

# GUERNSEY STATUTORY INSTRUMENT

ENTITLED

## **The Public Health (Vessels) (Guernsey) Order, 1974** \*

[CONSOLIDATED TEXT]

### NOTE

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* G.S.I. No. 46 of 1974; as amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019 (No. \*\* of 2019); the Public Health (Vessels) (Amendment) (Guernsey) Order, 1975 (G.S.I. No. 9 of 1975); the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009 (G.S.I. No. 27 of 2009); the Public Health (Vessels) (Guernsey) (Amendment) Order, 2015 (G.S.I. No. 3 of 2015).

# GUERNSEY STATUTORY INSTRUMENT

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## **The Public Health (Vessels) (Guernsey) Order, 1974**

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*(Made on 10th December, 1974.)*

## **The Public Health (Vessels) (Guernsey) Order, 1974**

**THE STATES BOARD OF HEALTH**, in consultation with the States Board of Administration and in pursuance of the powers conferred upon it by section two of the Public Health (Vessels and Aircraft) (Guernsey) Law, 1950<sup>a</sup>, and of all other powers enabling it in that behalf, hereby orders: –

### PART I

#### General Provisions

#### **Interpretation.**

1. (1) The Interpretation (Guernsey) Law, 1948<sup>b</sup>, shall apply to the interpretation of this Order as it applies to the interpretation of an enactment.

(2) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

**"additional measures"** means such of the additional measures specified in the Third Schedule to this Order with respect to the diseases subject to the International Health Regulations as are appropriate,

**"approved port"** means a port approved by the Secretary of State in accordance with paragraph 1 of Article 17 of the International Health Regulations for the issue of Deratting Exemption Certificates only,

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**a** Ordres en Conseil Vol. XIV, p. 402.

**b** Ordres en Conseil Vol. XIII, p. 355.

**"arrival"** in relation to a ship, means the entry within the limits of jurisdiction of the Island of a ship which has not during its voyage or since it last called at a port outside the Island, as the case may be, been subjected elsewhere in the Island to measures provided for in this Order or any corresponding order or regulations in force in the United Kingdom, apart from any measures which may have been applied there to any person, baggage or cargo landed from the ship, and **"arrives"** shall be construed accordingly,

**"authorised officer"** means the States Medical Officer of Health, or any other officer authorised by [the Committee] to perform the duties of an authorised officer under this Order,

**"baggage"** means the personal effects of a traveller or of a member of the crew,

**"[the Committee]"** means the States [Committee for Health & Social Care],

[ **"Chief Revenue Officer"** means the Chief Officer of Customs and Excise and shall include any officer of Customs and Excise acting by or under his authority,]

**"Crew"** means the personnel of a ship who are employed for duties on board,

**"day"** means an interval of twenty-four hours,

**"Deratting Certificate"** means a Deratting Certificate issued in accordance with Article 54 of the International Health Regulations,

**"Deratting Exemption Certificate"** means a Deratting Exemption

Certificate issued in accordance with Article 54 of the International Health Regulations,

**"designated approved port"** means an approved port designated by the Secretary of State in accordance with paragraph 2 of Article 17 of the International Health Regulations for the issue of both Deratting Certificates and Deratting Exemption Certificates,

[ ...]

**"disinsecting"** means the operation in which measures are taken to kill the insect vectors of human disease,

**"epidemic"** means an extension of a disease subject to the International Health Regulations by a multiplication of cases in an area,

[ **"examination"**, in relation to a person or group of persons, includes such medical tests as the medical officer considers to be appropriate and proportionate in the circumstances,]

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

**"excepted port"** means any port in the excepted area,

**"foreign port"** means a port or other coastal place situated elsewhere than in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland,

**"free pratique"** means permission for a ship to disembark and

commence operation,

**"immigration officer"** means any person for the time being appointed by the States [Policy & Resources Committee] to act as an immigration officer,

**"[affected 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 any other infectious disease,] or who is considered by the medical officer to be infected with such a disease,

**"infected ship"** means –

- (a) a ship which has on board on arrival a case of a disease subject to the International Health Regulations[, or any other infectious disease], or
- (b) a ship on which a plague-infected rodent is found on arrival, or
- (c) a ship which has had on board during its voyage –
  - (i) a case of human plague which developed more than six days after the embarkation of the person affected, or

(ii) a case of cholera within five days before arrival,  
or

(iii) a case of yellow fever or smallpox,

and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided for in this Order,

**"infectious disease"** means a disease subject to the International Health Regulations or any other infectious or contagious disease other than venereal disease or tuberculosis,

**"International Health Regulations"** means the International Health Regulations adopted by the 22<sup>nd</sup> World Health Assembly in 1969 as amended by the 26<sup>th</sup> World Health Assembly in 1973 as may from time to time be amended by regulations adopted by any subsequent World Health Assembly,

**"the Island"** includes the Islands of Alderney, Herm and Jethou,

**"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 spreading of infection[, and **"isolated"** shall be construed accordingly],

**"Maritime Declaration of Health"** means a declaration in the form set out in the Second Schedule to this Order,

**"master"** means the person for the time being in charge of or in command of a ship,

**"medical officer"** means the States Medical Officer of Health or any other registered medical practitioner appointed by [the Committee] to carry out the duties of a medical officer under this Order,

**"medical practitioner"** means –

- (a) in relation to the Islands of Guernsey, Herm and Jethou, a person authorised to practise in those Islands as a medical practitioner according to the law for the time being in force,
- (b) in relation to the Island of Alderney a person practising in that Island as a medical practitioner and approved by [the Committee],

**"mooring station"** means a place, situated within the coastal waters of the island, which is specified by [the Committee], with the consent of the States [States' Trading Supervisory Board] 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,

**"Secretary of State"** means the Secretary of State for Social Services,

**"ship"** includes –

- (a) any ship or boat,
- (b) any other description of vessel used in navigation,
- (c) a hovercraft within the meaning of the Hovercraft Act 1968,

**"suspect"** means a person (not being an infected person) who is considered by the medical officer to have been exposed to infection by a disease subject to the International Health Regulations and to be capable of spreading that disease,

**"suspected ship"** means –

- (a) a ship which, not having on board on arrival a case of human plague, has had on board during the voyage a case of that disease which developed within six days of the embarkation of the person concerned, or
- (b) a ship on which there is evidence of abnormal mortality among rodents, the cause of which is unknown on arrival, or
- (c) a ship which has had on board during the voyage a case of cholera which developed more than five days before arrival, or
- (d) a ship which left within six days before arrival an area infected with yellow fever:

PROVIDED that a ship to which the foregoing paragraph (a) or (c) applies shall not be deemed to be a suspected ship if in respect of such case of human plague or cholera, as the case may be, the ship has before arrival been subjected to appropriate measures equivalent to those provided for in this Order,

**"valid"**, in relation to a Deratting Certificate or Deratting Exemption

Certificate issued for a ship, means issued not more than six months before the production of the Certificate to the medical officer, or, if the ship is proceeding immediately to an approved port or a designated approved port, not more than seven months before such production,

**"valid International Vaccination Certificate"** means a certificate of vaccination or revaccination against smallpox which is in the form laid down and conforms with the rules as to validity contained, in Appendix 2 or Appendix 4, as the case may be, to the International Health Regulations.

(3) Any reference in this Order to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Order.

(4) For the purposes of this Order a ship shall not be deemed to have been in an [affected area], if without having itself been in contact with the shore, it has landed there only mail, passengers and baggage, or has taken on board there only mail, fuel, water or stores or passengers, with or without baggage, who have not themselves been in contact either with the shore or with any person from the shore.

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## NOTES

*In section 1,*

*the words in, first, the first and, second, the second pairs of square brackets in the definition of the expression "the Committee" in subsection (2), and, third, the words "the Committee" in square brackets wherever else occurring were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 6, section 2, Schedule 1, paragraph 5 and section 4, and section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2014;<sup>1</sup>*

*in subsection (2), first, the definition of the expression "Chief Revenue Officer" was substituted, second, the words omitted in square brackets immediately following the definition of the expression "designated*

*approved port" were revoked, third, the definition of the expression "examination" was inserted, fourth, the words in square brackets in the definition of the expression "infected person" were inserted, fifth, the words in square brackets in the definition of the expression "infected ship" were inserted and, sixth, the words in square brackets in the definition of the expression "isolation" were inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(3), respectively paragraph (a), paragraph (b), paragraph (c), paragraph (d), paragraph (e) and paragraph (f), with effect from 15th May, 2009;<sup>2</sup>*

*the words in square brackets in the definition of the expression "immigration officer" in subsection (2), were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 10(a) and section 4, with effect from 1st May, 2016;<sup>3</sup>*

*the words in square brackets in the definition of the expression "affected area" in subsection (2), and the words in square brackets in subsection (4), were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009;*

*the words in the second pair of square brackets in the definition of the expression "mooring station" in subsection (2) were substituted by the Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019, section 6(b), with effect from 27th November, 2019.<sup>4</sup>*

*The functions, rights and liabilities of the Health and Social Services Department and of its Minister or Deputy Minister arising under or by virtue of this Order were transferred to and vested in, respectively, the Committee for Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.<sup>5</sup>*

*The functions, rights and liabilities of the Policy Council and of its Minister or Deputy Minister arising under or by virtue of this Order were transferred to and vested in, respectively, the Policy & Resources Committee and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 10(a) and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.<sup>6</sup>*

*The functions, rights and liabilities relating to the consent of the States Committee for Health & Social Care were transferred to the States' Trading Supervisory Board by the Organisation of States' Affairs (Transfer of Functions and Consequential Matters) Ordinance, 2019, section 6(a), with effect from 27th November, 2019.<sup>7</sup>*

*The Interpretation (Guernsey) Law, 1948 has since been repealed by the*

*Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.*

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**List of [affected area]s.**

2. (1) The medical officer shall from time to time prepare and keep up to date a list of ports 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 pilots and customs officers employee in the Island.

(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.

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**NOTE**

*In section 2, the words in square brackets in the marginal note thereto were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

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[PART II]

Incoming Ships

**Inspection of ships.**

3. (1) The medical officer may, for the purposes of this Order, inspect any ship on arrival or already in the Island.

(2) The medical officer shall –

(a) inspect on arrival any ship in respect of which the

master has sent to [the Committee] a message or notification under section nine of this Order, and

- (b) inspect any ship already in the Island when he has reasonable grounds for believing that there is on board a case or suspected case of infectious disease.

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**NOTES**

*In the heading immediately before section 3, the word and numerals in square brackets were substituted by the Public Health (Vessels) (Amendment) (Guernsey) Order, 1975, section 1(a), with effect from 4th March, 1975.*

*In section 3, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**Direction of ships.**

4. Any authorised officer may for the purposes of this Order require a ship on arrival or already in the Island to be brought to, and if necessary moored or anchored at, some safe and convenient place for the purpose of medical inspection.

**Examination etc. of persons on ships.**

5. (1) The medical officer may, and if so requested by the master or required by [the Committee] shall, examine any person on board [or disembarking from] a ship on arrival or already in the Island, 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 either upon the ship or at some place on shore appointed for the purpose,
  - (b) require the clothing and other articles belonging to any person so examined to be disinfected and, where necessary, disinfected [or destroyed], and any person found to be verminous to be disinfected,
  - (c) except as provided in section twenty-five of this Order prohibit any person so examined from leaving the ship, or permit him to leave it on such conditions and subject to the taking of such measures, under this Order, as the medical officer considers reasonably necessary for preventing the spread of infection, and
  - (d) require the master 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 ship likely to convey infection, including conditions the existence of which might facilitate the harbouring of insects or vermin.
- (3) On the arrival of any ship which during its voyage has been in a foreign port other than an excepted port, the medical officer or an authorised officer

or the Chief Revenue Officer may, and if so required by [the Committee] shall, require any person on board or disembarking from the ship to produce a valid International Vaccination Certificate.

(4) The Chief Revenue Officer or an authorised officer may detain until the arrival of the medical officer or for three hours, whichever is the shorter period, any such person as aforesaid 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 the Third Schedule to this Order and in paragraphs (1) and (2) of Part IV of that Schedule.

(6) The powers conferred by subsections (3), (4) and (5) of this section shall not be exercised in respect of any person on board a ship arriving from an excepted port unless [the Committee] has directed, or the medical officer is satisfied and has so informed the Chief Revenue Officer or authorised officer, that the exercise of this power is necessary on account of danger to public health.

(7) Nothing in this section shall be deemed to authorise the use of a ship for the isolation of a person who is suffering from, or has been exposed to infection from, an infectious disease unless such isolation can be effected without delaying or unduly interfering with the movements of the ship.

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**NOTES**

*In section 5,*

*the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with*

effect from 1st May, 2016;

*the words in square brackets in subsection (1) were inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2015, section 1, with effect from 1st February, 2015;*

*the words in square brackets in subsection (2)(b) were inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(4), with effect from 15th May, 2009.*

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**Powers in respect of certain persons on ships.**

6. (1) Where there is, or the medical officer suspects that there is, on board a ship on arrival or already in the Island a person suffering from an infectious disease or tuberculosis, the medical officer may –

- (a) in the case of an infectious disease, [place such person under surveillance for the appropriate period specified in section 30(1), or] cause such person to be removed from the ship and isolated or sent to a hospital or to some other suitable place approved for that purpose by [the Committee], as may be appropriate; or, except as provided in section twenty-five of this Order, the medical officer may, by notice in writing to the master, prohibit the removal of the person or his disembarking from the ship without the consent in writing of the medical officer,
- (b) in the case of tuberculosis, if the person disembarks, send information to that effect to the medical officer for the area in which the intended destination and address of the person is situated.

[ (2) Where [the Committee] is satisfied that a danger to public health exists by reason of infectious disease and has notified the medical officer

accordingly, an authorised officer may require a person disembarking from a ship to state in writing his name, his intended address in the Island, and such other contact details, such as his mobile telephone number and email address (if any), as the authorised officer may specify.]

[ (3) An authorised officer may give such directions to persons disembarking from a ship as the medical officer considers necessary and proportionate in the interests of protecting public health.]

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## NOTES

*In section 6,*

*the words in the first pair of square brackets in subsection (1)(a) were inserted, subsection (2) was substituted and subsection (3) was inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2, respectively paragraph (5), paragraph (6) and paragraph (7), with effect from 15th May, 2009;<sup>8</sup>*

*the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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### **Supply of information etc. by masters.**

7. The master of a ship on arrival or already in the Island shall –
- (a) answer all questions as to the health conditions on board which may be put to him by the Chief Revenue Officer or an authorised officer and furnish any such officer with all such information and assistance as he may reasonably require for the purposes of this Order,
  - (b) notify to the medical officer immediately of any circumstances on board which are likely to cause the

spread of infectious disease, including in his notification particulars as to the sanitary condition of the ship and the presence of rodents or mortality or sickness among rodents, on the ship,

- (c) comply with this Order, and with any directions or requirements of an authorised officer or the Chief Revenue Officer given or made for the purposes of this Order.

**Radio permission to enter the Island.**

8. The medical officer may, when he is satisfied by information received by radio from a ship from a foreign port before arrival in the Island, or by any other information, that the arrival of the ship will not result in or contribute towards the spread of infectious disease, transmit to the master by radio permission, for the purposes of this Order, for the ship to proceed direct to its intended place of mooring, discharge or loading.

**Notification of infectious disease, etc. on board.**

9. (1) When there is on board a ship before arrival a person who is suffering from an infectious disease or who had symptoms which may indicate the presence of infectious disease which require a positive answer to any question relating to health in the Maritime Declaration of Health set out in the Second Schedule to this Order, or when there are on board a ship before arrival any other similar circumstances requiring the attention of the medical officer, the master shall

—

- (a) if the ship is equipped with a suitable radio transmitting apparatus, send before arrival either directly to [the Committee] or through an agent approved by [the Committee], a radio message complying with

subsection (2) of this section,

- (b) if the ship is not so equipped, notify [the Committee], whenever practicable before arrival and otherwise immediately on arrival, of the presence on board of such infectious disease, symptoms or other similar circumstances.

(2) Any radio message sent for the purposes of this section shall –

- (a) be sent so as to reach [the Committee] not more than twelve hours, and whenever practicable not less than four hours, before the expected arrival of the ship,
- (b) if it is in code, conform with Part VIII of the International Code of Signals as reproduced in the First Schedule to this Order.

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**NOTE**

*In section 9, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**Signals.**

**10.** (1) The master of a ship which is due to arrive in the Island from a foreign port, or of a ship which has proceeded from a port in the United Kingdom or the Channel Islands and which has met a ship which has proceeded from a foreign port other than an excepted port, shall, when the ship comes within the coastal waters of the Island, show or give between sunrise and sunset the appropriate day signal set out in Part VIII of the International Code of Signals as reproduced in the First

Schedule to this Order, and between sunset and sunrise the night signal set out in that Schedule:

PROVIDED that the master of a ship engaged in regular packet-boat or excursion traffic with a port in France, Belgium or the Netherlands shall not be required to show or give any such signal unless it has met a ship which has proceeded from a foreign port other than an excepted port.

(2) The signal required by the last preceding subsection shall continue to be shown or given until the ship is given free pratique in writing by an authorised officer or a customs officer.

**Maritime Declaration of Health.**

**11.** (1) Subject to the provisions of this section, on the arrival of a ship which during its voyage has been in a foreign port, or of a ship which has proceeded from an excepted port and which has met a ship which has proceeded from a foreign port other than an excepted port, the master shall complete a Maritime Declaration of Health which 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 a foreign port other than an excepted port, and has not during the voyage met a ship which has proceeded from a foreign port outside the excepted area, the master shall not be bound to comply with the provisions of this section unless he has been notified by the medical officer that compliance with those provisions is necessary on account of danger to public health.

(2) The master shall deliver the Declaration to the Chief Revenue Officer or authorised officer, whoever first boards the ship, who shall forward it to [the Committee].

(3) If the Chief Revenue Officer detains the ship under this Order

and he requires a copy of the Declaration, [the Committee] shall furnish him with such copy.

12. If, within four weeks after the master of a ship has delivered a Maritime Declaration of Health pursuant to section eleven of this Order or a corresponding provision in force in Great Britain or Northern Ireland, the ship arrives in the Island, the master shall report to the Chief Revenue Officer or authorised officer, whoever first boards the ship, any case or suspected case of infectious disease which has occurred on board since the Declaration was delivered and which has not already been reported.

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**NOTE**

*In section 11, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**Restriction on boarding or leaving ships.**

13. (1) On the arrival of a ship from any foreign port or from any [affected area], or of a ship which has proceeded from an excepted port and which has met a ship which has proceeded from a foreign port other than an excepted port, no person other than a pilot, the Chief Revenue Officer, an immigration officer or an authorised officer shall, without the permission of the medical officer, board or leave the ship until free pratique has been granted, and the master shall take all steps necessary to secure compliance with this provision.

(2) Before granting permission to a person to leave the ship, the medical officer may require him to state his name and his intended destination and address, and to give any other information which the medical officer may reasonably think necessary for transmission to the medical officer for the area in which the intended destination, of the person is situated.

(3) If such a person cannot state his intended destination and address or arrives, within a period, not exceeding fourteen days after landing, to be specified to him by the medical officer, at an address other than that which he has so stated, he shall immediately after his arrival at that address send particulars thereof to the medical officer.

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**NOTE**

*In section 13, the words in square brackets were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

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**Deratting Certificates and Deratting Exemption Certificates.**

**14.** (1) If the master of a ship which during its voyage has been in a foreign port cannot produce to the medical officer or an authorised officer a valid Deratting Certificate or Deratting Exemption Certificate in respect of the ship, the medical officer or authorised officer shall –

- (a) require the ship to be inspected to ascertain whether it is kept in such a condition that it is free of rodents and the plague vector, or
- (b) 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) If the master produces a Deratting Certificate or a Deratting Exemption Certificate, but the medical officer or authorised officer has evidence that the deratting was not satisfactorily completed, the medical officer or authorised

officer may, notwithstanding such Certificate, exercise in relation to the ship his powers under the last preceding subsection.

(3) Before the medical officer or authorised officer directs under this section that a ship shall proceed to another port, he shall consult with the Chief Revenue Officer.

(4) The owner or master of a ship shall pay to [the Committee] such charge as [the Committee] may from time to time determine for the inspection of the ship for the purposes of this section.

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**NOTE**

*In section 14, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**Detention of ships, and ships to be taken to mooring stations.**

**15.** (1) On the arrival of an infected ship or a suspected ship, or any other ship on which there has been during its current voyage and within the last four weeks before arrival, a case of a disease subject to the International Health Regulations in respect of which the ship has not, outside the Island, been subjected to appropriate measures equivalent to those provided for in this Order, the master shall take it to a mooring station unless an authorised officer otherwise allows or directs.

(2) Where the medical officer has reason to believe that a ship on arrival may be one to which subsection (1) of this section applies, he may direct the master to take it to a mooring station or to such other place as he considers desirable.

**16.** The medical officer may for the purposes of this Order direct that any ship from a foreign port shall on arrival be taken to a mooring station for medical

inspection; and he may, if the Chief Revenue Officer is to be the first officer to board the ship, give a notice in writing of such direction to the Chief Revenue Officer, who shall deliver the notice to the master.

**17.** Where on the arrival of a ship from a foreign port it appears to the Chief Revenue Officer, from information in the Maritime Declaration of Health delivered pursuant to section eleven of this Order, or from information otherwise obtained, that the ship –

- (a) has during its voyage been in an [affected area], or
- (b) is one to which subsection (1) of section fifteen of this Order applies,

he shall direct the master to take it to a mooring station for detention there unless an authorised officer otherwise allows or directs.

**18.** If after arrival of a ship a case of [an infectious disease] occurs on board, or plague-infected rodents are discovered or suspected on board, the medical officer may direct the master of the ship to take it to a mooring station.

**19.** A ship which has been taken to a mooring station or directed there by the medical officer shall remain there until it has been inspected by the medical officer.

**20.** A medical officer may detain, or give notice in writing to the Chief Revenue Officer to detain, any ship for medical inspection at its place of mooring (not being a mooring station) or at its place of discharge or loading.

**21.** The detention of a ship by the Chief Revenue Officer under this Order shall cease as soon as the ship has been inspected by the medical officer or, if such

inspection has not commenced within twelve hours after the ship has been so detained, on the expiration of that period:

PROVIDED that nothing in this section shall affect the power of the medical officer to continue the detention of a ship under section twenty-two of this Order.

22. (1) The medical officer shall inspect any ship and the persons on board as soon as possible after it has been taken or directed to a mooring station or after it has been detained under this Order.

(2) If the ship is one to which the medical officer is required by this Order to apply any further measure or additional measures or if after such inspection he considers it necessary to apply any such further or additional measures under this Order, he may detain the ship at the mooring station or at such other place as he considers desirable, or continue the detention, as the case may be, if such detention or continued detention is necessary for the application of such further or additional measures.

23. The medical officer may require the master of a ship which has been taken or directed to a mooring station or detained because plague-infected rodents have been discovered or there are reasonable grounds for suspecting that such rodents are on board to take all practicable measures to prevent escape of rodents from the ship.

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**NOTES**

*In section 17, the words in square brackets were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

*In section 18, the words in square brackets were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(8), with effect from 15th May, 2009.*

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**Persons from [affected area]s.**

24. On the arrival of a ship the medical officer may place under surveillance for the appropriate period specified in subsection (1) of section thirty of this Order –

- (a) any person disembarking from the ship who has come from an [affected area] other than an area infected with yellow fever or plague, and
- (b) any suspect disembarking from the ship who has come from an area infected with yellow fever or plague.

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**NOTE**

*In section 24, and the marginal note thereto, the words in square brackets were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

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**Removal of infected persons from ships when required by master.**

25. The medical officer shall, if so required by the master of a ship on arrival, cause any infected person to be removed from the ship.

**Additional measures.**

26. Without prejudice to any other provision in this Order the additional measures set out in the [Third Schedule] to this Order shall be applicable on the arrival of –

- (a) any infected ship or suspected ship,
- (b) any ship which has during its voyage been in an area infected with plague, cholera or yellow fever,

- (c) any suspect for smallpox on a ship other than an infected ship,
- (d) any other ship when the medical officer is satisfied that, notwithstanding that measures equivalent to such additional measures have been applied to the ship or any person on board at a previous port 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.

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**NOTES**

*In section 26, the words in square brackets were substituted by the Public Health (Vessels) (Amendment) (Guernsey) Order, 1975, section 1(b), with effect from 4th March, 1975.*

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**PART III**

**Outgoing Ships**

**Examination etc. of persons proposing to embark.**

**27.** Where a ship is due to depart from the Island for a destination, whether final or intermediate outside the Island, 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 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 master and, also, 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 paragraph (b) of this section, allow a person on an international voyage who, on arrival, was placed under surveillance to continue his voyage, in which case, 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.

**Infected places in the Bailiwick.**

28. Where [the Committee] has, by notice published in "La Gazette Officielle", declared any place within the Bailiwick of Guernsey to be infected with a

disease subject to the International Health Regulations or with any other disease which in its opinion constitutes a menace to other countries or to any other place within the Bailiwick of Guernsey by reason of its spread or potential spread, then, until the notice is revoked by a subsequent notice published in "La Gazette Officielle", the medical officer shall comply with any requirement which may be made by [the Committee] 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 section shall operate in relation to any ship departing from the Island for a destination, whether final or intermediate, outside the Island –

- (a) an authorised officer, if so required by [the Committee], shall require a valid vaccination certificate from departing travellers; and in the absence of such a certificate the medical officer may offer vaccination to any such traveller and may apply the provisions of paragraph (c) of section twenty-seven of this Order,
- (b) the medical officer may, and within three hours after receiving a request from the master so to do shall, medically examine any person who proposes to embark on or is on board the ship,
- (c) the medical officer may require any part of the ship 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 ship 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 master shall disclose to the authorised officer any relevant circumstances,

- (e) no person shall take or cause to be taken on board the ship 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 any part of the Island is included in the said notice in "La Gazette Officielle" and is therein declared to be infected with plague, and if there is reason to believe that there are rodents on the ship, the medical officer may, and if so required by [the Committee] shall, take steps to secure the deratting of the ship.

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**NOTE**

*In section 28, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**PART IV**

**Miscellaneous Provisions**

**Compliance with directions, etc. under this Order.**

**29.** Every person to whom this Order applies shall comply with every direction, requirement or condition given, made or imposed by an authorised officer or the Chief Revenue Officer under this Order, 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 a ship); 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.

**[Review of isolation.]**

**29A.** (1) Where, under this Order, the medical officer causes a person to be isolated, or to be sent to a hospital or to some other suitable place, he shall review that person's case after not more than fourteen days, and shall direct that the person shall be no longer be isolated, or shall be free to leave the hospital or other place (as the case may be) (together, "**released from isolation**") unless he is satisfied that the person remains an infected person and a danger to public health.

(2) The medical officer shall review every seven days the case of a person whom he has directed not to be released from isolation on a review under subsection (1), and on a subsequent review the medical officer shall direct that he be released from isolation unless he remains satisfied that the person remains an infected person and a danger to public health.]

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**NOTE**

*Section 29A was inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(9), with effect from 15th May, 2009.*

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**[Right of appeal.]**

**29B.** (1) A person aggrieved by a decision of the medical officer that he be isolated, or sent to a hospital or to some other suitable place, or by a decision of the medical officer not to direct on a review under section 29A that he be released from isolation, may appeal against the decision to the Royal Court on one or more of the grounds in subsection (3).

(2) A person making an appeal under subsection (1) shall remain in isolation, or the hospital or other place where he has been sent, pending the outcome of his appeal.

(3) The grounds of an appeal under this section are that –

- (a) the decision was *ultra vires* or there was some other error of law,
- (b) the decision was unreasonable,
- (c) the decision was made in bad faith,
- (d) there was a lack of proportionality, or
- (e) there was a material error as to the facts or as to the procedure.

(4) An appeal under this section shall be instituted by summons served on the medical officer stating the grounds and material facts on which the appellant relies; and the address for service on the medical officer under this section shall be St James Chambers, St Peter Port, Guernsey GY1 4BY.

(5) The Royal Court may dispense with a hearing of an appeal under this section, and may instead determine the appeal on considering the appellant's summons and any representations in response submitted on behalf of the medical officer.

(6) On an appeal under this section, the Royal Court may –

- (a) dismiss the appeal,
  - (b) order that the medical officer review the appellant's case, or
  - (c) order that the appellant be released from isolation.
- (7) For the purposes of determining an appeal under this section, the Royal Court –
- (a) may appoint a medical practitioner to assist it, and
  - (b) is properly constituted by the Bailiff sitting unaccompanied by the Jurats,

and in this section "**Bailiff**" includes Deputy-Bailiff and Lieutenant-Bailiff.]

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**NOTE**

*Section 29B was inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(9), with effect from 15th May, 2009.*

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**Surveillance.**

**30.** (1) Where this Order permits 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 any other infectious disease, fourteen days, or such other period as the medical officer may prescribe in respect of that disease].

(2) When a person has been so placed under surveillance for plague, cholera or smallpox under section twenty-four of this Order by reason of his having come from an [affected area], the period shall be reckoned from the date of his leaving the [affected 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 under this Order shall

—

- (a) give facilities for any medical examination. required by the medical officer during the period of surveillance,
- (b) furnish all such information as the medical officer 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 when placed under surveillance send particulars of that address to the medical officer,

- (d) if so instructed by the medical officer, report during the period of surveillance to that officer at such intervals as he may require:

PROVIDED that an instruction shall not be given under this paragraph unless [the Committee] has by direction (whether general or special) authorised the giving of instructions thereunder.

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**NOTES**

*In section 30,*

*paragraph (e) of subsection (1) was inserted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(10), with effect from 15th May, 2009;*

*the words in square brackets in subsection (2) were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

*In section 31, the words in square brackets in the Proviso to paragraph (d) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**Charges for services.**

32. (1) Where the master of a ship is required by or under this Order to carry out any measures with a view to reducing the danger or preventing the spread of infection, [the Committee] may itself at the request of the master, and, if it thinks fit, cause any such requirement to be complied with at his cost instead of enforcing the requirement against the master.

(2) The amount of the charge for any such measures or

requirement undertaken by [the Committee] 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 Committee] in respect of profit, but shall not exceed the sum of two hundred pounds unless notice of the proposed charge has been given to the master before the work is undertaken.

(3) Where under this section [the Committee] causes any requirement to be complied with at the cost of the master, it may, if it thinks fit, require the amount of the charge for the work or a part thereof to be paid to, or deposited with, [the Committee] before the work is undertaken.

(4) Where under this Order any measures have been taken with regard to a ship, [the Committee] or the medical officer shall, on request by the master, furnish him free of charge with particulars in writing of those measures and the reasons why they were taken.

(5) Where under this Order 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.

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**NOTE**

*In section 32, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 6, with effect from 1st May, 2016.*

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**Recovery of charges.**

**33.** Every charge authorised by section thirty-two of this Order shall be recoverable as a civil debt due to the States of Guernsey.

**Saving for mails.**

34. Except to the extent permitted by [Part II] of the Third Schedule to this Order with respect to fish, shellfish, fruit, vegetables and beverages, nothing in this Order shall render liable to detention, disinfection or destruction any article forming part of any mail conveyed under the authority of the States Post Office Board, 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 (Guernsey) Law, 1969<sup>d</sup>.

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**NOTES**

*In section 34, the word and numerals in square brackets were substituted by the Public Health (Vessels) (Amendment) (Guernsey) Order, 1975, section 1(c), with effect from 4th March, 1975.*

*The Post Office (Guernsey) Law, 1969 has since been repealed by the Post Office (Bailiwick of Guernsey) Law, 2001, section 47, Schedule 2, Part I, paragraph 1, with effect from 1st October, 2001, subject to the transitional provisions in section 46 of, and Schedule 1 to, the 2001 Law.*

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**Saving for ships unwilling to comply with this Order.**

35. (1) The master of a ship on arrival, or already in the Island, who is unwilling to comply with, or submit to, any provision of, or requirement made under this Order which may be applicable, shall notify the medical officer; and the medical officer may then require the master to remove the ship immediately from the Island.

(2) If before leaving the Island the master 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 this Order as the medical officer considers necessary.

(3) When the medical officer has under this section required the

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<sup>d</sup> Ordres en Conseil Vol. XXII, p. 128.

removal of a ship from any place in the Island, it shall not, during its voyage, call at any other place in the Island.

**Saving for existing enactments.**

36. Nothing in this Order shall affect the Immigration Act 1971 as extended to the Bailiwick of Guernsey by the Immigration (Guernsey) Order, 1972.

**Repeal.**

37. The Public Health (Vessels) (Guernsey) Order, 1964<sup>e</sup> is hereby repealed.

**Citation.**

38. This Order may be cited as the Public Health (Vessels) (Guernsey) Order, 1974.

**Commencement.**

39. This Order shall come into force on the first day of January, nineteen hundred and seventy-four.

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<sup>e</sup> S.I. 1964 No. 19.

FIRST SCHEDULE  
INTERNATIONAL CODE OF SIGNALS

Section 10

PART VIII  
PRATIQUE MESSAGES

|     |  |    |
|-----|--|----|
| ZS  | My vessel is "healthy" and I request free pratique   | Q  |
| *   | I require health clearance   | QQ |
| ZT  | My Maritime Declaration of Health has negative answers to the six health questions.                                |    |
| ZU  | My Maritime Declaration of Health has a positive answer to question(s) ..... (indicated by appropriate number(s)). |    |
| ZV  | I believe I have been in an [affected area] during the last thirty days.   |    |
| ZW  | I require Port Medical Officer.  |    |
| ZW1 | Port Medical Officer will be available at (time indicated).  |    |
| ZX  | You should make the appropriate pratique signal.   |    |
| ZY  | You have pratique.   |    |
| ZZ  | You should proceed to anchorage for health clearance (at place indicated).   |    |
| ZZ1 | Where is the anchorage for health clearance?   |    |
|     | I have a doctor on board   | AL |

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\* By night, a red light over a white light may be shown, where it can best be seen, by vessels requiring health clearance. These lights should only be about two metres (6 feet) apart, should be exhibited within the precincts of a port, and should be visible all round the horizon as nearly as possible.

Have you a doctor?

AM

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**NOTE**

*In the First Schedule, the words in square brackets were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

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SECOND SCHEDULE

Section 11

The Public Health (Vessels) (Guernsey) Order, 1974

Maritime Declaration of Health

Port of Arrival ..... Date .....

Name of Ship ..... From ..... To .....

Nationality ..... Master's Name.....

Net Registered Tonnage .....

Deratting Certificate or  
 Deratting Exemption Certificate } issued at ..... Dated  
 .....

Number of (Cabin ..... Number of Crew .....

Passengers (Deck .....

List of ports of call from commencement of voyage with date of departure ....

.....

.....

.....

.....

.....

.....

| Health Questions   | Answer<br>Yes or No |
|--|---------------------|
| 1. Has there been on board during the voyage* any case or suspected case of plague, cholera, yellow fever or smallpox ? Give particulars in schedule ..... | .....               |
| 2. Has plague occurred or been suspected amongst the rats or mice on board during the voyage*, or has there been an abnormal mortality among them? .....   | .....               |

3. Has any person died on board during the voyage\* otherwise than as a result of an accident ? Give particulars in schedule .. .. .  
.....

4. Is there on board or has there been during the voyage\* any case of disease which you suspect to be of an infectious nature? Give particulars in schedule .. .. .

5. Is there any sick person on board now? Give particulars in schedule .. .. .

Note – In the absence of a surgeon, the Master should regard the following symptoms as ground for suspecting the existence of disease of an infectious nature: fever accompanied by prostration or persisting for several days, or attended with glandular swelling; or any acute skin rash or eruption with or without fever; severe diarrhoea with symptoms of collapse; Jaundice accompanied by fever.

6. Are you aware of any other condition on board which may lead to infection or the spread of disease? .. .. .

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I hereby declare that the particulars and answers to the questions given in this Declaration of Health (including the schedule) are true and correct to the best of my knowledge and belief.

Signed .....  
(Master)

Countersigned .....  
(Ship's Surgeon)

Date .....

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\* If more than four weeks has elapsed since the voyage began, it will suffice to give particulars for the last four weeks.

SCHEDULE TO THE DECLARATION  
PARTICULARS OF EVERY CASE OR ILLNESS OR DEATH OCCURRING ON BOARD

| Name | Class or Rating | Age | Sex | Nationality | Port of Embarkation | Date of Embarkation | Nature of illness | Date of its onset | Results of illness* | Disposal of case† |
|------|-----------------|-----|-----|-------------|---------------------|---------------------|-------------------|-------------------|---------------------|-------------------|
|      |                 |     |     |             |                     |                     |                   |                   |                     |                   |

\* State whether recovered; still ill; died.

† State whether still on board, landed at (give name of port); buried at sea.

THIRD SCHEDULE Sections 5(5) and 26  
Additional Measures with respect to the Diseases  
subject to the International Health Regulations

PART I — PLAGUE

A. Infected ships and suspected ships

- (1) The medical officer may –
  - (a) require any suspect on board to be disinfected and may place him under surveillance, the period of surveillance being reckoned from the date of arrival of the ship,
  - (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 ship which the medical officer considers to be contaminated.
  
- (2) If there is any rodent infected with plague on board the medical officer or other authorised officer shall require the ship to be deratted in a manner to be determined by him, but without prejudice to the generality of this requirement the following special provisions shall apply to any such deratting –
  - (a) the deratting shall be carried out as soon as the holds have been emptied or when they contain only ballast or other material, unattractive to rodents, of such a nature or so disposed as to make a thorough inspection of the holds possible,
  - (b) one or more preliminary derattings of a ship with the cargo *in situ*, or during its unloading, may be carried out to prevent the escape of

infected rodents,

- (c) if the complete destruction of rodents cannot be secured because only part of the cargo is due to be unloaded, a ship shall not be prevented from unloading that part, but the medical officer or other authorised officer may apply any measure which he considers necessary to prevent the escape of infected rodents, including placing the ship in quarantine.
- (3) On arrival of a ship having on board a person suffering from pulmonary plague, or if there has been a case of pulmonary plague on board a ship within the period of six days before its arrival, 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. Ships which have been in [affected area]s

- (4) The medical officer may –
- (a) place under surveillance any suspect who disembarks; the period of surveillance being reckoned from the date of the departure of the ship from the [affected area],
  - (b) regard as suspect any person not isolated for six days before departure from an area with an epidemic of pulmonary plague,
  - (c) require, in exceptional circumstances and for well founded reasons, the

destruction of rodents on the ship and disinsecting, but he shall give the master notice in writing of the reasons for the requirement.

## PART II — CHOLERA

### Infected ships and suspected ships

- (1) The medical officer –
  - (a) may place under surveillance any person who disembarks from a ship, the period of surveillance being reckoned from the date of disembarkation from the ship,
  - (b) shall be responsible for the supervision of the removal and safe disposal of any water, food (excluding cargo), human dejecta, waste water, including bilge water, waste matter, and any other matter which is considered to be contaminated and shall be responsible for the disinfection of water tanks and food handling equipment.
- (2) Foodstuffs carried as cargo on board ships in which a case of cholera has occurred during the journey, may not be subjected to bacteriological examination except by the health authorities of the country of final destination.

## PART III — YELLOW FEVER

### Infected ships, suspected ships, and ships which have been in [affected area]s

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

## PART IV — SMALLPOX

### A. Infected ships

- (1) The medical officer shall offer vaccination to any person on board or disembarking from the ship 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 ship which the medical officer considers to be contaminated.

B. Suspects on other ships

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

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**NOTE**

*In the Third Schedule, the words "affected area" in square brackets, wherever occurring, were substituted by the Public Health (Vessels) (Guernsey) (Amendment) Order, 2009, section 2(2), with effect from 15th May, 2009.*

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<sup>1</sup> The words "Committee for Health & Social Care" were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004.

<sup>2</sup> Prior to its substitution, the definition of the expression "Chief Revenue Officer" was amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 12(a), with effect from 6th May, 2004.

<sup>3</sup> These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 12(a), with effect from 6th May, 2004.

<sup>4</sup> These words were previously substituted by the Machinery of Government

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(Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, section 5, Schedule 1, paragraph 3(e), Schedule 2, paragraph 2(e), with effect from 6th May, 2004; the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016.

<sup>5</sup> The functions, rights and liabilities of the Health and Social Services Department and its Minister arising under or by virtue of this Order were previously transferred to and vested in them, respectively, from the Board of Health and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 4, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

<sup>6</sup> The functions, rights and liabilities of the Policy Council and its Minister arising under or by virtue of this Order were previously transferred to and vested in them, respectively, from the Civil Service Board and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 12(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

<sup>7</sup> The functions, rights and liabilities of the Committee for Health & Social Care and its President or Vice-President arising under or by virtue of this Order were previously transferred to and vested in them, respectively, from the Health and Social Services Department and its Minister or Deputy Minister by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance; the functions, rights and liabilities of the Health and Social Services Department and its Minister arising under or by virtue of this Order were previously transferred to and vested in them, respectively, from the Board of Administration and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, section 5, Schedule 1, paragraph 3(e), Schedule 2, paragraph 2(e), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

<sup>8</sup> Prior to its substitution, paragraph (2) was amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004.