1971. No. 182 [NC]

PUBLIC HEALTH

Prevention of Infectious and Epidemic Diseases—Aircraft

REGULATIONS, DATED 23RD JUNE 1971, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES FOR NORTHERN IRELAND UNDER SECTION 143 OF THE PUBLIC HEALTH ACT 1936.

The Ministry of Health and Social Services for Northern Ireland, in exercise of the powers conferred upon it by section 143 of the Public Health Act 1936(**a**), as extended to Northern Ireland by the Public Health (Northern Ireland) (Extension of Enactments) Order 1939(**b**), and adapted by the Local Authorities (Transfer of Functions) (Northern Ireland) Order 1953 and the Ministries of Northern Ireland (Transfer of Functions) (Northern Ireland) Order 1965(**c**), and of the powers conferred upon it by the said section 143 as amended by section 69 of, and Schedule 11 to, the Civil Aviation Act 1949(**d**) and extended to Northern Ireland by the Public Health (Northern Ireland) (Extension of Enactments) Order 1953(**e**), and of all other powers enabling it in that behalf, after consultation with the Secretary of State for Trade and Industry and with the consent of the Commissioners of Customs and Excise, hereby makes the following regulations:—

PART I

PRELIMINARY

Title and commencement

1. These regulations may be cited as the Public Health (Aircraft) Regulations (Northern Ireland) 1971, and shall come into operation on 1st July 1971.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**f**) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(2) In these regulations,

"additional measures" means such of the additional measures specified in Schedule 2 with respect to the diseases subject to the International Health Regulations as are appropriate;

(a) 26 Geo. 5 and 1 Edw. 8. c. 49.
(b) S.R. & O. (N.I.) 1939/1438. Rev. XVIII, p. 881; 1939 II, p. 2914.
(c) S.R. & O. (N.I.) 1965, No. 13.
(d) 12, 13 & 14 Geo. 6. c. 67.
(e) S.I. 1953/1681; 1953 II, p. 1695.
(f) 1954. c. 33.

"aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the take-off and landing of aircraft, not being an area the use of which for those purposes has been abandoned, and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the take-off and landing of aircraft capable of descending or climbing vertically;

"Aircraft Declaration of Health" means a declaration containing the information specified in Schedule 1, being either a separate document or a part of the Aircraft General Declaration delivered in accordance with Appendix 6 of the International Health Regulations 1969;

"area" means the area of a health authority;

"authorised officer" means the medical officer or any other officer authorised by the responsible authority under regulation 4 to enforce and execute any of these regulations;

"baggage" means the personal effects of a traveller or of a member of the crew;

"commander" means the person for the time being in command of an aircraft;

"crew" means the personnel of an aircraft who are employed for duties on board;

"customs airport" means an aerodrome designated by order of the Secretary of State for Trade and Industry under Article 72 of the Air Navigation Order 1970(**g**), with the concurrence of the Commissioners of Customs and Excise, to be a place for the landing or departure of aircraft for the purposes of the enactments relating to customs;

"customs officer" means any officer as defined in the Customs and Excise Act 1952(**h**);

"day" means an interval of twenty-four hours;

"diseases subject to the International Health Regulations" means cholera, including cholera due to the El Tor vibrio, plague, smallpox including variola minor (alastrim) and yellow fever;

"disinsecting" means the operation in which measures are taken to kill the insect vectors of human disease;

"epidemic" means an extension of a disease subject to the International Health Regulations by a multiplication of cases in an area;

"excepted airport" means any airport in the excepted area;

"excepted area" means all the territory of Belgium, Metropolitan France, Greece, Italy, Luxembourg, the Netherlands and the British Islands;

"health authority" means a health authority constituted under the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland) 1946(**i**);

"immigration officer" means any person appointed to act as an immigration officer under the Aliens Restriction Acts 1914(**j**) and 1919(**k**) or under the Commonwealth Immigrants Acts 1962(**l**) and 1968(**m**);

(**g**) S.I. 1970/954 (1970 II, p. 2964).
(**h**) 15 & 16 Geo. 6 and 1 Eliz. 2. c. 44.
(**i**) 1946. c. 19.
(**j**) 4 & 5 Geo. 5. c. 12.
(**k**) 9 & 10 Geo. 5. c. 92.
(**l**) 10 & 11 Eliz. 2. c. 21.
(**m**) 1968. c. 9.

"infected aircraft" means—

(*a*) an aircraft which has on board on arrival a case of a disease subject to the International Health Regulations; or

(*b*) an aircraft on which a plague-infected rodent is found on arrival; or

(*c*) an aircraft which has had a case of smallpox on board during its voyage and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided in these regulations;

"infected area" means an area notified as such to health administrations by the World Health Organisation under Article 11 of the International Health Regulations and which has not been subsequently notified by that organisation as being free from infection;

"infected person" means a person who is suffering from a disease subject to the International Health Regulations or who is considered by the medical officer to be infected with such a disease;

"infectious disease" means a disease subject to the International Health Regulations or any other infectious or contagious disease other than venereal disease or tuberculosis;

"in flight" means the time elapsing between the closing of the doors of the aircraft before take-off and their opening on arrival;

"International Health Regulations" means the International Health Regulations as adopted by the World Health Assembly on 25th July 1969;

"isolation", when applied to a person or group of persons, means the separation of that person or group of persons from other persons, except the health staff on duty, in such a manner as to prevent the spread of infection;

"medical officer" means the medical officer of health of a responsible authority, or any other medical practitioner appointed by such authority under regulation 5;

"medical practitioner" means a registered medical practitioner;

"Ministry" means the Ministry of Health and Social Services for Northern Ireland;

"national airport" means an aerodrome for the time being vested in or under the control of the Secretary of State for Trade and Industry, or vested in the Northern Ireland Transport Holding Company and managed by a subsidiary company;

"responsible authority", in relation to an aerodrome or other place, means the authority charged under regulation 4 with the duty of enforcing and executing these regulations;

"sanitary airport" means a customs airport which has been designated in accordance with Article 19 of the International Health Regulations;

"suspect" means a person (not being an infected person) who is considered by the medical officer as having been exposed to infection by a disease subject to the International Health Regulations and is considered capable of spreading that disease;

"suspected aircraft" means an aircraft from which a case of cholera occurring on board during the voyage has been removed before the arrival of the aircraft, and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided for in these regulations;

"valid International Vaccination Certificate" means a certificate of vaccination or revaccination against smallpox or cholera which is in the form laid down, and conforms with the rules as to validity contained in Schedule 3 or 4 as the case may be;

"voyage", in relation to an aircraft, means the flight of the aircraft from its point of origin via any intermediate points to its point of termination.

(3) Any reference, however expressed, in these regulations to a person leaving an aircraft shall not be construed as a reference to that person leaving an aircraft and continuing his journey in that aircraft.

Regulations not to apply to aircraft of the armed forces

3. Without prejudice to any enactment or rule of law which applies in relation to Her Majesty's armed forces or to any of the other armed forces hereinafter mentioned as part thereof, nothing in these regulations shall apply to any aircraft forming part of Her Majesty's armed forces or of the armed forces of any country within the Commonwealth or of the armed forces of any other country for the time being designated for the purposes of all the provisions of the Visiting Forces Act 1952(**n**) following section 1(2) thereof, or to the officers and crew of such aircraft or to any aerodrome under the control of such forces.

PART II

GENERAL

Enforcement and execution of regulations

4.—(1) It shall be the duty of the following authorities to enforce and execute these regulations:—

(*a*) at a national airport, customs airport or any other aerodrome—

(i) if it is wholly situate within a health authority area, the health authority for that area;

(ii) if it extends into two or more areas, such one of the health authorities in whose area any part thereof is situate, as the authorities may, upon terms and conditions approved by the Ministry agree or, in the absence of agreement, such one of the health authorities as the Ministry may direct;

(*b*) at any place other than an aerodrome, the health authority of the area in which the place is situate.

(2) The Ministry may attach such terms and conditions as it thinks fit to any direction given by it under this regulation.

(3) Every responsible authority shall exercise its functions through the medical officer and such other officers as it may authorise in that behalf, and shall make such enquiries and take such other steps as may seem to it to be necessary for securing the proper exercise of those functions.

Appointment and duties of authorised officers and provision of services by responsible authorities

5. A responsible authority may, and if so required by the Ministry shall—

(*a*) appoint such medical practitioners, in addition to its medical officer of health, as may be necessary for the proper enforcement and execution of these regulations;

(**n**) 15 & 16 Geo. 6 and 1 Eliz. 2, c. 67.

(*b*) give directions from time to time as to the duties which are to be performed by any medical practitioner so appointed or any other officer authorised to enforce and execute these regulations;

(*c*) at or in connection with a customs airport, provide or arrange for the provision of—

(i) premises or waiting rooms for the medical inspection and examination of persons;

(ii) premises for the temporary isolation of persons under these regulations;

(*d*) at or in connection with a customs airport, arrange for the reception into a hospital of persons requiring to be removed thereto under these regulations;

(*e*) arrange for the provision of means of transport for the conveyance of persons to any premises referred to in paragraph (*c*) or to a hospital;

(*f*) at or in connection with a sanitary airport, provide or arrange for the provision of—

(i) apparatus or other means for cleansing, disinfecting and disinsecting aircraft, persons or clothing and other articles and deratting aircraft;

(ii) a laboratory for the examination of suspected material, or equipment for taking and despatching such material for examination in a laboratory;

(*g*) do all such other things as in its opinion or the opinion of the Ministry, as the case may be, are necessary to enable the provisions of these regulations to be complied with.

List of infected areas

6.—(1) The medical officer at a customs airport shall from time to time prepare and keep up to date a list of aerodromes and other areas which are infected or believed to be infected with a disease subject to the International Health Regulations or which may serve other places or areas so infected or believed to be so infected.

(2) The medical officer shall supply copies of every such list and any amendment thereof to the customs officer at the airport and to the person in charge of the airport.

(3) In preparing and amending such list the medical officer shall take into account all information sent to him from time to time by the Ministry or issued by the World Health Organisation.

PART III

INCOMING AIRCRAFT

Inspection of aircraft

7.—(1) The medical officer or other authorised officer may, for the purposes of these regulations, inspect any aircraft at a customs airport.

(2) The medical officer shall—

(*a*) inspect on arrival any aircraft in respect of which the commander has sent a message under regulation 12; and

(*b*) inspect any aircraft at the airport when he has reasonable grounds for believing that there is on board a case or suspected case of infectious disease.