

This Statutory Instrument has been made in consequence of defects in S.I. 2007/1446 and S.I. 2007/1447 and is being issued free of charge to all known recipients of those Instruments.

STATUTORY INSTRUMENTS

2007 No. 1603

PUBLIC HEALTH, ENGLAND

The Public Health (Aircraft and Ships) (Amendment) (England) Regulations 2007

Made - - - - *4th June 2007*

Laid before Parliament *8th June 2007*

Coming into force in accordance with regulation 1(2)

The Secretary of State for Health, with the consent of the Commissioners for Her Majesty's Revenue and Customs⁽¹⁾, makes the following Regulations in exercise of the powers conferred by section 13 of the Public Health (Control of Disease) Act 1984⁽²⁾:

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Public Health (Aircraft and Ships) (Amendment) (England) Regulations 2007.

(2) These Regulations shall come into force on 15th June 2007, and in the case of regulations 3 and 4, immediately before the coming into force of the Ships Amendment Regulations.

(3) These Regulations apply in relation to England only.

(4) In these Regulations—

(a) “the Aircraft Regulations” means the Public Health (Aircraft) Regulations 1979⁽³⁾; and

(b) “the Ships Amendment Regulations” means the Public Health (Ships) (Amendment) (England) Regulations 2007⁽⁴⁾.

(1) Section 13(4) of the Public Health (Control of Disease) Act 1984 (c. 22) provides that regulations require the consent of the Commissioners of Customs and Excise in so far as they relate to enforcement and execution by officers of customs and excise. The functions of the Commissioners of Customs and Excise were transferred to the Commissioners for Her Majesty's Revenue and Customs by section 5(2) of the Commissioners for Her Majesty's Revenue and Customs Act 2005 (c. 11). By section 50(1) of that Act, a reference in an enactment to the Commissioners of Customs and Excise shall be taken as a reference to the Commissioners for Her Majesty's Revenue and Customs.

(2) 1984 c. 22. Functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, article 2 and Schedule 1.

(3) S.I. 1979/1434. S.I. 1979/1434 has been amended by the Public Health (Aircraft) (Amendment) (England) Regulations 2007, S.I. 2007/1447.

(4) S.I. 2007/1446.

Amendment of regulation 2 of the Aircraft Regulations

2. In regulation 2(1) of the Aircraft Regulations (interpretation) omit the definition of “local authority”.

Amendment of regulation 2 of the Ships Amendment Regulations

3. In regulation 2(1)(l) of the Ships Amendment Regulations (amendment of regulation 2 of the principal Regulations), for the definition of “local authority” substitute—

““local authority” means—

- (a) in relation to a port health district the port health authority; and
- (b) in relation to any other district—
 - (i) the district council,
 - (ii) the county council for the county in which a district is where there is no district council for that district,
 - (iii) the London borough council for a London borough, or
 - (iv) the Common Council of the City of London for the City of London;”.

Amendment of regulation 8 of the Ships Amendment Regulations

4. In regulation 8 of the Ships Amendment Regulations (amendment of regulation 9 of the principal Regulations), omit the paragraph number “(1)”, and for sub-paragraph (b) substitute—

“(b) for paragraph (7), substitute—

“(7) The medical officer shall immediately notify the local authority of any directions given to him by the Secretary of State under this regulation.”.”.

Signed by authority of the Secretary of State for Health

4th June 2007

Caroline Flint
Minister of State
Department of Health

We consent

4th June 2007

Mike Hanson
Mike Eland
Two of the Commissioners for Her Majesty’s
Revenue and Customs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Public Health (Aircraft) Regulations 1979⁽⁵⁾ (“the Aircraft Regulations”) and amend the Public Health (Ships) (Amendment) (England) Regulations 2007⁽⁶⁾ (“the Ships Amendment Regulations”). The Aircraft Regulations provide for public health control of aircraft arriving at or leaving airports in England and Wales. The Ships Amendment Regulations implement in England provisions of the International Health Regulations 2005 of the World Health Organization on ship sanitation certificates and otherwise amend or update the Public Health (Ships) Regulations 1979⁽⁷⁾.

Regulation 3 of these Regulations replaces the new definition of “local authority” included in the Ships Amendment Regulations, and regulation 4 makes a further minor amendment to those Regulations. Regulation 2 amends the Aircraft Regulations to omit the definition of “local authority” which is no longer required.

The Regulations come into force on 15th June 2007.

Full regulatory impact assessments of the effect that this instrument will have on the costs of business and the voluntary sector are available from Jenny Harper, at Wellington House, 133-135 Waterloo Road, London SE1 8UG, Jenny.Harper@dh.gsi.gov.uk.

(5) S.I. 1979/1434.
(6) S.I. 2007/1446.
(7) S.I. 1979/1435.