
STATUTORY INSTRUMENTS

1951 No. 967

The Prevention of Damage by Pests (Application to Shipping) Order 1951

PART I

General

1.—(1) This Order which may be cited as the Prevention of Damage by Pests (Application to Shipping) Order, 1951, shall come into operation on the 1st day of October, 1951.

(2) This Order shall not extend to Northern Ireland.

2.—(1) In this Order, except when the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Act” means the Prevention of Damage by Pests Act, 1949;

“food” includes any substance ordinarily used in the composition or preparation of food, the seeds of any cereal or vegetable, and any feeding-stuffs for animals, but does not include any food carried on any vessel for consumption by the passengers or crew;

“infestation” means the presence of rats, mice, insects or mites in numbers or under conditions which involve an immediate or potential risk of substantial loss of or damage to food, and “infested” shall be construed accordingly;

“the Minister” means the Minister of Agriculture and Fisheries, or, in relation to Scotland, the Secretary of State;

“sea-going ship” has the meaning assigned to it by Article 3 (2) of this Order;

“working days” includes any day except Sunday, a Bank Holiday, Christmas Day or Good Friday.

(2) The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3.—(1) Subject to the exceptions and modifications prescribed by this Order, the provisions of the Act shall apply in relation to any vessel which is not a sea-going ship as they apply in relation to land, but, except as provided in Part IV of this Order, shall not apply in relation to any sea-going ship: Provided that none of the provisions of the Act relating to structural repairs or other works shall apply to any kind of vessel.

(2) A sea-going ship means:—

(a) any vessel employed in trading or going between a place in the United Kingdom, the Channel Islands or the Isle of Man, and a place not within the United Kingdom, the Channel Islands or the Isle of Man;

(b) any vessel (other than a vessel which is wholly or mainly engaged in trading or going within the limits of any harbour or haven or dock, or of any estuary or on any tidal or non-tidal river or inland waterway, or a vessel used for the purpose of storage) in respect

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of which the master holds either (i) a valid deratisation certificate or a valid deratisation exemption certificate satisfying the requirements of the Port Health Regulations, 1933 and 1945, or the Port Sanitary Regulations (Scotland), 1933 and 1945; or (ii) a certificate issued not more than 4 months previously in the form set out in the Schedule to this Order or in a form substantially to the like effect by the medical officer of a port health authority or port local authority certifying that the ship is so far as practicable free from rats and mice.