

Subsidiary Legislation made under s.25.

Gibraltar Health Authority (Transfer of Functions) Regulations, 1988

LN.1988/003

Commencement (Parts I-IV, VII-VIII)

1.2.1988

| Amending enactments | Relevant current provisions | Commencement date |
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| LN. 1988/085 | r. 14(c) | 1.2.1988 |

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title and commencement.

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2. Amendment of the Animals and Birds Rules.
3. Amendment of the Dogs and Cats Notice.
4. Amendment of the Animals (Transit) Rules.
5. Amendment of the Rabies (Control) Rules.
6. Amendment of the Equine Animals (importation) Rules.

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7. Amendment of the Handicapped Children (Assessment Panel) Regulations.

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8. Amendment of the Skimmed Milk with Non-Milk Fat Regulations,
9. Amendment of the Food Hygiene Regulations.
10. Amendment of the Imported Food Regulations.
11. Amendment of the Milk and Dairies Regulations.
12. Amendment of the Liquid Egg (Pasteurisation) Regulations, 1987.
13. Amendment of the Food (Control of Irradiation) Regulations, 1987.

PART IV: THE LABOUR FROM ABROAD (ACCOMMODATION) ACT.

14. Amendment of the labour from Abroad (Accommodation) Rules.

PART V: THE MEDICAL AND HEALTH ACT.

15. Amendment of the Midwives Regulations.
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PART VI: THE MEDICAL (GROUP PRACTICE SCHEME) ACT.

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PART VII: THE MENTAL HEALTH ACT.

20. Amendment of the Mental Treatment Regulations.

PART VIII: THE PUBLIC HEALTH ACT.

21. Amendment of the Filth and Litter Rules.
22. Amendment of the Prevention of Infection Rules.
23. Amendment of the Common Lodging-House Rules.

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Title and Commencement

1.(1) These regulations may be cited as the Gibraltar Health Authority (Transfer of Functions) Regulations, 1988.

(2) The provisions of these regulations, other than those in Parts V and VI, shall come into operation on the 1st day of February, 1988, and those regulations in Parts V and VI shall come into operation on the 31st day of March, 1988.

PART I: THE ANIMALS AND BIRDS ACT.

Amendment of the Animals and Buds Rules

2. The Animals and Birds Rules are amended by deleting the words “Director of Medical and Health Services” and “Director” in each place where they appear and substituting in each such place the words “Chief Environmental Health Officer.”.

Amendment of the Dogs and Cats Notice

3. Paragraph 4 of the Schedule to the Dogs and Cats Notice is amended by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer.”.

Amendment of the Animals (Transit) Rules

4. The Animals (Transit) Rules are amended in rule 5(5) by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer.”

Amendment of the Rabies (Control) Rules

5. The Rabies (Control) Rules are amended

- (a) in rule 2 in the definition of “the Controller” by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer”;
- (b) in rule 3(3) by deleting all the words following the words “most expedient means” and ' substituting the expression “to the Controller.”;
- (c) by deleting rule 4(5) and substituting the following new sub-rule

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“(5) An inspector shall with all practicable speed send copies of any notice served by him under this rule to the Minister, the Controller, the Specialist in Community Medicine, the Commissioner of Police, the Collector of Customs and the Deputy Fortress Commander.”.

- (d) in Schedule 2
 - (i) by deleting the words “Department with responsibility for Health Matters for” and substituting the words “Environmental Health Department of”;
 - (ii) by deleting the words “Director of Medical Health Services” and substituting the expression “Controller, the Specialist in Community Medicine”;
 - (iii) by deleting the expression “Administrative Secretary,”; and
 - (iv) by deleting the word “Revenue” and substituting the word “Customs”.

Amendment of the Equine Animals (Importation) Rules

6. The Equine Animals {Importation} Rules are amended

- (a) in rule 2 by deleting the definition of “Director”; and
- (b) in rules 3, 4 and 5 by deleting the word “Director” in each place where it appears and substituting in each such place the words “Chief Environmental Health Officer”.

PART II: THE EDUCATION ACT.

Amendment of the Handicapped Children (Assessment Panel) Regulations

7. The Handicapped Children (Assessment Panel) Regulations are amended in regulation 3-

- (a) by deleting the expression “Medical,”; and
- (b) by inserting immediately after the word “Departments” the words “or an employee of the Gibraltar Health Authority”.

PART III: THE FOOD AND DRUGS ACT.

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Amendment of the Skimmed Milk with Non-Milk Fat Regulations

8. The Skimmed Milk with Non-Milk Fat Regulations are amended in Regulation 3 by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer”.

Amendment of the Food Hygiene Regulations

9. The Food Hygiene Regulations are amended in

- (a) in regulations 6 and 51, by deleting the word “Director” in each place where it appears and substituting in each such place the words “Chief Environmental Health Officer”; and
- (b) in regulation 11 by deleting the word “Director” and substituting the words “Specialist in Community Medicine”.

Amendment of the Imported Food Regulations

10. The Imported Food Regulations are amended in regulations 2(1), 5(1), 11 and 12 by deleting the word “Director” in each place where it appears and substituting in each such place the words “Chief Environmental Health Officer”.

Amendment of the Milk and Dairies Regulations

11. The Milk and Dairies Regulations are amended

- (a) in regulation 5 by deleting the word “Director” in each place where it appears and substituting in each such place the words “Chief Environmental Health Officer”; and
- (b) in regulations 9, 10 and 11 by deleting the word “Director” in each place where it appears and substituting in each such place the words “Specialist in Community Medicine”.

Amendment of the Liquid Egg (Pasteurisation) Regulations, 1987

12. The Liquid Egg (Pasteurisation) Regulations 1987 are amended in paragraph 1 of the Schedule by deleting the words “Director of Medical and Health Services” and substituting the words “Chief Environmental Health Officer”.

Amendment of the Food (Control of Irradiation) Regulations, 1987

13. The Food (Control of Irradiation) Regulations 1987 are amended in Regulation 3 by deleting the words “Director of Medical and Health Services” and substituting the words “Specialist in Community Medicine”.

PART IV: THE LABOUR FROM ABROAD (ACCOMMODATION) ACT.

Amendment of the Labour from Abroad (Accommodation) Rules

14. The Labour from Abroad (Accommodation) Rules are amended—

- (a) in rule 2
 - (i) by deleting the definition of “Director”; and 6
 - (ii) by inserting in the appropriate alphabetical position the following new definition –

“‘Chief Environmental Health Officer’ includes such other officer or officers as the Chief Environmental Health Officer shall authorise in writing to act under these rules;”
- (b) in rules 8, 9, 10, 11, 13 and 15 by deleting the word “Director” in each place where it appears and substituting in each such place the words “Chief Environmental Health Officer”;
- (c) in the Schedule, in the NOTE in Form I by deleting the expression “Medical and Health Services Department, City Hall (Telephone A.3645)” and substituting the expression “Environmental Health Department, Casemates. (Telephone A.70645)”.

PART V: THE MEDICAL AND HEALTH ACT.

Amendment of the Midwives Regulations.

15. The Midwives Regulations are amended

- (a) in regulations 25 and 32, by deleting the word “Director” in each place where it appears and substituting in each such place the words “Specialist in Community Medicine”;

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- (b) in regulation 27(3), by deleting the word “Administrator” and substituting the words “General Manager”; and
- (c) in regulation 31(2)
 - (i) by deleting the word “Director” in each place where it appears (except in paragraphs (b) and (c)) and substituting in each such place the word “Specialist in Community Medicine”;
 - (ii) by deleting the word “Director” in each place where it appears in paragraphs (b) and (c) and substituting in each such place the words “Chief Environmental Health Officer”; and
 - (iii) by deleting the words “Public Health Department” in paragraph (c) and substituting the words “Chief Environmental Health Officer”.

Amendment of the Nurses Registration Regulations.

16. The Nurses Registration Regulations are amended by deleting regulation 3.

Amendment of the Hospitals Rules.

17. The Hospitals Rules are amended

- (a) in rule 2, by deleting the definition of “Hospital” and substituting the following new definition
 - ““hospital” means any hospital provided or maintained by the Authority;”;
- (b) in rules 4, 5, 7, 10(3), 13, 16 and 17, by deleting the word “Director” in each place where it appears and substituting in each such place the words “General Manager”;
- (c) in rules 3 and 8, by deleting the word “Director” in each place where it appears and substituting in each such place the words “Specialist in Community Medicine”.
- (d) in rule 10(4) by deleting
 - (i) the word “Director” in each place where it appears and substituting in each such place the word “Authority”; and

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- (ii) by deleting the word “summarily”; and
- (e) by deleting rule 14 and substituting the following new rule
 - “14. the Authority may for any good cause shown remit any fees payable under these rule, in whole or in part.”; and
- (f) in schedule 5, by deleting the words “Director of Medical and Health Services” and substituting the words “Gibraltar Health Authority”.

Revocation of notices

18. The Board of Management (Duties) Notice, the Health Committee (Establishment) Notice and the Medical Committee (Establishment) Notice are revoked.

PART VI: THE MEDICAL (GROUP PRACTICE SCHEME) ACT.

Amendment of the Medical (Group Practice Scheme) Regulations

19. The Medical (Group Practice Scheme) regulations are amended:
- (a) in regulation 2 by inserting in the appropriate alphabetical position the following additional definition
 - ““General Manager” means the General Manager of the Gibraltar Health Authority;”
 - (b) by deleting the word “Minister” in each place where it appears and substituting in each such place the word “Authority”;
 - (c) in Regulation 6A, by deleting the words “Administration, Medical and Health Department” and substituting the words “General Manager”; and
 - (d) in schedule 4, by deleting the words “Government of Gibraltar” and substituting the words “Gibraltar Health Authority”.

PART VII: THE MENTAL HEALTH ACT.

Amendment of the Mental Treatment Regulations.

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20. The Mental Treatment Regulations are amended in regulation 2(1) by deleting the words “Medical Administrator” and substituting the word “Superintendent”.

PART VIII: THE PUBLIC HEALTH ACT.

Amendment of the Filth and Litter Rules.

21. The Filth and Litter Rules are amended

- (a) in rule 2, by deleting the definition of “Director”;
- (b) in rules 12, 13 and 17, by deleting the word “Director” in each place where it appears and substituting in each such place the words “Chief Environmental Health Officer”; and
- (c) in rule 17
 - (i) by renumbering it as sub-rule (1); and
 - (ii) by adding the following new sub-rule:

“(2) The Chief Environmental Health Officer shall inform the Specialist in Community Medicine whenever he receives a notification under this rule.”.

Amendment of the Prevention of Infection Rules

22. The Prevention of Infection Rules are amended

- (a) in rule 2 by deleting the definition of “Director”; and
- (b) by deleting the word “Director” in each place where it appears and substituting in each such place the words “Specialist in Community Medicine”.

Amendment of the Common Lodging-House Rules

23. The Common Lodging House Rules are amended

- (a) in rule 1(7) by deleting the definition of “Director”;

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- (b) in rule 18, by deleting the word “Director” in each place where it appears and substituting in each such place the words “Specialist in Community Medicine”; and
- (c) by deleting the words “Director” and “Director of Medical and Health Services” in each place where they appear and substituting in each such place (except in rule 18) the words “Chief Environmental Health Officer”.