STATUTORY INSTRUMENTS

1979 No. 1316

PUBLIC HEALTH, ENGLAND AND WALES

The Public Health (Ships) (Isle of Man) Order 1979

Made - - - - 19*th October* 1979

Coming into Operation 1*st December* 1979

At the Court at Buckingham Palace, the 19th day of October 1979

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 143(10) of the Public Health Act 1936**(a)**, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Public Health (Ships) (Isle of Man) Order 1979 and shall come into operation on 1st December 1979.

2. The Public Health (Ships) (Isle of Man) Order 1967**(b)** and the Public Health (Ships) (Isle of Man) Amendment Order 1970**(c)** are hereby revoked.

3. The Public Health (Ships) Regulations 1970**(d)** shall extend to the Isle of Man with the exceptions, modifications and adaptations specified in the Schedule to this Order.

N. E. Leigh,
Clerk of the Privy Council.

(a) 1936 c. 49. (b) S.I. 1967/971. (c) S.I. 1970/1946.
(d) S.I. 1970/1881, amended by S.I. 1974/269; 1978/287.

SCHEDULE

EXCEPTIONS, MODIFICATIONS AND ADAPTATIONS IN THE EXTENSION OF THE PUBLIC HEALTH (SHIPS) REGULATIONS 1970 TO THE ISLE OF MAN

1.—(1) Any reference to the Public Health (Ships) Regulations 1970 shall be construed as a reference to those Regulations as extended to the Isle of Man.

(2) For the words "a district", "any district", "his district" or "the district" wherever they occur there shall, subject to the following provisions of this Schedule, be substituted the words "the Isle of Man".

(3) Any reference to Regulations revoked by the said Regulations of 1970 shall be construed as a reference to the first mentioned Regulations as extended to the Isle of Man.

(4) Except in the definitions in Regulation 2(1) of "approved port", "designated approved port" and "Secretary of State" and in Regulation 6(3), for any reference to the Secretary of State there shall be substituted a reference to the Board.

(5) For any reference to a health authority or to every health authority there shall be substituted a reference to the Board.

(6) Any reference to an enactment of Tynwald in the Regulations of 1970 as modified by this Order shall be construed as a reference to that enactment as amended or replaced by or under any other enactment of Tynwald.

2. In Regulation 1 for the words "1st January 1971" there shall be substituted the words "1st December 1979".

3. In Regulation 2(1)—

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

'"animals" has the same meaning as in Article 2 of the Rabies Control Order 1976 of the Isle of Man;'

(*b*) in the definition of "arrival", after the words "United Kingdom" where they first occur, there shall be inserted the words "and the Isle of Man", for the words "elsewhere in the United Kingdom" there shall be substituted the words "in the United Kingdom or elsewhere in the Isle of Man" and for the words "Scotland or Northern Ireland" there shall be substituted the words "any part of the United Kingdom";

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

'"authorised officer" means the medical officer or any other officer authorised by the Board under Regulation 4 to enforce and execute any of these Regulations;';

(*d*) after the definition of "baggage" there shall be inserted the following definition:—

'"Board" means the Isle of Man Local Government Board;';

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

(*f*) after the definition of "free pratique" 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;';

(*g*) the definition of "health authority" shall be omitted;

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

'"immigration officer" means any person appointed by the Governor to be an immigration officer or, in the case of an officer of customs and excise,

in respect of whom an arrangement is made that he shall be employed as an immigration officer by virtue of Schedule 2 to the Immigration Act 1971(a) as extended to the Isle of Man by the Immigration (Isle of Man) Order 1972(b);';

(*i*) 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 medical practitioner appointed by the Board pursuant to Regulation 5;';

(*j*) for the definition of "mooring station" there shall be substituted the following definition:—

'"mooring station" means a place which is designated by the Board, with the consent of the collector of customs and the harbour master, for the mooring of ships for medical inspection so that they do not come into contact with other ships or the shore;';

(*k*) in the definition of "offshore installation" for "1971(g)" there shall be substituted "1974 (an Act of Tynwald)";

4. In Regulation 3 the reference to the Visiting Forces Act 1952(c) shall be construed as a reference to that Act as extended to the Isle of Man by the Visiting Forces Act (Application to the Isle of Man) Order 1962(d).

5. In Regulation 4(1) the words before "every health authority" and Regulation 4(2) shall be omitted.

6. In Regulation 5—

(*a*) the words ", and if so required by the Secretary of State, shall" shall be omitted;

(*b*) in paragraph (*a*) for the words "their medical officer" there shall be substituted the words "the Isle of Man Medical Officer of Health";

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

7.—(1) In Regulation 6(1) for the words "authorised officer for every district" there shall be substituted the words "Isle of Man Medical Officer of Health".

(2) In Regulation 6(2) and (3) for the words "authorised officer" there shall be substituted the words "Isle of Man Medical Officer of Health".

8. Regulation 9(7) shall be omitted.

9. In Regulation 10(1) in paragraph (*b*) for the words after "disembarks" there shall be substituted the words "and if the medical officer concerned is not the Isle of Man Medical Officer of Health, send information to that effect to the Isle of Man Medical Officer of Health".

10. In Regulation 17 for the words "Scotland or Northern Ireland" there shall be substituted the words "any part of the United Kingdom" and for the words "another district" there shall be substituted the words "another place in the Isle of Man".

11. In Regulation 18(2) for all the words after "transmission to" there shall be substituted the words "the Isle of Man Medical Officer of Health".

(a) 1971 c. 77. (b) S.I. 1972/1720. (c) 1952 c. 67.
(d) S.I. 1962/170.

12.—(1) For Regulation 19(1) there shall be substituted the following provision:—

"(1) If the master of a ship which during its voyage has been in a foreign port cannot produce to an authorised officer a valid Deratting Certificate or Deratting Exemption Certificate in respect of the ship in the form set out in Schedule 3, the authorised officer shall—

(*a*) if the place at which the ship arrives is an approved port, require the ship to be inspected to ascertain whether it is kept in such a condition that it is free from rodents and the plague vector;

(*b*) if the place at which the ship arrives is not such a port, direct the ship to proceed at its own risk to the nearest approved port or designated approved port convenient to the ship at which a Deratting Certificate or Deratting Exemption Certificate, as the case may be, can be obtained.".

(2) In Regulation 19(2) for the words from "the authorised officer" to "port" where it secondly occurs there shall be substituted the words "an authorised officer".

(3) In Regulation 19(3)(*a*) and (*b*) for the word "district" there shall be substituted the words "place at which the ship arrives".

(4) In Regulation 19(5) and (6) the words "for the designated approved port" shall be omitted.

13. In Regulation 22(1) for the words "United Kingdom" there shall be substituted the words "Isle of Man".

14. In Regulation 34 after the words "United Kingdom" there shall be inserted the words "and the Isle of Man".

15. In Regulation 35—

(*a*) for the words "England and Wales" in the heading there shall be substituted the words "the Isle of Man";

(*b*) for the words "the London Gazette" wherever they occur there shall be substituted the words "two newspapers printed and circulated in the Isle of Man";

(*c*) for the words "district specified by the Secretary of State" there shall be substituted the word "place";

(*d*) after the words "United Kingdom" there shall be inserted the words "and the Isle of Man".

16. In Regulation 38 any reference in paragraphs (*a*) to (*c*) to a medical officer shall be construed as a reference to the Isle of Man Medical Officer of Health and for paragraph (*d*) there shall be substituted the following provision:—

"(*d*) if so instructed by the Isle of Man Medical Officer of Health report to a medical officer immediately and thereafter at such intervals as he may require.".

17. In Regulation 42—

(*a*) for the words "Post Office" where they first occur there shall be substituted the words "Isle of Man Post Office Authority";

(*b*) for the words "Post Office Act 1953" to the end of the Regulation there shall be substituted the words "Isle of Man Post Office Authority (Postal Services, etc.) Act 1973 (an Act of Tynwald)".

18. In Regulation 43(3) for the words "other district" there shall be substituted the words "place in the Isle of Man".

19. For Regulation 44 there shall be substituted the following Regulation:—

"44. Nothing in these Regulations shall affect any rules made under the Immigration Act 1971 as extended to the Isle of Man by the Immigration (Isle of Man) Order 1972.".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends the Public Health (Ships) Regulations 1970 as amended to the Isle of Man subject to the exceptions, modifications and adaptations set out in the Schedule.

SI 1979/1316
ISBN 0-11-094316-3

