1963 No. 1257

PUBLIC HEALTH, ENGLAND AND WALES

The Public Health (Aircraft) (Amendment) Regulations 1963

Made - - - -	16*th July* 1963
Laid before Parliament	23*rd July* 1963
Coming into Operation	1*st August* 1963

The Minister of Health, in exercise of the powers conferred on him by section 143 of the Public Health Act 1936(a), as amended by section 69 of the Civil Aviation Act 1949(b), and of all other powers enabling him in that behalf, after consultation with the Minister of Aviation, and with the consent of the Commissioners of Customs and Excise, hereby makes the following regulations:—

Citation and Commencement

1.—(1) These regulations may be cited as the Public Health (Aircraft) (Amendment) Regulations 1963, and shall come into operation on 1st August 1963.

(2) These regulations and the Public Health (Aircraft) Regulations 1952 to 1961(c) may be cited together as the Public Health (Aircraft) Regulations 1952 to 1963.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the principal regulations" means the Public Health (Aircraft) Regulations 1952 (d);

"regulation" means regulation contained in the principal regulations;

and other words and expressions have the same meanings as in the principal regulations.

(2) The Interpretation Act 1889(e) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(3) References in these regulations to any enactment or regulations shall be construed as references to that enactment or those regulations as amended by any subsequent enactment or regulations including these regulations.

Amendment of the Public Health (Aircraft) Regulations 1952

3. In regulation 3(3) (which contains definitions of expressions used in the principal regulations)—

(a) 26 Geo. 5 & 1 Edw. 8. c. 49. (b) 12, 13 & 14 Geo. 6. c. 67.
(c) S.I. 1952/1410, 1954/674, 1961/12 (1952 III, p. 2698; 1954 II, p. 1844; 1961 I, p. 37).
(d) S.I. 1952/1410 (1952 III, p. 2698). (e) 52 & 53 Vict. c. 63.

(*a*) for the definition of "excepted area" there shall be substituted the following definition:—

"'excepted area' means the United Kingdom, the Channel Islands, the Isle of Man, the Irish Republic, France in Europe, Belgium, the Netherlands, Luxembourg, Italy, Greece, and the Federal Republic of Germany";

(*b*) after the definition of "typhus" there shall be inserted the following definition:—

"'valid International Vaccination Certificate' means a certificate of vaccination or re-vaccination against smallpox which is in the form laid down, and conforms with the rules as to validity contained, in Appendix 4 to the International Sanitary Regulations."

4. In regulation 8 (which relates to the examination of persons on aircraft)—

(*a*) after paragraph (2) there shall be inserted the following paragraphs:—

"(3) The medical officer or a customs officer, or an officer designated by the Minister for that purpose at a national airport, may, and if so required by the Minister shall, require any person on board or disembarking from an aircraft at a customs airport to produce a valid International Vaccination Certificate.

(4) A customs officer or an officer designated as aforesaid may detain until the arrival of the medical officer, or for 3 hours, whichever is the shorter period, any such person as aforesaid who has been required to produce such a certificate and is unable to do so.

(5) Where any such person fails to satisfy the medical officer that he possesses such a certificate, the medical officer may detain him for examination at a place appointed for that purpose, and may apply in his case the additional measures mentioned in paragraphs (1) and (2) of Part IV of Schedule 2 to these regulations.";

(*b*) paragraph (3) shall be re-numbered (6) and amended by the insertion of the words "customs officer or officer designated as aforesaid" after the words "medical officer".

5. In regulation 26 (which contains savings for certain aircraft) the following amendments shall be made:—

(*a*) in paragraph (*c*), for the words "paragraphs (1) and (2) of regulation 8" there shall be substituted the words "paragraphs (1), (2), (3) and (5) of regulation 8";

(*b*) for paragraph (*d*) the following paragraph shall be substituted:—

"(*d*) the powers and duties conferred on a customs officer or designated officer by paragraphs (3) and (4) of regulation 8 and regulation 16 shall not be exercised or performed unless the Minister has directed, or the medical officer is satisfied and has so informed the customs officer or designated officer, that the exercise of the powers or the performance of the duties conferred or imposed by these provisions is necessary on account of danger to public health."

6. In Part IV of Schedule 2 to the principal regulations (which relates to additional measures with respect to smallpox) for paragraph (1) there shall be substituted the following paragraph :—

" (1) The medical officer shall offer vaccination to any person on board or disembarking from the aircraft who does not show sufficient evidence of protection by a previous attack of smallpox or who does not satisfy the medical officer that he possesses a valid International Vaccination Certificate."

Given under the official seal of the Minister of Health on 16th July 1963.

(L.S.)

J. Enoch Powell,
Minister of Health.

We consent.

J. E. B. Finlay,
Commissioner of Customs and Excise.

16th July 1963.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations amend the Public Health (Aircraft) Regulations 1952 to 1961 and enable airport health officers to require the production of International Certificates of Vaccination against smallpox. If a person has not a certificate, he may be offered vaccination, and may be placed under surveillance or in isolation.