

STATUTORY RULES OF NORTHERN IRELAND

**2008 No. 436**

**The Public Health (Aircraft)  
Regulations (Northern Ireland) 2008**

**PART V**

**MISCELLANEOUS**

**Compliance with directions, etc, under these Regulations**

- 27.**—(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 an aircraft).
- (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.

**Commencement Information**

**II** [Reg. 27](#) in operation at 11.12.2008, see [reg. 1](#)

**Surveillance**

**28.**—(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 regulation 19 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 area.

(3) When a person has been so placed under surveillance under the additional measures in Schedule 2, 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 the medical officer 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 on leaving the aerodrome at which he arrived in Northern Ireland, 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.

#### Commencement Information

**I2** Reg. 28 in operation at 11.12.2008, see [reg. 1](#)

#### Charges for services

**29.**—(1) The commander of an aircraft may request a responsible authority to cause to be applied measures he is required to apply under these Regulations.

(2) A responsible authority may charge the owner or commander of an aircraft for a service to apply measures described in paragraph (1) in so far as the service is for preventing—

- (a) danger to the public health from an aircraft arriving; or
- (b) the spread of infection from a aircraft leaving an aerodrome where international flights arrive or depart.

(3) A charge for a service under paragraph (2)—

- (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 commander of the aircraft 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 aircraft or containers, cargo, baggage, goods or postal parcels concerned; and
  - (ii) must not distinguish between national and foreign aircraft or containers, cargo, baggage, goods or postal parcels.

(4) A responsible authority may require the whole or part of the amount of a charge for a service under paragraph (2) to be paid or deposited with it before the service is performed.

(5) At the commander's request, a responsible authority must provide the commander of the aircraft with particulars in writing free of charge of—

- (a) measures taken for which a charge under paragraph (2) 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 (2) is made.

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

#### Commencement Information

**I3** [Reg. 29](#) in operation at 11.12.2008, see [reg. 1](#)

### Expenses of a responsible authority

**30.** Subject to regulation 31, any expenses incurred by a responsible authority in the enforcement and execution of these Regulations shall be defrayed in the same manner as the expenses incurred by them in the execution and discharge of their other powers and duties.

#### Commencement Information

**I4** [Reg. 30](#) in operation at 11.12.2008, see [reg. 1](#)

### Recovery of Charges

**31.** Every charge authorised by regulation 30 shall be recoverable either summarily as a civil debt, or as a simple contract debt in any court of competent jurisdiction.

#### Commencement Information

**I5** [Reg. 31](#) in operation at 11.12.2008, see [reg. 1](#)

### Saving for aircraft unwilling to comply with these Regulations

**32.—(1)** The commander of an aircraft on arrival, or already at an aerodrome, who is unwilling to comply with, or submit to any provisions of, or requirements made under these Regulations which may be applicable, shall so notify the authorised officer, and the authorised officer may then require the commander to remove the aircraft immediately from the aerodrome.

(2) If before leaving the aerodrome the commander 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 an aircraft from the aerodrome, it shall not, during its voyage, land at any other place in Northern Ireland.

#### Commencement Information

**I6** [Reg. 32](#) in operation at 11.12.2008, see [reg. 1](#)

### Saving for existing enactments

**33.** Nothing in these Regulations shall affect the Immigration Act 1971(1) or Article 136 of the Air Navigation Order 2005 (Customs and Excise aerodromes)(2).

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**Commencement Information**

**I7** [Reg. 33](#) in operation at 11.12.2008, see [reg. 1](#)

### Revocation

**34.** The Public Health (Aircraft) Regulations (Northern Ireland) 1971(3) are revoked.  
The Commissioners for Her Majesty's Revenue and Customs consent to the foregoing Regulations, other than regulation 4(4).

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**Commencement Information**

**I8** [Reg. 34](#) in operation at 11.12.2008, see [reg. 1](#)

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(1) 1971 c. 77  
(2) S.I.2005/1970  
(3) S.R. 1971/182

**Changes to legislation:**

There are currently no known outstanding effects for the The Public Health (Aircraft) Regulations (Northern Ireland) 2008, PART V.