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 STATUTORY INSTRUMENTS
 

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1978 No. 369 (S. 36)

## PUBLIC HEALTH, SCOTLAND

**The Public Health (Ships) (Scotland)  
Amendment Regulations 1978**

*Made* - - - - - 6th March 1978

*Laid before Parliament* 10th March 1978

*Coming into Operation* 1st April 1978

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 1978 and shall come into operation on 1st April 1978.

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

(3) The Interpretation Act 1889(e) 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) the following definitions shall be inserted at the appropriate point—
- “ “animal” has the same meaning as in Article 2(1) of the Rabies (Control) Order 1974(f);”
- “ “offshore installation” has the same meaning as in section 12(1) of the Mineral Workings (Offshore Installations) Act 1971(g);”
- (b) in the definition of “arrival”, for the words “called at a port outside the United Kingdom, as the case may be”, there shall be substituted the words—
- “(a) called at a port outside the United Kingdom; or
- (b) met with an offshore installation; or
- (c) met with a ship which has proceeded from a foreign port;”;

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(a) 1945 9 and 10 Geo. 6, c. 15.

(b) 1968 c. 46.

(c) S.I. 1971/132.

(d) S.I. 1974/1008.

(e) 1889 c. 63.

(f) S.I. 1974/2212.

(g) 1971 c. 61.

- (c) in the definition of “infected person”, after the words “such a disease” there shall be added the words “or with some other infectious or contagious disease other than venereal disease or tuberculosis”;
- (d) in the definition of “infected ship” for sub-paragraph (a) there shall be substituted—
- “(a) a ship which has on board on arrival
- (i) a case of a disease subject to the International Health Regulations; or
- (ii) a case of Lassa fever, rabies, viral haemorrhagic fever or Marburg disease; or”;
- (e) for the definition of “local authority” there shall be substituted the following—
- ““local authority” means 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(a);”;
- (f) for the definition of “suspect” there shall be substituted the following—
- ““suspect” means a person (not being an infected person) who is considered by the medical officer as having been exposed to infection by an infectious disease and is considered capable of spreading that disease”;
- (g) in the definition of “suspected ship”, after sub-paragraph (d), there shall be inserted the following sub-paragraph—
- “(e) a ship which has on board on arrival a person who the medical officer considers may have been exposed to infection from Lassa fever, rabies, viral haemorrhagic fever or Marburg disease;”;
- (h) in the definition of “valid” for the words “medical officer” there shall be substituted the words “authorised officer”;
- (i) the definitions of “radio receiving port” and “radio transmitting port” shall be omitted;
- (j) after paragraph (5) of regulation 2 there shall be inserted the following paragraph—
- “(6) For the purposes of these regulations a ship shall not be regarded as having met another ship or offshore installation unless in the course of the encounter a person has boarded one ship or installation from the other.”

**3.** In regulations 4(2), 22(2), 23, 26 (on the first occasion on which they occur), 27, 28 (on the second occasion on which they occur), 29(2), 35 (except in paragraphs (a) and (b)) and 43 of the principal regulations, for the words “medical officer” there shall be substituted the words “authorised officer”.

**4.** In regulation 5(b) of the principal regulations for the words “a medical officer or any other officer” there shall be substituted the words “any officer”.

**5.** In regulation 6 of the principal regulations for the words “A designated medical officer” there shall be substituted the words “An authorised officer”.

**6.** Regulation 7 of the principal regulations shall have effect subject to the following amendments—

- (a) in paragraph (1) the words “medical officer or other” shall be omitted;
- (b) in paragraph (2) for the words “The medical officer” there shall be substituted the words “An authorised officer” and in sub-paragraph (a) of paragraph (2) for the words “regulation 14” there shall be substituted the words “regulation 14 (1) (a) (ii) and (iii), (b) or (c)”; and
- (c) after paragraph (2) there shall be inserted the following paragraph—

“(3) For the purposes of this regulation, the inspection of a ship may include the taking from the ship of samples of food and water for the purposes of analysis or examination with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases.”.

**7.** Regulation 9 of the principal regulations shall have effect subject to the following amendments—

- (a) in paragraph (2) for the words “The medical officer” there shall be substituted the words “An authorised officer”, and in sub-paragraphs (c) and (d) of paragraph (2) for the words “medical officer” there shall be substituted the words “authorised officer”; and
- (b) in paragraph (3) the words “medical officer or other” shall be omitted.

**8.** In regulations 10(1) (b) and 18 (2) of the principal regulations for the words “a designated medical officer for the area” there shall be substituted the words “the chief administrative medical officer for the Health Board area”.

**9.** Regulation 11 of the principal regulations shall have effect subject to the following amendments—

- (a) before the words “The master”, there shall be inserted “(1)”;
- (b) in paragraph (1) (b) for the words “medical officer” there shall be substituted the words “authorised officer”, and for the words “rodents, or mortality or sickness among rodents” there shall be substituted the words “animals or captive birds of any species, or mortality or sickness among such animals or birds”; and
- (c) after paragraph (1) there shall be inserted the following paragraph

“(2) For the avoidance of doubt, the expression “captive birds” both in this regulation and in regulation 14 includes poultry.”.

**10.** Regulation 12 (designation of radio receiving ports and radio transmitting ports) of the principal regulations shall be omitted.

**11.** In regulation 13 of the principal regulations, for the words “The medical officer for a radio transmitting port” there shall be substituted the words “An authorised officer”, and for the words “transmit to the master by radio permission, for the purposes of these regulations, for the ship to proceed direct to its intended place of mooring, discharge or loading”, there shall be substituted the words “transmit free pratique to the master by radio or otherwise.”.

**12.** Regulation 14 of the principal regulations shall have effect subject to the following amendments—

- (a) in paragraph (1) for the words from “When” to “medical officer”, there shall be substituted the words
- “The master of a ship shall, in accordance with paragraph (1A) below, report
- (a) the occurrence on board ship before arrival of
- (i) the death of a person otherwise than as a result of an accident, or
- (ii) illness where the person who is ill has or had a temperature of 38°C or greater which was accompanied by a rash, glandular swelling or jaundice, or where such temperature persisted for more than 48 hours, or
- (iii) illness where the person has or had diarrhoea severe enough to interfere with work or normal activities;
- (b) the presence on board of a person who is suffering from an infectious disease or who has symptoms which may indicate the presence of an infectious disease;
- (c) any other circumstances on board which are likely to cause the spread of infectious disease; and
- (d) the presence of animals or captive birds, and the occurrence of mortality or sickness amongst such animals or birds.
- (1A) For the purposes of the foregoing provisions”;
- (b) in paragraph (1A)(a) the words “and is due to arrive at a radio receiving port” shall be omitted and for the words “health authority” there shall be substituted the words “local authority”;
- (c) in paragraph (1A)(b) the words “or is due to arrive elsewhere than at a radio receiving port” shall be omitted;
- (d) in paragraph (2)(b) for the words “notice published in accordance with regulation 12 in respect of such radio receiving port otherwise provides”, there shall be substituted the words “local authority otherwise directs”.

**13.** Regulation 15 of the principal regulations shall have effect subject to the following amendments—

- (a) in paragraph (1), for the words “The master of a ship which is due to arrive in a district from a foreign port, or of a ship which has proceeded from a port in the United Kingdom and which has met a ship which has proceeded from a foreign port other than an excepted port”, there shall be substituted the words “Where a ship is due to arrive in a district and the master of that ship has a report to make in accordance with regulation 14(1)(a), (b) or (c), the master”;
- (b) the proviso to paragraph (1) shall cease to have effect;
- (c) in paragraph 2, the words “in writing” and the words “or a customs officer” shall be omitted.

**14.** Regulation 16 of the principal regulations shall have effect subject to the following amendments—

- (a) in paragraph (1) for the words “on the arrival of a ship which during its voyage has been in a foreign port, or of a ship which has proceeded from an excepted port and which has met a ship which has proceeded from a foreign port other than an excepted port, the master”, there shall be substituted the words “where on the arrival of a ship, the master
  - (a) has a report to make in accordance with regulation 14(1)(a), (b) or (c); or
  - (b) is directed by the medical officer to complete a Maritime Declaration of Health, he”;
- (b) in paragraph (2) the words “customs officer or” and “whoever first boards the ship” shall be omitted; and
- (c) paragraph (3) shall be omitted.

**15.** In regulation 17 of the principal regulations, the words “customs officer or” and “whoever first boards the ship” shall be omitted.

**16.** Regulation 18 of the principal regulations shall have effect subject to the following amendments—

- (a) for paragraph (1) there shall be substituted the following paragraph—

“(1) Where the authorised officer so directs, or where the master is required to make a report in accordance with regulation 14(1)(a), (b) or (c), no person other than a pilot, a customs officer or an immigration officer shall, without the permission of the authorised officer, board or leave a ship until free pratique has been granted, and the master shall take all reasonable steps to secure compliance with this provision.”;
- (b) for the words “medical officer” (except where these words last appear in paragraph (2)) there shall be substituted the words “authorised officer”.

**17.** In regulation 19 of the principal regulations, the words “medical officer or other” shall be omitted and in paragraph (4) after the words “satisfactorily completed” there shall be inserted the words “or that there is evidence of rodents on board the ship”.

**18.** In regulation 20 of the principal regulations, the words “medical officer or other” shall be omitted.

**19.** For regulation 25 of the principal regulations there shall be substituted the following regulation—

“25. If after the arrival of a ship a case of disease subject to the International Health Regulations or of Lassa fever, rabies, viral haemorrhagic fever or Marburg disease occurs on board or an animal infected with any such disease is discovered or suspected of being on board, the authorised officer may direct the master to take the ship to a mooring station”.

**20.** Regulation 30 of the principal regulations shall have effect subject to the following amendments—

- (a) for the words “medical officer” there shall be substituted the words “authorised officer”;

(b) after the words “ship which” there shall be inserted the words “under these regulations”; and

(c) the words “plague-infected” shall be omitted.

**21.** In regulation 31(b) of the principal regulations, for the words “or plague” there shall be substituted the words “plague, Lassa fever, viral haemorrhagic fever or Marburg disease”.

**22.** In regulation 33(b) of the principal regulations for the words “or yellow fever” there shall be inserted the words “yellow fever, Lassa fever, rabies, viral haemorrhagic fever or Marburg disease”.

**23.** In regulation 34(a) of the principal regulations, after the words “International Health Regulations”, there shall be inserted the words “or from Lassa fever, viral haemorrhagic fever or Marburg disease”.

**24.** Regulation 37 of the principal regulations shall have effect subject to the following amendments—

(a) after sub-paragraph (d) of paragraph (1) there shall be inserted the following sub-paragraph—

“(e) in respect of Lassa fever, viral haemorrhagic fever, or Marburg disease, twenty-one days.”;

(b) in paragraph (2), for the words “or smallpox”, there shall be substituted the words “smallpox, Lassa fever, viral haemorrhagic fever or Marburg disease”.

**25.** Regulation 38 of the principal regulations shall have effect subject to the following amendments—

(a) in paragraph (a) for the words “the medical officer or by a designated medical officer for any area” there shall be substituted the words “the chief administrative medical officer for any Health Board area”;

(b) in paragraph (b) for the words “the medical officer or any such designated medical officer” there shall be substituted the words “such chief administrative medical officer”;

(c) in paragraph (d) for the words “a designated medical officer for any area” there shall be substituted the words “the chief administrative medical officer for any Health Board area”.

**26.** Regulation 39 of the principal regulations shall have effect subject to the following amendments—

(a) in paragraph (2) for the words “two hundred pounds” there shall be substituted the words “four hundred pounds”; and

(b) in paragraphs (4) and (5) for the words “medical officer” there shall be substituted the words “authorised officer”.

**27.** Schedule 4 to the principal regulations shall have effect subject to the following amendments—

(a) in Part I, paragraph (2) the words “medical officer or other” shall be omitted;

(b) After Part IV there shall be inserted the following—

“PART V—LASSA FEVER, RABIES, VIRAL HAEMORRHAGIC FEVER OR  
MARBURG DISEASE

*Infected ships and suspected ships*

- (1) The medical officer may—
- (a) place any suspect on board under surveillance, the period of surveillance being reckoned from the date of arrival of the ship;
  - (b) require the disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the ship which the medical officer considers to be contaminated.
- (2) If there is any rodent on board, the authorised officer may require the ship to be deratted in a manner to be determined by him, but without prejudice to the generality of this requirement the following special provisions shall apply to any such deratting—
- (a) the deratting shall be carried out as soon as the holds have been emptied or when they contain only ballast or other material, unattractive to rodents, of such a nature or so disposed as to make a thorough inspection of the holds possible. A Deratting Exemption Certificate may be issued for an oil tanker with full holds;
  - (b) one or more preliminary derattings of a ship with the cargo in situ, or during its unloading, may be carried out to prevent the escape of infected rodents;
  - (c) if the complete destruction of rodents cannot be secured because only part of the cargo is due to be unloaded, a ship shall not be prevented from unloading that part, but the authorised officer may apply any measure which he considers necessary to prevent the escape of infected rodents, including placing the ship in quarantine.”

*Bruce Millan,*  
One of Her Majesty's Principal  
Secretaries of State.

New St Andrew's House,  
Edinburgh.  
6th March 1978.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

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

The amendments require the master of a ship to complete a Maritime Declaration of Health only either where he has, by virtue of these Regulations, a report to make relating to the death or illness of a person on board a ship or where he is directed to do so by the medical officer. Restrictions may apply to the boarding or leaving of a ship either where the authorised officer so directs, or where the master has a report to make which requires completion of a Declaration of Health. The definition of "infected ship" has been extended to include a ship which has on board on arrival a case of Lassa fever, rabies, viral haemorrhagic fever or Marburg disease and a corresponding amendment has been made to the definition of "suspected ship". Schedule 4 to the principal Regulations (which relates to additional measures which may be taken in respect of certain specified diseases dangerous to public health) has been extended to include provisions relating to Lassa fever, rabies, viral haemorrhagic fever and Marburg disease.

Other changes include the extensive substitution of "authorised officer" for "medical officer", and the addition of provisions relating to a ship which during its voyage has had contact with an offshore installation.

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