STATUTORY INSTRUMENTS

1978 No. 286

PUBLIC HEALTH, ENGLAND AND WALES

The Public Health (Aircraft) (Amendment) Regulations 1978

Made - - - -	28*th February* 1978
Laid before Parliament	10*th March* 1978
Coming into Operation	1*st April* 1978

The Secretary of State for Social Services in relation to England and the Secretary of State for Wales in relation to Wales, in exercise of powers conferred by section 143 of the Public Health Act 1936(**a**) and now vested in them(**b**), and by that section as modified by section 69 of and Schedule 11 to the Civil Aviation Act 1949(**c**), by section 32 of the Civil Aviation Act 1971(**d**) and by section 15 of the Airports Authority Act 1975(**e**), and of all other powers enabling them in that behalf, and, so far as they apply to officers of customs and excise, with the consent of the Commissioners of Customs and Excise, hereby make the following regulations:—

Citation, interpretation and commencement

1.—(1) These regulations, which may be cited as the Public Health (Aircraft) (Amendment) Regulations 1978, shall be read as one with the Public Health (Aircraft) Regulations 1970(**f**), as amended(**g**) (hereinafter referred to as "the principal regulations") and shall come into operation on 1st April 1978.

(2) The Interpretation Act 1889(**h**) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Amendment of the principal regulations

2. Regulation 2 (definitions) of the principal regulations shall have effect subject to the following amendments, namely—

(*a*) the following definition shall be inserted at the appropriate point—
" "animals" has the same meaning as in Art. 2(1) of the Rabies (Control) Order 1974(**i**)";

(**a**) 1936 c. 49.
(**b**) *See*, The Secretary of State for Social Services Order 1968, S.I. 1968/1699, Art. 2, and The Transfer of Functions (Wales) Order 1969, S.I. 1969/388 Art. 2(1).
(**c**) 1949 c. 67.
(**d**) 1971 c. 75.
(**e**) 1975 c. 78.
(**f**) S.I. 1970/1880.
(**g**) S.I. 1974/268.
(**h**) 1889 c. 63.
(**i**) S.I. 1974/2212.

(*b*) in the definition of "infected aircraft" for sub-paragraph (*a*) there shall be substituted—

"(*a*) an aircraft which has on board on arrival

(i) a case of a disease subject to the International Health Regulations; or

(ii) a case of lassa fever, rabies, viral haemorrhagic fever or marburg disease; or";

(*c*) in the definition of "infected person", after the words "such a disease" there shall be inserted the words "or with some other infectious or contagious disease other than venereal disease or tuberculosis";

(*d*) for the definition of "suspect" there shall be substituted the following—

" "suspect" means a person (not being an infected person) who is considered by the Medical Officer as having been exposed to infection by an infectious disease and is considered capable of spreading that disease";

(*e*) in the definition of "suspected aircraft" before the words "from which a case", there shall be inserted "(*a*)" and after sub-paragraph (*a*) there shall be inserted

"or

(*b*) which has on board on arrival a person who the medical officer considers may have been exposed to infection from lassa fever, rabies, viral haemorrhagic fever or marburg disease;".

3. Regulation 7 of the principal regulations shall have effect subject to the following amendments, namely—

(*a*) in paragraph (1) for the words "The medical officer or other" there shall be substituted the word "An";

(*b*) in paragraphs (2) and (3) after the words "medical officer" there shall be inserted the words "or other authorised officer acting on the medical officer's instructions";

(*c*) after paragraph (3) there shall be inserted the following paragraph—

"(4) For the purposes of this regulation, the inspection of an aircraft may include the taking from the aircraft of samples of food and water for the purposes of analysis or examination with a view to the treatment of persons affected with any epidemic, endemic or infectious disease and for preventing the spread of such diseases.".

4. Regulation 11 of the principal regulations shall have effect subject to the following amendments, namely—

(*a*) before the words "The commander", there shall be inserted "(1)";

(*b*) in paragraph 1(*b*) for the words "the medical officer" there shall be substituted the words "an authorised officer", and for the words

"presence of rodents on the aircraft" there shall be substituted the words "presence or suspected presence on board of any animals or captive birds of any species"; and

(*c*) after paragraph (1) there shall be inserted the following paragraph—

"(2) For the avoidance of doubt, the expression "captive birds" includes poultry.".

5. Regulation 12 of the principal regulations shall have effect subject to the following amendments, namely—

(*a*) for paragraph (1) there shall be substituted the following paragraph—

"(1) Where a member of the crew of an aircraft becomes aware that there is on board the aircraft during a flight a person who is suffering from an infectious disease, or who has symptoms which may indicate the presence of infectious disease, he shall report the details to the commander of the aircraft who shall send a radio message to that effect to the authorised officer at the first customs airport at which the aircraft is due to land, or to the owner or manager of such airport.";

(*b*) at the end of regulation 12 there shall be inserted the following paragraphs—

"(4) The owner or manager of an aerodrome or any person deputed to act on his behalf, shall inform the authorised officer of any aircraft arriving at that aerodrome which during its flight last landed at

(*a*) an aerodrome within an infected area; or

(*b*) at such aerodrome as may be notified by the medical officer.

(5) The information required under paragraph (4) shall be given to the authorised officer before or immediately after the arrival of the aircraft mentioned therein.

(6) The medical officer may require the commander of an aircraft, or, as the case may be, all such commanders flying the aircraft of a specified airline, to complete an Aircraft Declaration of Health in the form set out in Schedule 1.

(7) The Aircraft Declaration of Health completed in accordance with paragraph (6) shall be delivered to the authorised officer by the commander of the aircraft, or by a member of the crew deputed to act on his behalf.".

6. Regulation 13 of the principal regulations shall cease to have effect.

7. Before regulation 14 of the principal regulations there shall be inserted the following regulation—

"*Deratting and disinfection of aircraft*

13A.—(1) Where—

(*a*) the presence of rodents is suspected on board an aircraft, or

(*b*) an aircraft is infected because a plague-infected rodent is found on board on arrival,

the authorised officer may require the aircraft to be deratted in such a manner as he may determine.

(2) The authorised officer may require an aircraft, together with such of its contents as he may specify, to be disinfected in such manner as the officer may determine where the aircraft is infected because an animal infected or suspected of being infected with plague, lassa fever, viral haemorrhagic fever or marburg disease is found on board on arrival.

(3) The commander of an aircraft which is at an aerodrome or a member of the crew deputed to act on his behalf, or in the absence of the crew the person for the time being in charge of the aircraft shall inform the authorised officer of the presence or suspected presence of rodents on the aircraft.

(4) Where an aircraft has been deratted the commander of the aircraft or a member of the crew deputed to act on his behalf, or in the absence of the crew the person for the time being in charge of the aircraft shall inform the authorised officer of the arrangements made for the disposal of the rodents.".

8. In regulation 16 of the principal regulations the words "from information on the Aircraft Declaration of Health or otherwise", shall be omitted.

9. In regulation 17 of the principal regulations, for the words "the medical officer", where they first occur, there shall be substituted the words "an authorised officer".

10. In regulation 18(2) of the principal regulations, for the words "medical officer" there shall be substituted the words "authorised officer" and for the word "he" (wherever it occurs) there shall be substituted the words "the medical officer".

11. In regulation 20(*b*) of the principal regulations for the words "yellow fever or plague", there shall be substituted the words "yellow fever, plague, lassa fever, viral haemorrhagic fever or marburg disease".

12. In regulation 23(*b*) of the principal regulations for the words "or yellow fever" there shall be substituted the words "yellow fever, lassa fever, rabies, viral haemorrhagic fever or marburg disease".

13. In regulation 26(*a*) of the principal regulations "13(1)" shall be omitted.

14. Regulation 30 of the principal regulations shall have effect subject to the following amendments, namely—

(*a*) in paragraph (1) after sub-paragraph (*d*) there shall be inserted the following sub-paragraph—

"(*e*) in respect of lassa fever, viral haemorrhagic fever or marburg disease, twenty-one days.";

(*b*) in paragraph (2) for the words "cholera or smallpox" there shall be substituted the words "cholera, smallpox, lassa fever, viral haemorrhagic fever or marburg disease".

15. In regulation 32(2) of the principal regulations for the words "two hundred pounds" there shall be substituted the words "four hundred pounds".

16. For the words "medical officer" in regulations 6, 8(2), 10, 12(2) and (3), 16, 19, 22, 23(*d*), 24, 25(1)(*b*), 28(*c*) and (*f*), 32(4) and (5) and 36 of the principal regulations, there shall be substituted the words "authorised officer".

17. Schedule 2 to the principal regulations shall have effect subject to the following amendments, namely—

(*a*) in Part I, paragraph (2) shall be omitted; and

(*b*) after Part IV there shall be inserted the following—

"PART V—LASSA FEVER, RABIES, VIRAL HAEMORRHAGIC FEVER OR MARBURG DISEASE

Infected aircraft and suspected aircraft

The medical officer may—

(*a*) place any suspect on board under surveillance, the period of surveillance being reckoned from the date of arrival of the aircraft;

(*b*) require the disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the aircraft which the medical officer considers to be contaminated."

David Ennals,

Secretary of State for Social Services.

22nd February 1978.

John Morris,

Secretary of State for Wales.

22nd February 1978.

We consent

A. M. Fraser,

Commissioner of Customs and Excise.

28th February 1978.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Public Health (Aircraft) Regulations 1970, as amended, which provide for public health control over aircraft arriving in or leaving England and Wales.

Provision is made for the deratting and disinfection of aircraft where the presence of rodents is suspected on board an aircraft or a plague infected rodent is found on board (Reg. 7). The crew of an aircraft are required to provide the commander of the aircraft with information as to any person on board who is suffering from an infectious disease. The Aircraft Declaration of Health will not be required unless a direction to that effect is issued by the medical officer to the commander of the aircraft (Reg. 5).

Other changes include the extension of surveillance by the medical officer to lassa fever, viral haemorrhagic fever and marburg disease.

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