PUBLIC HEALTH

1953 No. 1682

The Public Health (Aircraft) (Isle of Man) Order, 1953

Made - - - - 19*th November*, 1953

Coming into Operation 1*st December*, 1953

At the Court at Buckingham Palace, the 19th day of November, 1953

Present,

The Queen's Most Excellent Majesty in Council

Whereas by subsection (10) of section one hundred and forty-three of the Public Health Act, 1936(**a**), and sub-paragraph (5) of paragraph 1 of the Eleventh Schedule to the Civil Aviation Act, 1949(**b**), it is provided that Her Majesty may by Order in Council direct that regulations made under the said section and under the said section as it has effect by virtue of the said paragraph 1, other than regulations for purposes mentioned in paragraph (*a*) of subsection (1) of the said section one hundred and forty-three which will be operative on land, shall extend to the Isle of Man with such exceptions, modifications and adaptations as may be specified in the Order:

And Whereas by subsection (10) of the said section one hundred and forty-three and sub-paragraph (5) of the said paragraph 1 it is further provided that for the purposes of any such Order the provisions of subsections (4) and (5) of the said section shall be deemed to form part of the regulations:

And Whereas the Minister of Health, in exercise of the powers conferred on him by the said section one hundred and forty-three and by that section as amended by the said paragraph 1, has made the Public Health (Aircraft) Regulations, 1952(**c**):

Now, therefore, Her Majesty, in pursuance of the powers vested in Her by subsection (10) of the said section one hundred and forty-three and by sub-paragraph (5) of the said paragraph 1, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The Public Health (Aircraft) Regulations, 1952, shall extend to the Isle of Man with the exceptions, modifications and adaptations specified in the Schedule to this Order.

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

3. This Order may be cited as the Public Health (Aircraft) (Isle of Man) Order, 1953, and shall come into operation on the first day of December, 1953.

W. G. Agnew.

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

SCHEDULE

EXCEPTIONS, MODIFICATIONS AND ADAPTATIONS

1.—(1) Any reference to the Public Health (Aircraft) Regulations, 1952, shall be construed as a reference to those Regulations as extended to the Isle of Man by this Order.

(2) Any reference to the London Gazette shall be construed as a reference to two newspapers printed and circulated in the Isle of Man.

(3) Except in Regulation 6, any reference to the Minister of Health or Minister or a responsible authority or the Board shall be construed as a reference to the Isle of Man Local Government Board.

(4) Any reference to England and Wales shall be construed as a reference to the Isle of Man.

2. In Regulation 1, the reference to the first day of October, 1952, shall be construed as a reference to the date of the coming into operation of this Order.

3. Regulation 2 shall be omitted.

4. In Regulation 3—

(*a*) the definition of "district" shall be omitted;

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

"'Governor' includes the Governor, Lieutenant Governor, Deputy Governor, Deputy Lieutenant Governor and acting Governor or acting Lieutenant Governor of the Isle of Man for the time being;";

(*c*) for the definition of "immigration officer" there shall be substituted the following definition:—

"'immigration officer' means any person appointed by the Governor to act as an immigration officer for the purposes of any regulations made under the Aliens Restriction Act, 1948 (being an Act of Tynwald);";

(*d*) the definition of "local authority" shall be omitted;

(*e*) for the definition of "medical officer" there shall be substituted the following definition:—

"'medical officer' means the Isle of Man Medical Officer of Health, or any other registered medical practitioner appointed by the Board pursuant to Regulation 5;";

(*f*) the definition of "Minister" shall be omitted;

(*g*) in the definition of "national airport", after the words "Minister of Civil Aviation", there shall be inserted the words "or the Isle of Man Airports Board";

(*h*) the definition of "responsible authority" shall be omitted.

5. For Regulation 4, there shall be substituted the following Regulation:—

"4.—(1) It shall be the duty of the Board to enforce and execute these regulations.

(2) The Board shall exercise their functions through the medical officer and such other officers as they may authorise in that behalf and shall make such enquiries and take such other steps as may seem to them to be necessary for securing the proper exercise of those functions.".

6. In Regulation 5—

(*a*) the words "other than the Minister" and the words "and if so required by the Minister" shall be omitted;

(*b*) in paragraph (*a*), for the word "their" there shall be substituted the words "the Isle of Man";

(*c*) in paragraph (*g*), the words "or the opinion of the Minister, as the case may be," shall be omitted.

7. In Regulation 6—

(*a*) in paragraph (1), for the words "medical officer at a customs airport" there shall be substituted the words "Isle of Man Medical Officer of Health";

(*b*) in paragraph (2), for the word "the", in the third place where it occurs, there shall be substituted the words "any customs" and for the said word, in the fifth place where it occurs, there shall be substituted the words "any such";

(*c*) in paragraph (3), after the words "the Minister" there shall be inserted the words "of Health".

8. In Regulation 8, paragraph (3) shall be omitted.

9. In Regulation 10, the words "at a customs airport" shall be omitted.

10. In Regulation 14, in paragraph (1), after the words "the United Kingdom" there shall be inserted the words "and the Isle of Man".

11. In Regulation 25—

(*a*) in paragraph (1), in sub-paragraph (*c*), the words from "and for the purposes" to the end of the sub-paragraph shall be omitted;

(*b*) in paragraph (2), the words "of the responsible authority for the place at which he left the aircraft" shall be omitted.

12. In Regulation 27, after the words "the United Kingdom" there shall be inserted the words "and the Isle of Man".

13. In Regulation 28, after the words "the United Kingdom" there shall be inserted the words "and the Isle of Man".

14. In Regulation 31, the proviso to paragraph (*d*) shall be omitted.

15. In Regulation 37, for the words "Aliens Order, 1920" there shall be substituted the words "Aliens Regulations, 1949".

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order extends to the Isle of Man, subject to the modifications set out in the Schedule, the Public Health (Aircraft) Regulations, 1952 (S.I. 1952/1410; 1952 III, p. 2698), made by the Minister of Health in exercise of the powers conferred on him by section one hundred and forty-three of the Public Health Act, 1936 (which as originally enacted did not apply to any Crown property), and by that section as amended, in relation to aerodromes for the time being vested in or under the control of the Minister of Transport and Civil Aviation, by paragraph 1 of the Eleventh Schedule to the Civil Aviation Act, 1949.