

1971 No. 131 (S.14)

## PUBLIC HEALTH, SCOTLAND

## The Public Health (Aircraft) (Scotland) Regulations 1971

<i>Made</i> - - - -	26th January 1971
<i>Laid before Parliament</i>	29th January 1971
<i>Coming into Operation</i>	1st February 1971

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 by section 69 of, and Schedule 11 to, the Civil Aviation Act 1949(b), and by section 13 of the Airports Authority Act 1965(c), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

## PART I

## PRELIMINARY

*Citation and commencement*

1. These regulations may be cited as the Public Health (Aircraft) (Scotland) Regulations 1971, and shall come into operation on 1st February 1971.

*Interpretation*

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

“additional measures” means such of the additional measures specified in Schedule 2 with respect to the diseases subject to the International Health Regulations as are appropriate;

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the take-off and landing of aircraft, not being an area the use of which for those purposes has been abandoned, and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the take-off and landing of aircraft capable of descending or climbing vertically;

“Aircraft Declaration of Health” means a declaration containing the information specified in Schedule 1, being either a separate document or a part of the Aircraft General Declaration delivered in accordance with Appendix 6 of the International Health Regulations 1969;

“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;

“baggage” means the personal effects of a traveller or of a member of the crew;

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

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(a) 9 & 10 Geo. 6 c. 15.  
(c) 1965 c. 16.

(b) 1949 c. 67.

“crew” means the personnel of an aircraft who are employed for duties on board;

“customs airport” means an aerodrome designated by order of the Secretary of State for Trade and Industry under article 72 of the Air Navigation Order 1970(a), with the concurrence of the Commissioners of Customs and Excise, to be a place for the landing or departure of aircraft for the purposes of the enactments relating to customs;

“customs officer” means any officer as defined in the Customs and Excise Act 1952(b);

“day” means a period of twenty-four hours;

“disease subject to the International Health Regulations” means cholera, including cholera due to the El Tor vibrio, plague, smallpox, including variola minor (alastrim), or yellow fever;

“disinsecting” means the operation in which measures are taken to kill the insect vectors of human disease;

“enactment” includes any instrument having statutory effect;

“epidemic” means an extension of a disease subject to the International Health Regulations by a multiplication of cases in an area;

“excepted area” means all the territory of Belgium, Metropolitan France, Greece, the Republic of Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom, the Channel Islands and the Isle of Man;

“excepted airport” means any airport in the excepted area;

“immigration officer” means any person appointed to act as an immigration officer under the Aliens Restriction Acts 1914(c) and 1919(d) or under the Commonwealth Immigrants Acts 1962(e), and 1968(f);

“infected aircraft” means—

- (a) an aircraft which has on board on arrival a case of a disease subject to the International Health Regulations; 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 subjected in respect of such case to appropriate measures equivalent to those provided in these regulations;

“infected area” means an area notified as such to health administrations by the World Health Organisation under Article 11 of the International Health Regulations and which has not been subsequently notified by that organisation as being free from infection;

“infected person” means a person who is suffering from a disease subject to the International Health Regulations or who is considered by the medical officer to be infected with such a disease;

“infectious disease” means a disease subject to the International Health Regulations or any other infectious or contagious disease other than venereal disease or tuberculosis;

“in flight” means the time elapsing between the closing of the doors of the aircraft before take-off and their opening on arrival;

“International Health Regulations” means the International Health Regulations as adopted by the World Health Assembly on 25th July 1969;

(a) S.I. 1970 954/(1970 II, p. 2964).

(c) 1914 c. 12.

(e) 1962 c. 21.

(b) 1952 c. 44.

(d) 1919 c. 92.

(f) 1968 c. 9.

“isolation”, when applied to a person or group of persons, means the separation of that person or group of persons from other persons, except the health staff on duty, in such a manner as to prevent the spread of infection;

“local authority” means a local health authority for the purposes of the National Health Service (Scotland) Acts 1947 to 1968(a) and includes a port local authority or joint port local authority constituted under section 172 of the Public Health (Scotland) Act 1897(b);

“medical officer” means the medical officer of health of a responsible authority, or any other medical practitioner appointed by such authority under regulation 5;

“medical practitioner” means a registered medical practitioner;

“national airport” means an aerodrome for the time being vested in or under the control of the Secretary of State for Trade and Industry or owned or managed by the British Airports Authority;

“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;

“sanitary airport” means a customs airport which has been designated in accordance with article 19 of the International Health Regulations;

“suspect” means a person (not being an infected person) who is considered by the medical officer as having been exposed to infection by a disease subject to the International Health Regulations and is considered capable of spreading that disease;

“suspected aircraft” means an aircraft from which a case of cholera occurring on board during the voyage has been removed 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;

“valid International Vaccination Certificate” means a certificate of vaccination or revaccination against smallpox or cholera which—

(a) being issued before the coming into operation of these regulations is in the form required by the Public Health (Aircraft) (Scotland) Regulations 1966(c) or a form substantially to the same effect, and conforms with the rules as to validity referred to in those regulations; or

(b) being issued on or after the coming into operation of these regulations is in the form laid down and conforms with the rules as to validity contained in Schedule 4 or 3 as the case may be;

“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.

(2) Any reference in these regulations to a numbered regulation or schedule shall, unless the reference is to a regulation or schedule of specified regulations, be construed as a reference to the regulation or schedule bearing that number in these regulations.

(3) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended or re-enacted by any subsequent enactment.

(a) 1947 c. 27; 1949 c. 93; 1951 c. 31; 1952 c. 25; 1953 c. 41; 1961 c. 19; 1966 c. 8; 1968 c. 46.

(b) 1897 c. 38.

(c) S.I. 1966/346 (1966 I, p. 794).

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

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

*Regulations not to apply to aircraft of the armed forces*

3. 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 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 purposes of all the provisions of the Visiting Forces Act 1952(b) following section 1(2) thereof, or to the officers and crew of such aircraft or to any aerodrome under the control of such forces.

PART II

GENERAL

*Enforcement and execution of regulations*

4.—(1) Subject to the provisions of these regulations, 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 have undertaken duties at that aerodrome under section 18(2) of the Civil Aviation Act 1949(c) or section 13(2) of the Airports Authority Act 1965(d), that local authority;

(b) at an aerodrome maintained by a 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 within whose limits of jurisdiction any part of the aerodrome is situated, that other authority;

(c) at any other aerodrome if it is wholly within the limits of jurisdiction of a local authority, that authority; in any other case, such local authority within whose limits of jurisdiction any part of the aerodrome is situated as may be agreed upon terms and conditions approved by the Secretary of State among 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 if the place is within the limits of jurisdiction of a local authority, that authority.

(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 (except in relation to aerodromes owned or managed by the British Airports Authority) by the Secretary of State for Trade and Industry.

(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.

(a) 1889 c. 63.  
(c) 1949 c. 67.

(b) 1952 c. 67.  
(d) 1965 c. 16.

*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 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 in accordance with these regulations;
- (e) arrange for the provision of means of transport for the conveyance of persons to any premises 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 or 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 disease subject to the International Health Regulations or which may serve other places or areas so infected or believed to be so infected.

(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 such list the medical officer shall take into account all information sent to him from time to time by the Secretary of State or issued by the World Health Organisation.

PART III

INCOMING AIRCRAFT

*Inspection of aircraft*

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

(2) The medical officer shall—

- (a) inspect on arrival any aircraft in respect of which the commander has sent a message under regulation 12; and
- (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 in accordance with 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) require the clothing and other articles belonging to any person so examined to be disinfected and, where necessary, disinfected and any person found to be verminous to be disinfected;
- (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, in accordance with these regulations, as the medical officer considers reasonably necessary for preventing the spread of infection; and
- (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 disinsection and the destruction of 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 or other authorised officer or a customs officer may, and if so required by the Secretary of State shall, require any person on board or leaving an aircraft at a customs airport to produce a valid International Vaccination Certificate.

(4) A customs officer or other authorised officer may detain until the arrival of the medical officer or for three hours, whichever is the shorter period, any such person who has been required to produce such a certificate and is unable to do so.

(5) Where any such person fails to satisfy the medical officer that he possesses such a certificate, the medical officer may detain him for examination at a place appointed for that purpose, and may apply in his case the additional measures mentioned in Part II of Schedule 2 and in paragraphs (1) and (2) of Part IV of Schedule 2.

(6) The medical officer, customs officer or other authorised officer shall immediately notify the responsible authority of any directions given to him by the Secretary of State under this regulation.

*Powers in respect of persons leaving aircraft*

9.—(1) 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 sent to a hospital or to some other suitable place approved for that purpose by the responsible authority, as may be appropriate; or, unless regulation 21 has been invoked, 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 and address of the person is situated.

(2) If the Secretary of State is satisfied that a grave danger to public health exists by reason of infectious disease and notifies medical officers accordingly, the medical officer may, and if the Secretary of State so directs shall, require a person leaving an aircraft at a customs airport to state in writing his name and intended destination and address.

*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, in accordance with these regulations, to an aircraft, any person thereon, or its stores, equipment or cargo.

*Supply of information, etc., by commanders*

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 in accordance with 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 cause the spread of infectious disease, including in his notification particulars as to the presence of rodents on the aircraft;
- (c) comply with these regulations, and with any directions or requirements of an authorised officer given or made for the purposes 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) Except where the Secretary of State directs otherwise, on the arrival of an aircraft at a customs airport the commander or a member of the crew deputed to act on his behalf shall complete an Aircraft Declaration of Health in the form set out in Schedule 1 and deliver it to the customs officer or medical officer, whoever first boards the aircraft.

(2) If the customs officer detains the aircraft in accordance with 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 disease subject to the International Health Regulations 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 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 on the Aircraft Declaration of Health or otherwise, 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 seem necessary to him 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 3 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 persons carried thereon as soon as possible and in any case within 3 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 or additional measure, or if after such inspection he considers it necessary to apply any further or additional measure under these regulations, he may continue the detention of the aircraft, if such continued detention is necessary for the application of that further or additional measure.

#### *Release of aircraft*

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 for the appropriate period specified in regulation 30(1)—

- (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.

#### *Removal of infected persons from aircraft when required by 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 in accordance with 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 in Schedule 2 shall be applicable on the arrival at a customs airport of—

- (a) any infected aircraft or suspected aircraft;
- (b) any aircraft which has during its voyage been in an area infected with plague, cholera or yellow fever;
- (c) any suspect for smallpox on an aircraft other than an infected aircraft;
- (d) any other aircraft or person, when the medical officer is satisfied that, notwithstanding that measures equivalent to such 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 reasonable grounds for believing that such previous application was not substantially effective.

*Avoidance of delay*

24. In applying any measures under 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) except 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 his intended destination and address, but this sub-paragraph shall not be construed as dispensing with the necessity to secure any consent arising under any other enactment;

(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 in accordance with 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 under this regulation of his intended destination and address 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*

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, 13(1) or 15(1)(a) unless he has been notified by the medical officer that compliance with those provisions is necessary because of danger to public health;

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

- (c) the powers and duties conferred or imposed on the medical officer by regulations 7, 8(1) (2) (3) and (5), 9, 14(1), 18(2), 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 because of danger to public health;
- (d) the powers and duties conferred on a customs officer or authorised officer by regulations 8(3) and (4) and 16 shall not be exercised or performed unless the Secretary of State has directed, or the medical officer is satisfied and has so informed the customs officer or authorised officer, that the exercise of the powers or the performance of the duties conferred or imposed by those provisions is necessary because 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 disease subject to the International Health Regulations, and, if after examination the medical officer is of the opinion that he shows symptoms of such a disease, shall prohibit his embarkation and the time and place of this examination shall be arranged so as to take into account any other formalities and to avoid delay;
- (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 by the most expeditious means the commander and the health authority for the place to which the person is proceeding of any person embarking or proposing to continue his voyage thereon who, in the opinion of the medical officer, should be placed under surveillance;
- (d) may, notwithstanding the provisions of sub-paragraph (b) of this regulation, allow a person on an international voyage who, on arrival, was placed under surveillance, to continue his voyage; and the medical officer shall notify by the most expeditious means the health authority for the place to which the person is proceeding that such a person should, in the opinion of the medical officer, be placed under surveillance.

28. Where the Secretary of State has, by notice published in the Edinburgh Gazette, declared any place to be infected with a disease subject to the International Health Regulations 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

provision) 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) an authorised officer, if so required by the Secretary of State, shall require a valid International Vaccination Certificate from departing travellers; and in the absence of such a certificate the medical officer may offer vaccination to any such traveller and apply the provisions of regulation 27(c);
- (b) 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;
- (c) 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;
- (d) 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;
- (e) 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, disinfected;
- (f) if the aerodrome is situated in an area which is included in the said notice in the Edinburgh Gazette 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 in accordance with these regulations, and shall furnish all such information as that officer may reasonably require (including information as to his name and intended 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 that 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;

(2) When a person has been so placed under surveillance for plague, cholera or smallpox in accordance with 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 in accordance with the additional measures, the period shall be reckoned in the manner therein specified.

31. Every person who is placed under surveillance in accordance with these regulations 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 address 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 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, cause any such requirement to be complied with at his cost instead of enforcing the requirement against the commander.

(2) The amount of the charge for any such measures or requirement 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 on the part of the authority in respect of profit, but shall not exceed the sum of one hundred 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 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, under 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, under these regulations, any measures have been taken with regard to any person or to any articles in his possession, the medical officer shall, on the request of such a person, furnish him free of charge with particulars in writing of those measures, including the date on which they were taken.

#### *Recovery of charges*

33. Every charge authorised by regulation 32 shall be recoverable as a civil debt.

#### *Expenses of responsible authorities*

34. Subject to the provisions of regulation 32, any expenses incurred by a responsible 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 other powers and duties.

#### *Saving for mails*

35. Except to the extent permitted by Part II-C of Schedule 2, 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 Post Office 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 Act 1953(a), as amended by Part II of Schedule 4 to the Post Office Act 1969(b).

#### *Saving for aircraft unwilling to comply with these regulations*

36.—(1) The commander of an aircraft on arrival, or already at an aerodrome, who is unwilling to comply with, or submit to, any provisions of, or requirement made under, these regulations which may be applicable, shall so notify the medical officer and 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 under these regulations as the medical officer considers necessary.

(3) When the medical officer has 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 enactments*

37. Nothing in these regulations shall affect the Air Navigation Order 1970(c), the Aliens Order 1953(d), the Commonwealth Immigrants Acts 1962(e) and 1968(f), or the Immigration Appeals Act 1969(g).

(a) 1953 c. 36.

(c) S.I. 1970/954 (1970 II, p. 2964).

(e) 1962 c. 21.

(g) 1969 c. 21.

(b) 1969 c. 48.

(d) S.I. 1953/1671 (1953 I, p. 94).

(f) 1968 c. 9.

*Revocation*

38.—(1) The Public Health (Aircraft) (Scotland) Regulations 1966(a) are hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if the regulations revoked by these regulations were an Act of Parliament repealed by an Act of Parliament.

*Gordon Campbell,*  
One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh.  
26th January 1971.

SCHEDULE 1

Regulation 13

PUBLIC HEALTH (AIRCRAFT) (SCOTLAND) REGULATIONS 1971

*Aircraft Declaration of Health*

Persons on board with illnesses other than air sickness or the effects of accidents (including persons with symptoms or signs of illness such as rash, fever, chills, diarrhoea) as well as those cases of illness disembarked during the flight.....

.....

.....

Any other conditions on board which may lead to the spread of disease.....

.....

.....

Details of each disinsecting or sanitary treatment (place, date, time, method) during the flight. If no disinsecting has been carried out during the flight, give details of most recent disinsecting .....

.....

.....

Signature, if required.....

Date.....

Crew member concerned.

(a) S.I. 1966/346 (1966 III, p. 794).

## Regulations 2(1), 8(5) and 23 SCHEDULE 2

## ADDITIONAL MEASURES WITH RESPECT TO DISEASES SUBJECT TO THE INTERNATIONAL HEALTH REGULATIONS

## PART I—PLAGUE

A. *Infected aircraft*

- (1) The medical officer may—
  - (a) require any suspect on board to be disinfected and place him under surveillance, the period of surveillance being reckoned from the date of arrival of the aircraft;
  - (b) require the disinfecting 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) When the presence of rodents is suspected on board an aircraft or 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.
- (3) On arrival of an aircraft having on board a person suffering from pulmonary plague the medical officer may—
  - (a) carry out the measures set out in paragraph 1 of Part I of this Schedule;
  - (b) require any person on board to be placed in isolation for six days reckoned from the date of the last exposure to infection.

B. *Aircraft which have been in infected areas*

- (4) 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 in 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 has reason to believe 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) The medical officer may take samples of food (including fish, shellfish, fruit and vegetables) or beverages, for culture examination, unless such food and beverages are in sealed packages, and the responsible authority have no reason to believe that they are contaminated.
- (6) 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 disinfected.

Regulation 8(5)

PART IV—SMALLPOX

A. *Infected aircraft*

- (1) The medical officer shall offer vaccination to any person on board or disembarking from the aircraft who does not show sufficient evidence of protection by a previous attack of smallpox or who does not satisfy the medical officer that he possesses a valid International Vaccination Certificate.
- (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 is not 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 article 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.

Regulations 2(1) and 8(3)

SCHEDULE 3

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST CHOLERA  
 CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LE CHOLÉRA

Date	Signature and professional status of vaccinator		Approved stamp	
	<i>Signature et titre du vaccinateur</i>		<i>Cachet autorisé</i>	
1	1	1	2	
2	2			
3	3	3	4	
4	4			
5	5	5	6	
6	6			
7	7	7	8	
8	8			

**RULES**

The vaccine used shall meet the requirements laid down by the World Health Organisation.

The validity of this certificate shall extend for a period of six months, beginning six days after one injection of the vaccine or, in the event of a revaccination within such period of six months, on the date of that revaccination.

The approved stamp mentioned overleaf must be in a form prescribed by the health administration of the territory in which the vaccination is performed.

This certificate must be signed by a medical practitioner in his own hand; his official stamp is not an accepted substitute for the signature.

Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.

*Le vaccin utilisé doit satisfaire aux normes formulées par l'Organisation Mondiale de la Santé.*

*La validité de ce certificat couvre une période de six mois commençant six jours après une injection de vaccin ou, dans le cas d'une revaccination au cours de cette période de six mois, le jour de cette revaccination.*

*Le cachet autorisé doit être conforme au modèle prescrit par l'administration sanitaire de territoire où la vaccination est effectuée.*

*Ce certificat doit être signé par un médecin de sa propre main, son cachet officiel ne pouvant être considéré comme tenant lieu de signature.*

*Toute correction ou rature sur le certificat ou l'omission d'une quelconque des mentions qu'il comporte peut affecter sa validité.*

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST CHOLERA

CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LE CHOLÉRA

This is to certify that  
*Je soussigné(e) certifie que*

name .....  
 nom .....

date of birth ..... sex .....  
*né(e) le ..... sexe .....*

whose signature follows  
*dont la signature suit*

has on the date indicated overleaf been vaccinated or revaccinated against cholera.

*a été vacciné(e) ou revacciné(e) contre le choléra à la date indiquée au verso.*

SCHEDULE 4

Regulations 2(1) and 8(3)

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST SMALLPOX  
 CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LA VARIOLE

Date	Show by "x" whether <i>Indiquer par x s'il s'agit de:</i>	Signature and professional status of vaccinator <i>Signature et titre du vaccinateur</i>	Manufacturer and batch no. of vaccine <i>Fabricant du vaccin et numéro du lot</i>	Approved stamp <i>Cachet autorisé</i>
1a	Primary vaccination performed } <i>Primo vaccination effectuée</i> }		1a	
1b	Read as successful } <i>Prise</i> } Unsuccessful } <i>Pas de prise</i> }		1b	
2	Revaccination .....		2	
3	Revaccination .....		3	

RULES

The validity of this certificate shall extend for a period of three years beginning eight days after the date of a successful primary vaccination, or in the event of a revaccination, on the date of that revaccination.

The approved stamp mentioned overleaf must be in a form prescribed by the health administration of the territory in which the vaccination is performed.

This certificate must be signed by a medical practitioner in his own hand; his official stamp is not an accepted substitute for the signature.

Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.

*La validité de ce certificat couvre une période de trois ans commençant huit jours après la date de la primovaccination effectuée avec succès (prise) ou, dans le cas d'une revaccination, le jour de cette revaccination.*

*Le cachet autorisé doit être conforme au modèle prescrit par l'administration sanitaire du territoire où la vaccination est effectuée.*

*Ce certificat doit être signé par un médecin de sa propre main, son cachet officiel ne pouvant être considéré comme tenant lieu de signature.*

*Toute correction ou rature sur le certificat ou l'omission d'une quelconque des mentions qu'il comporte peut affecter sa validité.*

INTERNATIONAL CERTIFICATE OF VACCINATION  
 OR REVACCINATION AGAINST SMALLPOX

CERTIFICAT INTERNATIONAL DE VACCINATION  
 OU DE REVACCINATION CONTRE LA VARIOLE

This is to certify that  
*Je soussigné(e) certifie que*

name .....  
*nom*

date of birth ..... sex .....  
*né(e) le sexe*

whose signature follows  
*dont la signature suit*

has on the date indicated overleaf been vaccinated or revaccinated against smallpox, with a freeze-dried or liquid vaccine certified to fulfil the recommended requirements of the World Health Organisation.

*a été vacciné(e) ou revacciné(e) contre la variole à la date indiquée au verso, avec un vaccin lyophilisé ou liquide certifié conforme aux normes recommandées par l'Organisation Mondiale de la Santé.*

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations supersede the Public Health (Aircraft) (Scotland) Regulations 1966, which provide for public health control of aircraft arriving in or leaving Scotland. They also make amendments which ensure conformity, where required, with the current International Health Regulations of the World Health Assembly and the administrative arrangements for health control made by the Council of Europe's Public Health Committee (Partial Agreement).

Part I contains definitions of terms used in the Regulations. Provision is made for revised forms of International Vaccination Certificates against cholera (Schedule 3) and smallpox (Schedule 4).

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 have assumed duties there (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 (Regulation 6).

Part III relates to incoming aircraft. It provides for the inspection of aircraft, the examination of persons suspected of suffering from, or of having been exposed to infection from, an infectious disease or suspected of being verminous; and in these and other similar circumstances authorises measures to be taken for preventing danger to public health (Regulations 7 to 9).

Part IV relates to outgoing aircraft. It provides for the examination, etc, in prescribed circumstances of persons proposing to travel to 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 diseases, the spread of which might endanger public health, special measures may be taken to prevent the disease spreading (Regulation 28).

Part V contains miscellaneous provisions concerning periods of surveillance, charges for services and expenses of responsible authorities. It also contains savings for mails carried by aircraft (Regulation 35) and for the removal of any aircraft whose commander is unwilling to comply with the Regulations (Regulation 36).