STATUTORY INSTRUMENTS

1961 No. 2485 (S. 140)

PUBLIC HEALTH, SCOTLAND

The Public Health (Aircraft) (Scotland) Amendment Regulations, 1961

Made - - - -	*20th December*, 1961
Laid before Parliament	*29th December*, 1961
Coming into Operation	*1st January*, 1962

In exercise of the powers conferred on me by section 1 of the Public Health (Scotland) Act, 1945(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and Commencement

1.—(1) These regulations may be cited as the Public Health (Aircraft) (Scotland) Amendment Regulations, 1961, and shall come into operation on the first day of January, 1962.

(2) These regulations and the Public Health (Aircraft) (Scotland) Regulations, 1952 and 1954, may be cited together as the Public Health (Aircraft) (Scotland) Regulations, 1952 to 1961.

Interpretation

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

"the principal regulations" means the Public Health (Aircraft) (Scotland) Regulations, 1952(b), as amended by the Public Health (Aircraft) (Scotland) Amendment Regulations, 1954(c).

"Regulation" means Regulation contained in the principal regulations.

(2) The Interpretation Act, 1889(d), shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of principal regulations

3.—(1) In Regulation 3, for paragraph (2) thereof (which excepts from the operation of the principal regulations aircraft forming part of Her Majesty's armed forces or of the armed forces of certain Commonwealth and other countries) there shall be substituted the following paragraph:—

"(2) Without prejudice to any enactment or rule of law which applies in relation to Her Majesty's armed forces or to any other of the 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 purpose of all the provisions of the Visiting Forces Act, 1952(e), following subsection (2) of section 1 thereof, or to the officers and crew of such aircraft or of any aerodrome under the control of such forces."

(a) 9 & 10 Geo. 6. c. 15.
(b) S.I. 1952/1585 (1952 III, p. 2740).
(c) S.I. 1954/755 (1954 II, p. 1847).
(d) 52 & 53 Vict. c. 63.
(e) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.

(2) In Regulation 3, in paragraph (3) thereof (which contains definitions of expressions used in the principal regulations)—

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

"" customs airport" means an aerodrome designated by order of the Minister of Aviation under article 67 of the Air Navigation Order, 1960(a), with the concurrence of the Commissioners of Customs and Excise, to be a place for the landing or departure of aircraft for the purpose of the enactments for the time being in force relating to customs: ";

(*b*) 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 and the Federal Republic of Germany; ";

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(*c*) for the definition of "International Sanitary Regulations" there shall be substituted the following definition:—

"" International Sanitary Regulations" means the International Sanitary Regulations adopted by the Fourth World Health Assembly on the 25th May, 1951, as amended by regulations adopted by any subsequent World Health Assembly and for the time being embodied in any document presented to Parliament by command of Her Majesty(b); ";

(*d*) for the words "typhus fever" there shall be substituted the word "typhus".

4. In Regulation 6 (which relates to the keeping by medical officers of health of lists of infected areas)—

(*a*) in paragraph (1) the words "including areas which have been delineated as yellow fever endemic zones by the World Health Organisation pursuant to the International Sanitary Regulations" shall be omitted;

(*b*) in paragraph (3) the words "or issued by the World Health Organisation" shall be inserted at the end thereof.

5. In Regulation 13 (which requires the making of a Declaration of Health by the commanders of certain aircraft), after the word "commander" there shall be inserted the words "or a member of the crew deputed to act on his behalf".

6. For Regulation 20 (which relates to the surveillance of persons coming from infected areas) there shall be substituted the following Regulation:—

"20. On the arrival of an aircraft at a customs airport, the medical officer may place under surveillance for the appropriate period mentioned in paragraph (1) of Regulation 30—

(*a*) any person disembarking from the aircraft who has come from an infected area other than an area infected with yellow fever or plague; and

(*b*) any suspect disembarking from the aircraft who has come from an area infected with yellow fever or plague."

(a) S.I. 1960/972 (1960 I, p. 599). (b) Cmnd. 30 (Misc. No. 3) (1957), Cmnd. 1165 (Misc. No. 13) (1960).

7. In the first schedule to the principal regulations (which specifies the information required to be included in an aircraft Declaration of Health) for paragraph (*a*) there shall be substituted the following paragraph:—

"(*a*) Details of persons on board known to be suffering from illness, other than air-sickness or the effects of accidents, and details of persons known to be suffering from such illness who have disembarked during the flight."

Dated this 20th day of December, 1961.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

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) (Scotland) Regulations, 1952 and 1954. The principal amendments are as follows:—

(*a*) The exemption for aircraft forming part of the armed forces of certain countries is extended to include aircraft of the armed forces of any Commonwealth country and any other country to which the Visiting Forces Act, 1952 has been applied.

(*b*) The definition of "excepted area" is extended to include the Federal Republic of Germany and Italy. Aircraft coming from excepted areas are not required to comply with certain requirements of the regulations unless the airport medical officer considers that compliance is necessary on account of danger to public health.

(*c*) The reference to the International Sanitary Regulations is altered to take account of amending regulations adopted by the World Health Assembly since the main regulations were adopted in 1951.

(*d*) The declaration of health required on the arrival of an aircraft is to include details of persons on board known to be suffering from illness, other than air-sickness or effects of accidents, and of any such persons who have disembarked during the flight. Such declarations may be signed by members of the crew deputed to act on behalf of the commander.