STATUTORY INSTRUMENTS

1961 No. 2484 (S. 139)

PUBLIC HEALTH, SCOTLAND

The Public Health (Ships) (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 (Ships) (Scotland) Amendment Regulations, 1961, and shall come into operation on the first day of January, 1962.

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

Interpretation

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

"the principal regulations" means the Public Health (Ships) (Scotland) Regulations, 1952(b) as amended by the Public Health (Ships) (Scotland) Amendment Regulations, 1954(c); and "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, in paragraph (2) thereof (which contains definitions of expressions used in the principal regulations)—

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

"'excepted port' means a foreign port situated on the European coast of France, the coast of Belgium, Italy, the Netherlands, or the Federal Republic of Germany, including the East bank of the River Elbe between the entrance to the Kiel Canal and Hamburg, inclusive of both places, and also any port within the Kiel Canal;";

(*b*) 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

(a) 9 & 10 Geo. 6. c. 15.
(b) S.I. 1952/1586 (1952 III, p. 2755).
(c) S.I. 1954/754 (1954 II, p. 1848).
(d) 52 & 53 Vict. c. 63.

subsequent World Health Assembly and for the time being embodied in any document presented to Parliament by command of Her Majesty(a); ".

(2) In Regulation 3, for paragraph (4) thereof (which excepts from the operation of the principal regulations ships forming a part of Her Majesty's armed forces of certain Commonwealth and other countries) there shall be substituted the following paragraph:—

"(4) Without prejudice to any enactment or rule of law which applies in relation to Her Majesty's armed forces or to any of the other armed forces hereinafter mentioned as part thereof, nothing in these regulations shall apply to any ship forming a 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 purposes of all the provisions of the Visiting Forces Act, 1952(b) following subsection (2) of section 1 thereof, or to the officers and crew of any such ship."

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

(*a*) in paragraph (1) thereof 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; and

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

5. In Regulation 16 (which requires the making of Declarations of Health by the masters of certain ships), for paragraph (1) there shall be substituted the following paagraph:—

"(1) Subject to the provisions of this Regulation, on the arrival of a ship which during its voyage has been in a foreign port, the master shall complete a Maritime Declaration of Health and the Declaration shall be countersigned by the ship's surgeon, if one is carried:

Provided that in the case of a ship which during its voyage has not been in any foreign port other than an excepted port, the master shall not be bound to comply with the provisions of this regulation, unless he has been notified by the medical officer that compliance with those provisions is necessary on account of danger to public health."

6. For Regulation 31 (which relates to the surveillance of persons coming from infected areas) there shall be substituted the following regulation:—

"31. On the arrival of a ship the medical officer may place under surveillance for the appropriate period mentioned in paragraph (1) of regulation 37—

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

(a) Cmnd. 30 (Misc. No. 3) (1957). (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.

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

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

(*a*) The definition of "excepted port" is extended to include any coastal port in the Federal Republic of Germany or in Italy. Ships coming from excepted ports are not required to comply with certain requirements of the regulations unless the port medical officer considers that compliance is necessary on account of danger to public health.

(*b*) 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.

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