1971(c).

(3) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

2. Regulation 2 (definitions) of the principal regulations shall be amended as follows:—

(a) in the definition of “authorised officer” for the word “health” there shall be substituted the word “responsible”;

(b) after the definition of “designated approved port” there shall be inserted the following:—

“ “designated medical officer” means a medical officer designated by a Health Board under section 21 of the National Health Service (Scotland) Act 1972(e) to exercise such functions on behalf of a local authority as may be assigned to him;”;

(c) in the definition of “district” for the word “health” before “authority” there shall be substituted the word “local”;

(d) in the definition of “excepted area” there shall be included the territory of Spain;

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| (a) 9 & 10 Geo. 6, c. 15. | (b) 1968 c. 46. |
| (c) S.I. 1971/132 (1971 I, p. 283). | (d) 1889 c. 63. |
| (e) 1972 c. 58. | |

- (e) the definition of "health authority" shall be deleted;
- (f) between the definition of "free pratique" and the definition of "immigration officer" there shall be inserted—
- " "Health Board" means a board constituted under section 13 of the National Health Service (Scotland) Act 1972;"
- (g) for the definition of "immigration officer" there shall be substituted—
- " "immigration officer" means any person appointed to act as an immigration officer under the Immigration Act 1971(a);"
- (h) for the definition of "International Health Regulations" there shall be substituted—
- " "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;"
- (i) between the definition of "isolation" and the definition of "Maritime Declaration of Health" there shall be inserted—
- " "local authority" means—
- (i) until 15th May 1975, a county council or the town council of a large burgh;
- (ii) on and after 16th May 1975, an islands or district council, and includes a port local authority or joint port local authority constituted under section 172 of the Public Health (Scotland) Act 1897(b);"
- (j) for the definition of "medical officer" there shall be substituted the following:—
- " "medical officer" means a designated medical officer or other medical officer of a Health Board to whom a responsible authority have assigned functions under regulation 5;"
- (k) the definition of "medical practitioner" shall be deleted;
- (l) in the definition of "mooring station" for the word "health" there shall be substituted the word "local";
- (m) between the definition of "radio transmitting port" and the definition of "ship" there shall be inserted—
- " "responsible authority" means the authority charged under regulation 4 with the duty of enforcing and executing these regulations;"
- (n) for the definition of "valid International Vaccination Certificate" there shall be substituted—
- " "valid International Vaccination Certificate" means a certificate of vaccination or revaccination against smallpox which—
- (a) being issued not later than 11th July 1974, is in the form required by these regulations as in force at that date or in a form substantially to the same effect and conforms with the rules as to validity referred to in these regulations as so in force; or

(a) 1971 c. 77.

(b) 1897 c. 38.

(b) being issued on or after 12th July 1974, is in the form specified in Schedule 5 to these regulations, as amended by the Public Health (Ships) (Scotland) Amendment Regulations 1974, or in a form substantially to the same effect and conforms with the rules as to validity contained in that Schedule;”.

3. In regulations 4(1) and (2), 7(2)(a), 9(7), 10(1)(a), 14(1)(b), 14(2)(a), 16(2) and (3), 21(2) and (3), 39(1), (2), (3) and (4) and 41 of the principal regulations for the words “health authority” or “health authorities” there shall respectively be substituted the words “local authority” or “local authorities”.

4. For regulation 5(a) and (b) of the principal regulations there shall be substituted—

“5. For the purposes of these regulations a responsible authority other than the Secretary of State shall—

(a) with the agreement of the Health Board for their area assign to such medical officers as may be necessary functions relating to the proper enforcement and execution of these regulations;

(b) give directions from time to time after consultation with the Health Board for their area as to the duties which are to be performed by a medical officer or any other officer authorised to enforce and execute these regulations;”.

5.—(1) In regulations 6(1), (2) and (3), 10(1)(b), 18(2) and 38(a) and (d) of the principal regulations for the words “the medical officer of health” there shall be substituted the words “a designated medical officer”.

(2) In regulation 38(b) of the principal regulations for the words “medical officer of health” there shall be substituted the words “designated medical officer”.

6. In regulation 39(2) of the principal regulations for the words “one hundred pounds” there shall be substituted the words “two hundred pounds”.

7. For regulation 44 of the principal regulations there shall be substituted the following regulation:—

“44. Nothing in these regulations shall affect the Immigration Act 1971(a).”

8. For Part II of Schedule 4 to the principal regulations there shall be substituted the following:—

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PART II—CHOLERA

Regulation 9(5)

A. Infected ships and suspected ships

(1) The medical officer—

(a) may place under surveillance any person who disembarks from a ship, the period of surveillance being reckoned from the date of disembarkation from the ship.

(b) shall be responsible for the supervision of the removal and safe disposal of any water, food (excluding cargo), human dejecta, waste water, including bilge water, waste matter and any other matter which is considered to be contaminated, and shall be responsible for the disinfection of water tanks and food handling equipment.

- (2) Foodstuffs carried as cargo on board ships in which a case of cholera has occurred during the journey, may not be subjected to bacteriological examination except by the health authorities of the country of final destination.”.

9. For Schedule 5 to the principal regulations there shall be substituted the following Schedule:—

“
Regulations 2(1) and 9(3)

SCHEDULE 5

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST SMALLPOX.
CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LA
VARIOLE.

| Date | Show by “X” whether Indiquer par “X” s’il s’agit de | Signature and professional status of vaccinator Signature et titre du vaccinateur | Manufacturer and batch no. of vaccine Fabricant du vaccin et numéro du lot | Approved stamp Cachet autorisé |
|------|--|--|---|-----------------------------------|
| 1a | Primary vaccination performed } Primo vaccination effectuée } | | | 1a |
| 1b | Read as successful Prise } Unsuccessful Pas de prise } | | | 1b |
| 2 | Revaccination | | | 2 |
| 3 | Revaccination | | | 3 |

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| <p style="text-align: center;">Rules</p> <p>The validity of this certificate shall extend for a period of three years, beginning eight days after the date of a successful primary vaccination or, in the event of a revaccination, on the date of that revaccination.</p> <p>The approved stamp mentioned overleaf must be in a form prescribed by the health administration of the territory in which the vaccination is performed.</p> <p>The certificate must be signed in his own hand by a medical practitioner or other person authorised by the national health administration; his official stamp is not an accepted substitute for his signature.</p> <p>Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.</p> <p>La validité de ce certificat couvre une période de trois ans commençant huit jours après la date de la primo-vaccination effectuée avec succès (prise) ou, dans le cas d'une revaccination, le jour de cette revaccination.</p> <p>Le cachet autorisé doit être conforme au modèle prescrit par l'administration sanitaire du territoire où la vaccination est effectuée.</p> <p>Ce certificat doit être signé par un médecin de sa propre main ou une autre personne habilitée par l'administration sanitaire nationale, son cachet officiel ne pouvant être considéré comme tenant lieu de signature.</p> <p>Toute correction ou rature sur le certificat ou l'omission d'une quelconque des mentions qu'il comporte peut affecter sa validité.</p> | <p>INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST SMALLPOX.</p> <p>CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LA VARIOLE</p> <p style="text-align: center;">This is to certify that Je soussigné(e) certifie que</p> <p>Name Nom</p> <p>Date of birth.....sex né(e) le sexe</p> <p style="text-align: center;">Whose signature follows Dont la signature suit</p> <p>.....</p> <p>has on the date indicated overleaf been vaccinated or revaccinated against smallpox, with a freeze dried or liquid vaccine certified to fulfil the recommended requirements of the World Health Organisation.</p> <p>a été vacciné(e) ou revacciné(e) contre la variole à la date indiquée au verso, avec un vaccin lyophilisé ou liquide certifié conforme aux normes recommandées par l'Organisation Mondiale de la Santé.</p> <p style="text-align: right;">..</p> |
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10. Schedule 6 to the principal regulations shall be deleted.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
10th June 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Public Health (Ships) (Scotland) Regulations 1971, which provide for public health control over ships arriving in or leaving Scottish ports.

The amendments are intended to ensure conformity with the current International Health Regulations of the World Health Assembly. The amendments also deal with changes brought about by the reorganisation of the National Health Service and forthcoming local government changes in Scotland.

Other changes include the methods to be used for dealing with cholera and the status of Spain which has become one of the "excepted territories".

SI 1974/1008
ISBN 0-11-041008-4

