PUBLIC HEALTH, SCOTLAND

1952 No. 1585 (S. 81)

The Public Health (Aircraft) (Scotland) Regulations, 1952

Made - - - -	*23rd August*, 1952
Laid before Parliament	*27th August*, 1952
Coming into Operation	*1st October*, 1952

In exercise of the powers conferred on me by section 1 of the Public Health (Scotland) Act, 1945(a), and by that section as amended, in relation to aerodromes for the time being vested in or under the control of the Minister of Civil Aviation, by section 69 of, and the Eleventh Schedule to, the Civil Aviation Act, 1949(b), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

PART I.—INTRODUCTORY

Short title and commencement

1. These regulations may be cited as the Public Health (Aircraft) (Scotland) Regulations, 1952, and shall come into operation on the first day of October, 1952.

Revocation

2. The Public Health (Aircraft) (Scotland) Regulations, 1950(c), are hereby revoked:

Provided that this revocation shall not affect anything duly done or suffered or any right, privilege, obligation or liability acquired, accrued, or incurred under the said regulations, and in particular (without prejudice to the generality of the foregoing) any agreement, appointment, approval, designation, determination, notice or recognition made or given under the said regulations shall continue in force and have effect as if it had been made or given under these regulations.

Interpretation

3.—(1) The Interpretation Act, 1889(d), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) Nothing in these regulations shall apply to any aircraft forming part of Her Majesty's armed forces or to the officers and crew thereof, or to any aerodrome under the control of such forces.

(3) In these regulations, unless the context otherwise requires—

" additional measures " means such of the additional measures specified in the second schedule to these regulations with respect to the quarantinable diseases as are appropriate ;

" aerodrome " means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the alighting and departure of aircraft ;

(a) 9 & 10 Geo. 6. c. 15.
(b) 12, 13 & 14 Geo. 6. c. 67.
(c) S.I. 1950/157; 1950 II, p. 461.
(d) 52 & 53 Vict. c. 63.

"Aircraft Declaration of Health" means a declaration containing the information specified in the first schedule to these regulations, being either a separate document or a part of the Aircraft General Declaration delivered pursuant to Annex 9 to the Convention of Civil Aviation (Chicago, 1944)* ;

"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 ;

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

"customs airport" means an aerodrome for the time being so designated by the Minister of Civil Aviation, with the concurrence of the Commissioners of Customs and Excise, under Article 54 of the Air Navigation Order, 1949(a) ;

"customs officer" means any person acting under the authority of the Commissioners of Customs and Excise ;

"excepted area" means the United Kingdom, the Channel Islands, the Isle of Man, the Irish Republic, France in Europe, Belgium, Holland and Luxembourg ;

"immigration officer" means any person appointed by the Secretary of State to act as an immigration officer for the purposes of any Order in Council made under the Aliens Restriction Act, 1914(b) ;

"infected aircraft" means—

(*a*) an aircraft which has on board on arrival a case of human plague, cholera, yellow fever or smallpox ; 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 subject in respect of such case to appropriate measures equivalent to those provided for in these regulations ;

"infected area" means an aerodrome or other area included in the list kept by the medical officer pursuant to regulation 6, and references to an area infected with a specified disease shall be construed accordingly ;

"infected person" means a person who is suffering from a quarantinable disease, or who is considered by the medical officer to be infected with such disease ;

"infectious disease" means a quarantinable disease or any other infectious or contagious disease other than venereal disease or tuberculosis ;

"International Sanitary Regulations" means the International Sanitary Regulations (W.H.O. Regulations No. 2) adopted by the Fourth World Health Assembly on the 25th May, 1951† ;

"local authority" means a local health authority for the purposes of the National Health Service (Scotland) Acts, 1947 to 1952(c) ;

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

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* Cmd. 6614 (Misc. No. 6) (1945). † Cmd. 8394 (Misc. No. 6) (1951).

(a) S.I. 1949/349; 1949 I, p. 165. (b) 4 & 5 Geo. 5. c. 12.

(c) 10 & 11 Geo. 6. c. 27; 12, 13 & 14 Geo. 6. c. 93; 14 & 15 Geo. 6. c. 31; 15 & 16 Geo. 6 & 1 Eliz. 2. c. 25.

" national airport " means an aerodrome for the time being vested in or under the control of the Minister of Civil Aviation ;

" quarantinable disease " means plague, cholera, yellow fever, smallpox, typhus or relapsing fever ;

" relapsing fever " means louse-borne relapsing fever ;

" 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 thereat ;

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

" suspect " means a person (not being an infected person) who is considered by the medical officer to have been exposed to infection by a quarantinable disease and to be capable of spreading the disease ;

" suspected aircraft " means an aircraft from which a case of cholera occurring on board during the voyage has been disembarked 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 ;

" typhus fever " means louse-borne typhus ;

" 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.

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

(5) An aircraft shall not be deemed to have been in an infected area if, having voyaged over infected territory, it has alighted in that territory only at a sanitary airport which is not itself an infected area.

PART II—GENERAL

Enforcement and execution of regulations

4.—(1) Save as otherwise provided hereunder, it shall be the duty of the following authorities to enforce and execute these regulations :—

(*a*) at a national airport, the Secretary of State or, if a local authority or a port local authority has undertaken duties at that aerodrome under subsection (2) of section 18 of the Civil Aviation Act, 1949, that authority ;

(*b*) at an aerodrome maintained by a local authority or a port local authority that authority or, if so agreed, upon terms and conditions approved by the Secretary of State, between the authority maintaining the aerodrome and any other authority in whose district or any other port local authority within whose limits of jurisdiction any part of the aerodrome is situate, that other authority ;

(*c*) at any other aerodrome—

(i) if it is wholly within the limits of jurisdiction of a port local authority, that authority ;

(ii) if it is wholly situate in the district of a local authority and outwith the limits of jurisdiction of a port local authority, that local authority ;

(iii) in any other case, such local authority in whose district or such port local authority within whose limits of jurisdiction any part of it is situate as may be agreed upon terms and conditions approved by the Secretary of State between all such authorities, or in the absence of agreement such authority as the Secretary of State may direct;

(*d*) at any place other than an aerodrome—

(i) if the place is within the limits of jurisdiction of a port local authority, that authority;

(ii) in any other case the local authority of the district in which the place is situate.

(2) The Secretary of State may attach such terms and conditions as he thinks fit to any direction given by him under this regulation.

(3) The Secretary of State shall exercise his functions as a responsible authority through such officers as may be designated for the purpose by him or by the Minister of Civil Aviation.

(4) Every other responsible authority shall exercise their functions through the medical officer and such other officers as they may authorise in that behalf, and shall make such inquiries and take such other steps as may seem to them 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. For the purposes of these regulations, a responsible authority other than the Secretary of State may, and if so required by the Secretary of State shall—

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

(*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 in accordance with 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 pursuant to these regulations;

(*e*) arrange for the provision of means of transport for the conveyance of persons to any such premises as are referred to in paragraph (*c*) of this regulation, 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 and 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 their opinion or the opinion of the Secretary of State, 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 quarantinable disease or which may serve other places or areas so infected or believed to be so infected, including areas which have been delineated as yellow fever endemic zones by the World Health Organisation pursuant to the International Sanitary Regulations.

(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 the said list, the medical officer shall take into account all information sent to him from time to time by the Secretary of State.

PART III—INCOMING AIRCRAFT

Inspection of aircraft

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

(2) The medical officer shall—

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

(*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.

(3) The medical officer may require any aircraft which he intends to inspect under the foregoing provisions of this regulation to be taken to some safe and convenient part of the airport for such inspection if it cannot otherwise be carried out effectively.

Examination, etc., of persons on aircraft

8.—(1) The medical officer may, and if so requested by the commander or required by the Secretary of State shall, examine any person on board or leaving an aircraft at a customs airport, when there are reasonable grounds for suspecting that—

(*a*) the person is suffering from an infectious disease ;

(*b*) the person has been exposed to infection from an infectious disease ;

(*c*) the person is verminous.

(2) The medical officer may—

(*a*) detain any such person for such examination at a place appointed for the purpose ;

(*b*) at a sanitary airport, require any person so examined to be disinsected, and his clothing and other articles belonging to him to be disinfected and, where necessary, disinsected ;

(*c*) except as provided in regulation 21, prohibit any person so examined from leaving the aircraft or airport, or permit him to leave it on such conditions and subject to the taking of such measures, pursuant to these regulations, as the medical officer considers reasonably necessary for preventing the spread of infection ;

(*d*) require the commander to take or assist in taking such steps as, in the opinion of the medical officer, are reasonably necessary for preventing the spread of infection, for the destruction of insects or vermin, and for the removal of conditions on the aircraft likely to convey infection, including conditions the existence of which might facilitate the harbouring of insects or vermin.

(3) The medical officer shall notify immediately to the responsible authority any directions given to him by the Secretary of State under this regulation.

Powers in respect of persons leaving aircraft

9. Where a person intending to leave an aircraft at a customs airport is suffering, or the medical officer suspects that he is suffering, from an infectious disease or tuberculosis, the medical officer may—

(*a*) in the case of an infectious disease, cause such person on leaving the aircraft to be isolated, or to be removed to a hospital or to some other suitable place approved for that purpose by the responsible authority, as may be appropriate ; or, except as provided in regulation 21, the medical officer may, by notice in writing to the commander, prohibit the person from leaving the aircraft without the consent in writing of the medical officer ;

(*b*) in the case of tuberculosis, if the person leaves the aircraft, send information to that effect to the medical officer of health for the area in which the intended destination of the person is situated.

Notice to customs officer by medical officer

10. The medical officer at a customs airport shall inform the customs officer of any measure applied by him or at his direction, pursuant to these regulations, to an aircraft, any person thereon, or its stores, equipment or cargo.

Supply of information, etc., by commander

11. The commander of an aircraft at a customs airport shall—

(*a*) answer all questions as to the health conditions on board, which may be put to him by an authorised officer or a customs officer visiting the aircraft, and furnish any such officer with all such information and assistance as he may reasonably require for the purposes of these regulations ;

(*b*) in addition to any message sent pursuant to regulation 12, notify immediately on arrival to the medical officer any death on the aircraft during its voyage caused otherwise than by accident, any case of infectious disease on the aircraft, or any circumstances on board which are likely to lead to infection or the spread of infectious disease, including in his notification particulars as to the presence of dead rodents or mortality or sickness among rodents on the aircraft ;

(*c*) comply with these regulations, and with any directions or requirements of an authorised officer given or made for the purpose of these regulations.

Notification of infectious disease, etc., on board

12.—(1) When there is on board an aircraft during its voyage a person who is suffering from an infectious disease or who has symptoms which may indicate the presence of infectious disease, or when there are on board the aircraft any other similar circumstances requiring the attention of the medical officer, the commander shall, immediately he is aware of the presence of such disease, symptoms or other circumstances, send a radio message to that effect to the medical officer at the first customs airport at which the aircraft is due to arrive, or to the person in charge of such airport.

(2) If such radio message is sent to the medical officer, he shall immediately notify the customs officer of its contents.

(3) If such radio message is sent to the person in charge of the customs airport, he shall immediately notify the medical officer and the customs officer of its contents.

Aircraft Declaration of Health

13.—(1) On the arrival of an aircraft at a customs airport, the commander shall complete an Aircraft Declaration of Health and deliver it to the customs officer or medical officer, whoever first boards the aircraft.

(2) If the customs officer detains the aircraft pursuant to these regulations and he requires a copy of the Declaration, the medical officer shall furnish him with such copy.

Detention of aircraft

14.—(1) When on the arrival of an aircraft at a customs airport the medical officer has reasonable grounds for believing that the aircraft may be an infected aircraft or a suspected aircraft, or an aircraft which, although not falling within either of such categories, has had on board during the voyage a case of a quarantinable disease in respect of which the aircraft has not outside the United Kingdom been subjected to appropriate measures equivalent to those provided for in these regulations, he may cause the aircraft to be detained for medical inspection.

(2) If the medical officer has caused an aircraft to be so detained, he shall inform the person in charge of the customs airport of such detention and may send a notice in writing of such detention to the customs officer.

15. If a customs officer receives in respect of an aircraft a notice in writing from the medical officer under regulation 14, he shall, if he visits the aircraft before the medical officer, deliver the notice to the commander and take all reasonable steps to secure compliance therewith.

16. Where on the arrival of an aircraft at a customs airport it appears to the customs officer, from information in the Aircraft Declaration of Health delivered pursuant to regulation 13, or from information otherwise obtained, that during the voyage of the aircraft—

(*a*) there has been on the aircraft a death caused otherwise than by accident, or a case of illness which is or is suspected to be of an infectious nature; or

(*b*) the aircraft has been in an infected area; or

(*c*) death not attributable to poison or other measures for destruction has occurred amongst rodents on the aircraft;

he shall, unless the medical officer otherwise directs, give such directions as to him seem necessary to secure the detention of the aircraft, the persons carried thereon, and its stores, equipment and cargo.

17. The detention of an aircraft by a customs officer under these regulations shall cease as soon as the aircraft has been inspected by the medical officer or, if such inspection has not commenced within three hours after the aircraft has been so detained, on the expiration of that period: provided that nothing in this regulation shall affect the power of the medical officer to continue the detention of an aircraft in accordance with regulation 18.

18.—(1) The medical officer shall inspect any aircraft and the persons carried thereon as soon as possible and in any case within three hours after it has been detained under these regulations.

(2) If the aircraft is one to which the medical officer is required by these regulations to apply any further measure, or if after such inspection he considers it necessary to apply any further measure permitted by these regulations, he may continue the detention of the aircraft, if such continued detention is necessary for the application of such further measure.

19. When the medical officer releases an aircraft from detention he shall give notice in writing to the customs officer, to the commander of the aircraft, and to the person in charge of the customs airport that, so far as control under these regulations is concerned, the aircraft is free to proceed at or after a date and time stated in the notice.

Persons from infected areas

20. On the arrival of an aircraft at a customs airport, the medical officer may place under surveillance any person disembarking therefrom, who has come from an infected area, other than an area infected with yellow fever, within the appropriate period specified in paragraph (1) (*a*), (*b*), (*d*), (*e*) and (*f*) of regulation 30.

Removal of infected persons from aircraft when required by the commander

21. The medical officer shall, if so required by the commander of an aircraft on arrival at a customs airport, cause any infected person to be removed from the aircraft.

Removal to sanitary airport

22. If the medical officer considers that there should be applied to an aircraft which alights elsewhere than at a sanitary airport, or to any person carried thereon, measures pursuant to these regulations which can be applied only at a sanitary airport, he may direct that the aircraft or any such person shall proceed to a sanitary airport, and he shall give the commander notice in writing of the direction and of the reasons for the direction.

Additional measures

23. Without prejudice to any other provision in these regulations, the additional measures shall be applicable on the arrival at a customs airport of—

(*a*) any infected aircraft or suspected aircraft;

(*b*) any aircraft on which there is a case of typhus or relapsing fever;

(*c*) any aircraft which has during its voyage been in an area infected with plague, cholera or yellow fever;

(*d*) any suspect for smallpox on an aircraft other than an infected aircraft;

(*e*) any person on any aircraft who has come from an area infected with typhus or relapsing fever;

(*f*) any other aircraft or person, when the medical officer is satisfied that, notwithstanding that measures equivalent to the additional measures have been applied to the aircraft or person previously during its voyage, there is on board or has been on board since such previous application an infected person or suspect and that it is necessary again to apply any such measure, or the medical officer has evidence that such previous application was not substantially effective.

Avoidance of delay

24. In applying any measures pursuant to these regulations, the medical officer shall have regard to the need for freeing aircraft from control under these regulations as quickly as possible.

Aircraft alighting elsewhere than at a customs airport

25.—(1) Where an aircraft alights elsewhere than at a customs airport—

(*a*) the commander shall forthwith give notice to that effect to the responsible authority or a customs officer or an immigration officer or a police officer and, if the aircraft has alighted at an aerodrome, to the person in charge thereof;

(*b*) save for the purpose of the preceding sub-paragraph, no person carried by the aircraft shall leave its vicinity unless authorised so to do by the medical officer, and any person so authorised shall inform such officer of his name and the address of his intended destination, but this sub-paragraph shall not be construed as dispensing with the necessity to secure any consent arising under any other enactment, including any instrument having statutory effect;

(*c*) subject as aforesaid, these regulations shall apply, with any necessary modifications, in relation to the aircraft, the persons carried thereon, and its stores, equipment and cargo, to the extent to which they are not required by a police officer or customs officer to proceed or, as the case may be, to be taken to a customs airport, as if the aircraft had alighted at a customs airport and for the purposes of such application the list of infected areas kept pursuant to regulation 6 shall be any list so kept by the medical officer of the responsible authority or, if there is no such list, any list so kept by the medical officer for the customs airport nearest to the place where the aircraft has alighted.

(2) If any person who has informed an officer pursuant to this regulation of the address of his intended destination arrives within fourteen days thereafter at some other address, he shall forthwith send particulars of that address to the medical officer of health of the responsible authority for the place at which he left the aircraft.

Saving for certain aircraft, etc.

26. In the case of an aircraft which has commenced its voyage at a place within the excepted area and has not during its voyage alighted at any place outside that area—

(*a*) the commander shall not be bound to comply with the provisions of regulation 11, paragraph (1) of regulation 13 or paragraph (1) (*a*) of regulation 25 unless he has been notified by the medical officer that compliance with those provisions is necessary on account of danger to public health;

(*b*) no person carried by the aircraft shall be bound by the provisions of paragraph 1 (*b*) or (*c*) of regulation 25 unless he has been notified by the medical officer that the said provisions apply to him on account of danger to public health ;

(*c*) the powers and duties conferred or imposed on the medical officer by regulation 7, paragraphs (1) and (2) of regulation 8, regulation 9, paragraph (1) of regulation 14, paragraph (2) of regulation 18, and regulations 20, 21, 22 and 23 shall not be exercised or performed unless the medical officer is satisfied, or the Secretary of State has directed, that the exercise of the powers or the performance of the duties conferred or imposed by those provisions is necessary on account of danger to public health ;

(*d*) the duties imposed on a customs officer by regulation 16 shall not be performed unless the medical officer has notified the customs officer that performance of those duties is necessary on account of danger to public health.

Part IV—Outgoing Aircraft

Examination, etc., of persons proposing to embark

27. Where an aircraft is due to depart from an aerodrome for a destination outside the United Kingdom, the medical officer—

(*a*) may examine any person who proposes to embark thereon if he has reasonable grounds for believing him to be suffering from a quarantinable disease, and, if after examination the medical officer is of opinion that he shows symptoms of such a disease, shall prohibit his embarkation ;

(*b*) shall prohibit any suspect from embarking thereon :

Provided that, in the case of smallpox, a person shall not be prohibited from embarking if he satisfies the medical officer that he is sufficiently protected by vaccination or by a previous attack of smallpox ;

(*c*) shall notify the commander of any person embarking or proposing to continue his voyage thereon who, in the opinion of the medical officer, should be placed under surveillance.

Infected places in Scotland

28. Where the Secretary of State has, by notice published in the Edinburgh Gazette, declared any place to be infected with a quarantinable disease, or with any other disease which in his opinion constitutes a menace to other countries by reason of its spread or potential spread, then, until the notice is revoked by a subsequent notice published in the Edinburgh Gazette, every medical officer shall comply with any requirement which may be made by the Secretary of State for preventing the spread of the disease, and in particular (but without prejudice to the generality of the foregoing provisions) the following provisions of this regulation shall operate in relation to any aircraft departing from any aerodrome specified by the Secretary of State for a destination outside the United Kingdom :—

(*a*) the medical officer may, and within three hours after receiving a request from the commander so to do shall, medically examine any person who proposes to embark on or is on board the aircraft ;

(*b*) the medical officer may require any part of the aircraft which in his opinion may be infected to be cleansed and disinfected to his satisfaction ;

(*c*) an authorised officer shall inspect any clothing, bedding or other article which is on, or is intended to be taken by any person on, the aircraft and which, in the opinion of the officer, may have been exposed to infection and may require the disinfection or destruction of any such clothing, bedding or article, and the commander shall disclose to the authorised officer any relevant circumstances :

(*d*) no person shall take or cause to be taken on board the aircraft any article which, in the opinion of an authorised officer, is capable of carrying infection, unless that officer is satisfied that it has been efficiently disinfected and, where necessary, disinsected :

(*e*) if the aerodrome is situated in an area which is included in such notice in the Edinburgh Gazette as aforesaid and is therein declared to be infected with plague, and if there is reason to believe that there are rodents on the aircraft, the medical officer may, and if so required by the Secretary of State shall, take steps to secure the deratting of the aircraft.

PART V—MISCELLANEOUS

Compliance with directions, etc., under the regulations

29. Every person to whom these regulations apply shall comply with every direction, requirement or condition given, made or imposed by an authorised officer or customs officer pursuant to these regulations, and shall furnish all such information as any such officer may reasonably require (including information as to his name, destination, and address to which he is going on leaving an aerodrome) ; and every person who has for the time being the custody or charge of a child or other person who is under disability shall comply with any direction, requirement or condition so given, made or imposed, and shall furnish all such information as aforesaid, in respect of such child or other person.

Surveillance

30.—(1) Where these regulations permit a medical officer to place a person under surveillance, the period of such surveillance shall not exceed such of the following periods as may be appropriate :—

(*a*) in respect of plague, six days ;

(*b*) in respect of cholera, five days ;

(*c*) in respect of yellow fever, six days ;

(*d*) in respect of smallpox, fourteen days ;

(*e*) in respect of typhus, fourteen days ;

(*f*) in respect of relapsing fever, eight days.

(2) When a person has been so placed under surveillance for plague, cholera or smallpox pursuant to regulation 20 by reason of his having come from an infected area, the period shall be reckoned from the date of his leaving the infected area.

(3) When a person has been so placed under surveillance pursuant to the additional measures, the period shall be reckoned in the manner therein specified.

31. Every person who is placed under surveillance pursuant to these regulations or of any requirements having substantially the like effect elsewhere in the excepted area shall—

(*a*) give facilities for any medical examination required by the medical officer or by the medical officer of health for any area in which he may be during the period of surveillance ;

(*b*) furnish all such information as the medical officer or any such medical officer of health may reasonably require with a view to ascertaining the person's state of health;

(*c*) forthwith upon arrival during the period of surveillance at any address other than the one stated as his intended destination on leaving the aerodrome at which he arrived in Scotland send particulars of that address to the medical officer;

(*d*) if so instructed by the medical officer, report immediately to the medical officer of health for any area in which he may be during the period of surveillance, and thereafter during that period report to that officer at such intervals as he may require:

Provided that an instruction shall not be given under this sub-paragraph unless the Secretary of State has by direction (whether general or special) authorised the giving of instructions thereunder.

Charges for services

32.—(1) Where the commander of an aircraft is required by or pursuant to these regulations to carry out any measures with a view to reducing the danger or preventing the spread of infection, the responsible authority may themselves at the request of the commander, and, if they think fit, at his cost, cause any such requirement to be complied with instead of enforcing the requirement against the commander.

(2) The amount of the charge for any work so to be undertaken by the responsible authority shall be such reasonable sum as represents the actual or estimated cost to be incurred in undertaking the work excluding any charge or claim in respect of profit so, however, that it shall not exceed the sum of fifty pounds unless notice of the proposed charge has been given to the commander before the work is undertaken.

(3) Where under this regulation the responsible authority cause any requirement to be complied with at the cost of the commander, they may, if they think fit, require the amount of the charge for the work or a part thereof to be paid to or deposited with them before the work is undertaken.

(4) Where pursuant to these regulations, any measures have been taken with regard to an aircraft, the responsible authority or the medical officer shall, on request by the commander, furnish him free of charge with particulars in writing of those measures and the reasons why they were taken.

(5) Where, pursuant to these regulations, any measures have been taken with regard to any person or to any articles in his possession, the medical officer shall, on request by such person, furnish him free of charge with particulars in writing of those measures, including the date on which they were taken.

Expenses of port local authorities

33. Subject to the provisions of regulation 32 any expenses incurred by a port local authority in the enforcement and execution of these regulations shall be defrayed in the same manner as the expenses incurred by them in the execution and discharge of their existing powers and duties.

Saving for mails

34. Except to the extent permitted by Part II—C of the second schedule to these regulations with respect to fish, shellfish, fruit, vegetables and beverages, nothing in these regulations shall render liable to detention, disinfection or destruction any article forming part of any mail conveyed under the authority of the Postmaster General, or of the postal administration of any other Government, or shall prejudicially affect the receipt on board and delivery in due course at the place of destination of any such mail in accordance with the provisions of the Post Office Acts, 1908 to 1940, or any amendment thereof.

Saving for aircraft unwilling to comply with regulations

35.—(1) The commander of any aircraft on arrival or already at an aerodrome, who is unwilling to comply with or submit to any provision of or requirement made under these regulations which may be applicable, shall so notify the medical officer. The medical officer may then require the commander to remove the aircraft immediately from the aerodrome.

(2) If before leaving the aerodrome the commander wishes to discharge cargo or disembark passengers or to take on board fuel, water or stores, the medical officer shall permit him to do so but may impose such conditions pursuant to these regulations as the medical officer considers necessary.

(3) When the medical officer has so required the removal of an aircraft from the aerodrome, it shall not during its voyage alight at any other place in Scotland.

Saving for existing orders

36. Nothing in these regulations shall affect the Air Navigation Order, 1949, or the Aliens Order, 1920(a), or any amendment thereof for the time being in force.

Dated this 23rd day of August, 1952.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

FIRST SCHEDULE

INFORMATION REQUIRED TO BE INCLUDED IN THE AIRCRAFT DECLARATION OF HEALTH

(*a*) Details of any illness suspected of being of an infectious nature, which has occurred on board the aircraft during its voyage.

(*b*) Details of any other condition on board the aircraft during its voyage, which may lead to the spread of disease.

(*c*) Details of every disinsecting or sanitary treatment (place, date, time and method used) applied to the aircraft during its voyage: if there has not been any such disinsecting or treatment, details of the last disinsecting or treatment.

(a) S.R. & O. 1920/448; Rev. II, p. 1; 1920 I, p. 138.

SECOND SCHEDULE

ADDITIONAL MEASURES WITH RESPECT TO THE QUARANTINABLE DISEASES

PART I.—PLAGUE

A. Infected aircraft

(1) The medical officer may—

(*a*) require any suspect on board to be disinsected and place him under surveillance, the period of surveillance being reckoned from the date of arrival of the aircraft;

(*b*) require the disinsecting and, if necessary, 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.

(2) If the aircraft is infected because a plague-infected rodent is found on board, the medical officer shall require the aircraft to be deratted in a manner to be determined by him.

B. Aircraft which have been in infected areas

(3) The medical officer may place under surveillance any suspect who disembarks, the period of surveillance being reckoned from the date of the departure of the aircraft from the infected area.

PART II.—CHOLERA

A. Infected aircraft and suspected aircraft

(1) The medical officer may—

(*a*) place under surveillance any person who disembarks, 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;

(*c*) require the disinfection and removal of any water on board which he considers to be contaminated, and the disinfection of the containers which have held such water.

(2) The medical officer shall prohibit the discharge or unloading from the aircraft of human dejecta and any other waste matter or water, which may be contaminated and has not been disinfected.

B. Aircraft which have been in infected areas

(3) The medical officer may place under surveillance any person who disembarks, the period of surveillance being reckoned from the date of the departure of the aircraft from the infected area.

C. Infected aircraft, suspected aircraft, and aircraft which have been in infected areas

(4) In addition to any measure permitted or required by the preceding provisions of this Part, the medical officer may prohibit the unloading of, or may remove from the aircraft, any fish, shellfish, fruit or vegetables to be eaten uncooked, or beverages, not forming part of cargo in a freight compartment of the aircraft, which he considers to be contaminated, and, if any such food or beverage is so removed, he shall arrange for its safe disposal in consultation with the customs officer.

(5) If any of the said food or beverage forms part of cargo in a freight compartment of the aircraft and is so contaminated, the medical officer for the aerodrome at which such cargo is due to be discharged shall arrange for its safe disposal in consultation with the customs officer.

PART III—YELLOW FEVER

Infected aircraft and aircraft which have been in infected areas

The medical officer may require the aircraft to be disinsected for the destruction of vectors of yellow fever which may be on board.

PART IV—SMALLPOX

A. Infected aircraft

(1) The medical officer shall offer vaccination to any person on board who he considers is not sufficiently protected against smallpox.

(2) The medical officer may either—

(*a*) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date on which the medical officer considers the person was last exposed to infection ; or

(*b*) if he considers any such person not to be sufficiently protected against smallpox, isolate him for a similar period.

(3) The medical officer shall require the disinfection of the baggage of any infected person, and of any other articles on board and any part of the aircraft which the medical officer considers to be contaminated.

B. Suspects on other aircraft

(4) The medical officer may also apply the provisions of paragraphs (1) and (2) of this Part to any suspect who disembarks from an aircraft which is not an infected aircraft.

PART V—TYPHUS AND RELAPSING FEVER

A. Aircraft with infected persons on board

(1) The medical officer may require—

(*a*) any suspect on board to be disinsected ;

(*b*) the disinsecting and, if necessary, disinfection of the accommodation occupied by any infected person or suspect, his clothes and baggage, and any other article which the medical officer considers may spread typhus or relapsing fever.

B. Persons coming from infected areas

(2) The medical officer may require the disinsecting of any person who has left an infected area not more than fourteen days before arrival in the case of typhus, or eight days before arrival in the case of relapsing fever.

(3) If any person so disinsected is placed under surveillance, the period of surveillance shall be reckoned from the date of disinsecting.

EXPLANATORY NOTE

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

These Regulations provide in conformity with the International Sanitary Regulations (Cmd. 8394 (Misc. No. 6) (1951)), adopted by the Fourth World Health Assembly on 25th May, 1951, for sanitary control of aircraft arriving at or leaving aerodromes or other places in Scotland. The Regulations supersede the Public Health (Aircraft) (Scotland) Regulations, 1950.

Part I contains definitions of terms used in the Regulations. (Regulation 3.)

Part II provides for the enforcement and execution of the Regulations by local authorities and, at a national airport, by the Secretary of State unless a local authority has assumed duties there under S. 18 (2) of the Civil Aviation Act, 1949 (Regulations 4 and 5). Part II also provides for the preparation by medical officers at customs airports of lists of aerodromes and other areas infected or believed to be infected with specified diseases.

Part III relates to incoming aircraft. It provides for the inspection of aircraft, the examination of persons suspected of suffering from, or to have been exposed to infection from, an infectious disease or suspected of being verminous, and in these and other similar circumstances authorised measures to be taken for preventing danger to public health. (Regulations 7 to 9.) Part III also contains provisions requiring the commander of an aircraft to give information concerning health conditions on board and, on arrival at a customs airport, to complete an Aircraft Declaration of Health. (Regulations 11 to 13.) Regulations 14 to 23 provide, where there is danger to public health, for the detention of aircraft, the placing of persons under surveillance, the removal of infected persons and the application of such of the additional measures set out in the Second Schedule to the Regulations as are appropriate to specified diseases of a kind particularly dangerous to public health. In applying measures pursuant to the regulations, medical officers are to avoid undue delay to aircraft (Regulation 24). There are savings in respect of aircraft which have commenced a voyage at a place within the " excepted area " (i.e., the United Kingdom, the Channel Islands, the Isle of Man, the Irish Republic, France in Europe, Belgium, Holland and Luxembourg) and have not during the voyage alighted at any place outside the " excepted area " (Regulation 26).

Part IV relates to outgoing aircraft; it provides for the examination, etc., in prescribed circumstances of persons proposing to embark for a destination outside the United Kingdom (Regulation 27) and, after publication by the Secretary of State in the Edinburgh Gazette of a notice declaring any place to be infected with disease menacing the public health, for special measures to be taken to prevent the disease spreading. (Regulation 28.)

Part V contains miscellaneous provisions about compliance with the Regulations, surveillance, charges for services rendered under the Regulations, and expenses of port local authorities responsible for enforcing and executing the Regulations. Part V also contains savings for mails carried by aircraft (Regulation 34) and for removal of any aircraft whose commander is unwilling to comply with the Regulations. (Regulation 35.)

1952 No. 1586 (S. 82)

The Public Health (Ships) (Scotland) Regulations, 1952

Made - - - -	23*rd August*, 1952
Laid before Parliament	27*th August*, 1952
Coming into Operation	1*st October*, 1952

In the 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:—

PART I.—INTRODUCTORY

Short title and commencement

1. These regulations may be cited as the Public Health (Ships) (Scotland) Regulations, 1952, and shall come into operation on the first day of October, 1952.

(a) 9 & 10 Geo. 6. c. 15.