

Subsidiary Legislation made under s.337.

Public Health (International Health) Rules 2014

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enactments

Relevant current
provisions

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In exercise of the powers conferred upon it by section 337 of the Public Health Act, the Government has made the following Rules—

Title and commencement.

1. These Rules may be cited as the Public Health (International Health) Rules 2014 and come into operation on the day appointed by the Minister for Health by notice in the Gazette and different days may be appointed for different purposes.

Scope.

2. The scope of these Rules is to—

- (a) prevent, protect against, control and provide a response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international traffic and trade;
- (b) provide trained personnel available to board ships and identify any significant public health risk, as well as to take control measures, whenever these may be deemed necessary; and
- (c) make provisions for Maritime Declarations of Health, Aircraft General Declarations and Ship Sanitation Certificates.

Interpretation.

3. In these Rules—

“affected” means persons, baggage, cargo, containers, conveyances, goods, postal parcels or human remains that are infected or contaminated, or carry sources of infection or contamination, so as to constitute a public health risk;

“affected area” means a geographical location specifically for which health measures have been recommended by the WHO under the International Health Regulations;

“airport” means the Gibraltar International Airport;

“baggage” means the personal effects of a traveller;

“British Gibraltar Territorial Waters” (“BGTW”) has the same meaning as provided for in the Public Health Act;

“cargo” means goods carried on a conveyance or in a container;

“Competent Authorities” means the Gibraltar Port Authority, the Borders & Coastguard Agency and the Environmental Agency;

“container” means an article of transport equipment—

- (a) of a permanent character and accordingly strong enough to be suitable for repeated use;
- (b) specially designed to facilitate the carriage of goods by one or more modes of transport, without intermediate reloading;
- (c) fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another; and
- (d) specially designed as to be easy to fill and empty.

“contamination” means the presence of an infectious or toxic agent or matter on a human or animal body surface, in or on a product prepared for consumption or on other inanimate objects, including conveyances, that may constitute a public health risk;

“conveyance” means an aircraft, ship, train, road vehicle or other means of transport on an international voyage;

“conveyance operator” means a natural or legal person in charge of a conveyance or their agent;

“decontamination” means a procedure whereby health measures are taken to eliminate an infectious or toxic agent or matter on a human or animal body surface, in or on a product prepared for consumption or on other inanimate objects, including conveyances, that may constitute a public health risk;

“deratting” means the procedure whereby health measures are taken to control or kill rodent vectors of human disease present in baggage, cargo, containers, conveyances, facilities, goods and postal parcels;

“disease” means an illness or medical condition, irrespective of origin or source, that presents or could present significant harm to humans;

“disinfection” means the procedure whereby measures are taken to control or kill infectious agents on a human or animal body, on a surface or in baggage, cargo, containers, conveyances, goods and postal parcels by direct exposure to chemical or physical agents;

“disinsection” means the procedure whereby health measures are taken to control or kill the insect vectors of human diseases present in baggage, cargo, containers, conveyances, goods and postal parcels;

“event” means a manifestation of disease or an occurrence that creates a potential for disease, whether expected, unexpected, usual or unusual;

“Evidence Report Form” means the form set out in Schedule 3, used to document evidence of public health risks found during an inspection, and also the prescribed measures that need to be taken;

“free pratique” means permission for a ship to enter a port, embark or disembark, discharge or load cargo or stores; permission for an aircraft, after landing, to embark or disembark, discharge or load cargo or stores; and permission for a ground transport vehicle, upon arrival, to embark or disembark, discharge or load cargo or stores;

“goods” mean tangible products, including animals and plants, transported on an international voyage, including for utilisation on board a conveyance;

“ground transport vehicle” means a motorised conveyance for overland transport on an international voyage, including trains, coaches, lorries and automobiles;

“Gibraltar Contact Point” means the Gibraltar Health Authority which acts as the Gibraltar centre designated to receive any report and information regarding anything related to the International Health Regulations;

“health measure” means procedures applied to prevent the spread of disease or contamination and does not include law enforcement or security measures;

“International Health Regulations” means the International Health Regulations issued by the WHO, as may be adopted from time to time;

“infection” means the entry and development or multiplication of an infectious agent in the body of humans and animals that may constitute a public health risk;

“inspection” means the examination by the Environmental Agency or under its supervision, of areas, baggage, containers, conveyances, facilities, goods or postal parcels, including relevant data and documentation, to determine if a public health risk exists;

“international voyage” means–

- (a) in the case of a conveyance, a voyage between points of entry in the territories of more than one State, or a voyage between points of entry in the territory or territories of the same State if the conveyance has contacts with the territory of any other State on its voyage but only as regards those contacts; and
- (b) in the case of a traveller, a voyage involving entry into the territory of a State other than the territory of the State in which that traveller commences the voyage;

“intrusive” means possibly provoking discomfort through close or intimate contact or questioning;

“invasive” means the puncture or incision of the skin or insertion of an instrument or foreign material into the body or the examination of a body cavity; for the purposes of these Rules, the following must be considered to be non-invasive—

- (a) medical examination of the ear, nose and mouth;
- (b) temperature assessment using an ear, oral or cutaneous thermometer, or thermal imaging;
- (c) medical inspection;
- (d) auscultation;
- (e) external palpation;
- (f) retinoscopy;
- (g) external collection of urine, faeces or saliva samples;
- (h) external measurement of blood pressure; and
- (i) electrocardiography.

“isolation” means separation of ill or contaminated persons or affected baggage, containers, conveyances, goods or postal parcels from others in such a manner as to prevent the spread of infection or contamination;

“medical examination” means the preliminary assessment of a person by an authorised health worker or by a person under the direct supervision of the Gibraltar Health Authority, to determine the person’s health status and potential public health risk to others, and may include the scrutiny of health documents, and a physical examination when justified by the circumstances of the individual case;

“point of entry” means a passage for international entry or exit of travellers, baggage, cargo, containers, conveyances, goods and postal parcels, as well as agencies and areas providing services to them on entry or exit;

“Port” has the meaning given in the Port Act and includes the area within BGTW commonly known as the Eastern Anchorage;

“postal parcel” means an addressed article or package carried internationally by postal or courier services;

“prophylaxis” means treatment given or action taken to prevent disease;

“public health risk” is the likelihood of an event that may adversely affect the health of the human population, with an emphasis on something which may spread internationally or may present a serious and direct danger in Gibraltar;

“recommendation” and “recommended” refer to temporary or standing recommendations issued under these Rules;

“reservoir” means an animal, plant or substance in which an infectious agent normally lives and whose presence may constitute a public health risk;

“scientific evidence” means information furnishing a level of proof based on current established and accepted methods of science;

“scientific principles” means the accepted fundamental laws and facts of nature known through the methods of science;

“ship” means a vessel on an international voyage;

“Ship Sanitation Certificate” means a certificate that corroborates a ship’s compliance with maritime sanitation and quarantine rules specified in the International Health Regulations and must be substantially in the form set out in Schedule 2;

“Ship Sanitation Control Certificate” means a certificate issued to a ship when evidence of a public health risk, including sources of infection and contamination, are detected on board and either those control measures are taken successfully or detailed notes are provided in an Evidence Report Form about the control measures that need to be taken at the next suitable port;

“Ship Sanitation Control Exemption Certificate” means a certificate issued to a ship, when no evidence of a public health risk is found on board and the relevant Competent

Authority is satisfied that the ship is free of infection and contamination, including vectors and reservoirs;

“surveillance” means the systematic ongoing collection, collation and analysis of data for public health risk purposes and the timely dissemination of public health risk information for assessment and response as necessary;

“traveller” means a natural person undertaking an international voyage;

“vector” means an insect or other animal which normally transports an infectious agent that constitutes a public health risk;

“WHO” means the World Health Organisation, a specialised agency within the terms of Article 57 of the Charter of the United Nations.

Gibraltar Contact Point.

4.(1) The Gibraltar Health Authority acts as the Gibraltar Contact Point responsible for receiving reports and any information relating to the International Health Regulations from the Competent Authorities.

(2) The Gibraltar Health Authority must exercise the following functions–

- (a) to be accessible at all times for communication with the Competent Authorities in particular to–
 - (i) determine rapidly the control measures required to prevent domestic and international spread of disease;
 - (ii) provide support through specialized staff, laboratory analysis of samples (domestically or through collaborating centres) and logistical assistance (for example; equipment, supplies and transport);
 - (iii) provide on-site assistance as required to supplement local investigations;
 - (iv) provide a direct operational link with senior health and other officials to approve rapidly and implement containment and control measures;
 - (v) provide direct liaison with other relevant government ministries; and
 - (vi) provide the foregoing on a 24-hour basis;

- (b) to undertake the task of onwards transmission of any urgent communications concerning the implementation of the International Health Regulations, in particular notifications of public health risk information and any determination of a public health risk;
 - (c) to disseminate and consolidate information to and from relevant sectors of Gibraltar, responsible for surveillance and reporting;
 - (d) to analyse information provided by the Competent Authorities in order to–
 - (i) detect events involving disease or death above expected levels for Gibraltar;
 - (ii) report all available essential information immediately by onwards transmission;
 - (iii) implement preliminary control measures as needed,
and decide what health measures should be initiated;
 - (e) to attend and investigate any potential event that is brought to its attention;
 - (f) to provide, as far as practicable, support to any WHO-coordinated response activities if requested to assist;
 - (g) to assess potential events in Gibraltar by using the decision instrument issued by the International Health Regulations, as may be published from time to time, and reproduced for information purposes in Schedule 1; and
 - (h) to assess within 2 years of coming into operation of these Rules whether the existing national structures and resources of Gibraltar are up-to-date to meet the minimum standards of the International Health Regulations, which may change from time to time.
- (3) The Gibraltar Health Authority may apply any standing recommendations of appropriate health measures made by the WHO, with regards to persons, baggage, cargo, containers, conveyances, goods and postal parcels for specific and on-going public health risks in order to prevent or reduce the international spread of disease and avoid unnecessary interference with international traffic.

Transmission of information to the WHO.

5.(1) The Gibraltar Health Authority within 24 hours of assessment of any public health information received from the Competent Authorities, of any events which constitute a public health risk, must transmit information to the WHO by the most appropriate means of communication available, including providing information of any health measures implemented in response to those events.

(2) The Gibraltar Health Authority must continue to provide timely, accurate and sufficiently detailed public health risk information of the notified event and if requested must verify and provide within 24 hours–

- (a) an initial reply or acknowledgement to any request;
- (b) available public health risk information on the status of events referred to in the request; and
- (c) information in the context of an assessment as per its responsibilities to notify.

(3) The Gibraltar Health Authority must also provide information when in receipt of evidence of a public health risk identified outside of Gibraltar, which has come to its attention via cases of exports or imports regarding–

- (a) humans cases;
- (b) vectors which carry infection or contamination; or
- (c) goods that are contaminated.

Points of entry.

6.(1) Responsibility for the surveillance and management of the points of entry must be administered as follows–

- (a) the Borders & Coastguard Agency is responsible for the overland pedestrian or vehicular gates at the frontier between Gibraltar and the Kingdom of Spain;
- (b) the Borders & Coastguard Agency is responsible for the Gibraltar airport; and
- (c) The Gibraltar Port Authority is responsible for the Port.

(2) The Environmental Agency, Gibraltar Port Authority and Borders & Coastguard Agency must ensure that they have the necessary resources to conduct proper surveillance, reporting, notification, verification and collaboration with the Gibraltar Health Authority.

Responsibility of the Competent Authorities.

7.(1) The Competent Authorities must notify the Gibraltar Health Authority of any events which they believe may constitute a public health risk by assessing the events using the decision instrument in Schedule 1.

(2) The Competent Authorities must inform the Gibraltar Health Authority of any evidence of a public health risk identified outside Gibraltar, as manifested by exported or imported—

- (a) human cases;
- (b) vectors which carry infection or contamination; or
- (c) goods that are contaminated.

(3) The Competent Authorities must be responsible at their respective points of entry for—

- (a) the monitoring of baggage, cargo, containers, conveyances, goods, postal parcels and human remains departing and arriving from affected areas, so that they are maintained in such a condition that they are free of sources of infection or contamination, including vectors and reservoirs;
- (b) ensuring, as far as practicable, that facilities used by travellers at points of entry are maintained in a sanitary condition and are kept free of sources of infection or contamination, including vectors and reservoirs;
- (c) supervising service providers for services concerning travellers, baggage, cargo, containers, conveyances, goods, postal parcels and human remains at points of entry, including informing the Gibraltar Health Authority of the potential need to conduct inspections and medical examinations as necessary; and
- (d) communicating with the Gibraltar Health Authority on the relevant public health measures taken.

(4) The Environmental Agency is responsible for—

- (a) supervising any deratting, disinfection, disinsection or decontamination of baggage, cargo, containers, conveyances, goods, postal parcels and human remains or sanitary measures for persons, as may be appropriate;
- (b) advising conveyance operators, as far in advance as possible of its intent to apply control measures to a conveyance, and must provide, where available, written information concerning the methods to be employed;

- (c) supervising the removal and safe disposal of any contaminated water or food, human or animal dejecta, wastewater and any other contaminated matter from a conveyance;
 - (d) taking all practicable measures necessary to monitor and control the discharge by ships of sewage, refuse, ballast water and other potentially disease-causing matter which might contaminate BGTW; and
 - (e) communicating with the Gibraltar Health Authority on the relevant public health measures taken.
- (5) Any disinsection, deratting, disinfection, decontamination and other sanitary procedures must be carried out so as to avoid injury and as far as possible discomfort to persons, or damage to the environment in a way which could have a public health risk impact, or damage to baggage, cargo, containers, conveyances, goods or postal parcels.
- (6) The Gibraltar Port Authority and the Borders & Coastguard Agency must respectively provide free pratique to any ship or aircraft, prior to its arrival, based on information provided by the master of the ship or the pilot of the aircraft, which convinces the relevant Competent Authority that the arrival will not result in the introduction or spread of disease.
- (7) If the master of the ship or pilot of the aircraft take any measures relating to situations of public health risk on board the conveyance, they are required to advise the relevant Competent Authority as soon as practicably possible of such measures prior to arrival.
- (8) The Civil Contingency Coordinator must ensure that effective contingency arrangements are in place to deal with any public health risk that may arise.

Conveyances and containers.

8.(1) The Gibraltar Port Authority is responsible for ensuring that—

- (a) containers and container loading areas are kept free from sources of infection or contamination, including vectors and reservoirs;
- (b) containers and container loading areas are kept free from cross-contamination when multiple-use loading of containers is employed;
- (c) facilities used in the process of inspection and isolation of containers are available at container loading areas;

- (d) any measures applied to are indicated in writing to the person in charge of the conveyance, baggage, cargo, container or goods; and
 - (e) conveyance operators–
 - (i) comply with the health measures adopted by the Gibraltar Health Authority upon recommendations from the WHO;
 - (ii) inform travellers of the health measures currently in place for application on board; and
 - (iii) permanently keep conveyances for which they are responsible free of sources of infection or contamination, including vectors and reservoirs.
- (2) If a conveyance is deemed to be infected or contaminated the Environmental Agency may require the owner or agent of the conveyance to–
- (a) disinfect, decontaminate, disinsect or derat the conveyance as required; or
 - (b) after consultation with the Gibraltar Health Authority decide on the best techniques to implement in order to secure an adequate level of control to prevent a public health risk.
- (3) A conveyance may be regarded as necessitating inspection for vectors and reservoirs if–
- (a) it has a possible case of vector-borne disease on board;
 - (b) a possible case of vector-borne disease has occurred on board during an international voyage; or
 - (c) it has left an affected area within a period of time where on board vectors could still carry disease.
- (4) If a follow-up inspection is deemed necessary or the Competent Authority for the relevant point of entry is not able to carry out the necessary control measures, the affected conveyance may be allowed to depart, subject to the following conditions–
- (a) the relevant Competent Authority for the point of entry must, at the time of departure, inform the relevant competent authority of the next known port or airport of call; and
 - (b) in the case of a ship, the evidence found and the control measures required must be noted in the Ship Sanitation Certificate.

(5) An infected or contaminated conveyance must cease to be regarded as such when the Environmental Agency is satisfied that—

- (a) any measures taken have been effectively carried out; and
- (b) there are no conditions on board that could constitute a public health risk.

Public health risk measures.

9.(1) A traveller suspected or confirmed of being a carrier for any type of illness or infection may continue on an international voyage if that traveller is deemed by the Gibraltar Health Authority not to pose an imminent public health risk to Gibraltar.

(2) The Gibraltar Health Authority may request information from travellers, undertake non-invasive and invasive medical examinations as needed and inspect any baggage, cargo, containers, conveyances, goods, postal parcels and human remains as may be necessary in the interests of public health risk.

(3) The Gibraltar Health Authority may request travellers to undergo non-invasive and invasive medical examination, vaccination or other prophylaxis or provide proof of vaccination as set out in Schedule 4—

- (a) when necessary to determine whether a public health risk exists;
- (b) as a condition of entry for any travellers seeking temporary or permanent residence; or
- (c) as an additional health measure if deemed necessary.

(4) If a traveller fails to consent to any measure under subregulation (3), the Competent Authority at the relevant point of entry may deny entry to that traveller.

(5) The Gibraltar Health Authority must provide a traveller with all information relating to any risks associated with any medical measure to be administered to that traveller.

(6) No medical examination (whether non-invasive or invasive), vaccination, prophylaxis or health measure must be carried out without the prior express consent of the traveller.

(7) If any of the medical procedures involves a risk of disease transmission, they must be performed in accordance with established Gibraltar or other applicable international law safety standards so as to minimise such a risk.

(8) Unless authorised by the WHO or an applicable international agreement, no health measure must be applied against a conveyance which is not coming from an affected area and is merely travelling through Gibraltar without any intention to load, discharge, embark or disembark in Gibraltar.

Additional health measures.

10.(1) The Gibraltar Health Authority may implement additional health measures in response to specific public health risks when deemed necessary on a case-by-case basis, under relevant Gibraltar or other applicable international law, providing that the measures—

- (a) achieve the same or a greater level of health protection that the WHO recommends;
- (b) are not more restrictive of international traffic or more invasive or intrusive to persons than reasonably available alternatives that would achieve the appropriate level of health protection; and
- (c) are otherwise not prohibited by Gibraltar legislation or the International Health Regulations.

(2) Any additional health measures to be implemented must be determined based on current scientific principles, available scientific evidence of public health risks and available guidance issued by the WHO.

(3) If additional health measures are implemented, the Gibraltar Health Authority must—

- (a) ensure that no later than 48 hours from the implementation of those measures, any relevant information is transmitted to the WHO by the most appropriate means of communication available—
 - (i) explaining what those measures consist of; and
 - (ii) providing an explanation of health rationale for those measures
- (b) review the imposition of those health measures on a 3 months basis, taking account of any advice issued by the WHO.

Traveller health documents and charges.

11.(1) A traveller who is administered a vaccine or prophylaxis to which these Rules apply must be issued with a certificate that is substantially in the form set out by the International Health Regulations, as reproduced in Schedule 4.

(2) A traveller in possession of a certificate of vaccination or other prophylaxis issued in conformity with the recommendations established by the International Health Regulations, must not be denied entry as a consequence of the disease to which the certificate refers, even if coming from an affected area, unless the Gibraltar Health Authority has verifiable indications or evidence that the vaccination or other prophylaxis was not effective or unless advised otherwise by the Director of Public Health.

(3) Any measure of public health risk protection taken with regards to travellers (except those seeking temporary or permanent residence) should be free of charge to the traveller, irrespective of whether this includes; medical examinations (whether non-invasive or invasive), vaccinations, prophylaxis, quarantine, isolation or any other necessary health measure.

(4) The Gibraltar Health Authority may charge for health measures which go beyond the necessary expense, only if it publishes a set tariff for the charge 10 days before it comes into operation.

(5) The Gibraltar Health Authority may seek any reimbursement for expenses incurred on medical procedures from—

- (a) conveyance operators or owners with regard to their employees; or
- (b) applicable insurance sources,

however, travellers and conveyance operators must not be denied departure on account of pending payment for health measures.

Maritime Declaration of Health.

12.(1) The master of a ship, before arrival to the Port must ascertain the state of health on board and 24 hours prior to arrival must complete and deliver a Maritime Declaration of Health.

(2) A Maritime Declaration of Health must conform to the document set out in Schedule 5.

(3) The Gibraltar Port Authority must inform conveyance operators or their agents of these requirements.

Aircraft General Declaration.

13.(1) In the case of the conveyance being an aircraft, the Quarantine (Air Traffic) Rules shall apply and the relevant Aircraft General Declaration must comply with the provisions of the

Quarantine (Air Traffic) Rules, along with an attached statement that must conform with the document set out in Schedule 6 of these Rules.

Penalties.

14.(1) A person who, when required by rules 12 or 13, fails to provide or intentionally or recklessly provides information which is incorrect in any material particular is liable on summary conviction, to imprisonment for 9 months or a fine at level 4 on the standard scale, or to both.

(2) If it is proven that the offence under subregulation (1) is committed by a corporate body, the corporate body is liable to a fine at level 5 on the standard scale.

(3) If it is proven that the offence under subregulation (2) is committed—

(a) with the consent or connivance of an officer; or

(b) to be attributable to any neglect on the part of an officer,

the officer as well as the corporate body commits the offence and is liable to be proceeded against and is liable on summary conviction, to imprisonment for 12 months or a fine at level 5 on the standard scale, or to both.

Ship Sanitation Certificates: form, period of validity, fees, extension and retention.

15.(1) All ships travelling in BGTW are required to hold a valid Ship Sanitation Certificate, Ship Sanitation Control Certificate or a Ship Sanitation Control Exemption Certificate.

(2) The Environmental Agency is responsible for the administration of Ship Sanitation Certificates for all ships in BGTW.

(3) A ship to which these Rules apply must be issued with a Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate which complies with the form set out by the International Health Regulations, and reproduced for information purposes in Schedule 2.

(4) Any Ship Sanitation Certificate issued must be valid for 6 months from the date of issue.

(5) An extension certificate of 1 month may be issued when the necessary inspections cannot be carried out at the Port and there is no evidence of danger of a public health risk.

(6) The Environmental Agency must retain a copy of any Ship Sanitation Certificate issued by it for a period of 1 year beginning with the date of issue.

(7) No fees will be charged for the inspection of vessels and the issue of Ship Sanitation Certificates between the hours of 8:00am to 2:30pm from the start of the second week of June to the end of the first week of September, and 9:00am to 4:30pm for the rest of the calendar year (hereafter collectively referred to as “standard working hours”).

(8) The fees set out in Schedule 7 will be charged for the inspection of vessels and the issue of Ship Sanitation Certificates that fall outside the standard working hours.

(9) A pro-rated fee will be charged for any work that takes place partly during standard working hours and partly outside standard working hours.

(10) Additional charges for microbiological/chemical water, legionella and food sample analysis and for any exceptional costs such as launch hire, may be charged at the discretion of the Environmental Agency.

Application for a Ship Sanitation Certificate.

16.(1) Upon 48 hours prior receipt of an application from the owner or agent of a ship or from the master acting for or on behalf of the owner or agent in regard to a request for the issuing of a certificate, the Environmental Agency must as soon as reasonably practicable act as follows–

- (a) if the ship is within the Port, designate an officer of the Environmental Agency (“Authorised Officer”) to–
 - (i) inspect the ship to prevent danger of a public health risk or the spread of infection with a view to issuing a Ship Sanitation Certificate; and
 - (ii) either–
 - (aa) carry out or cause to be carried out control measures necessary for the control of danger of a public health risk or the spread of infection with a view to issuing a Ship Sanitation Certificate; or
 - (bb) take or cause to be taken any steps which are considered necessary to satisfy that the ship does not present a danger of a public health risk and is free of infection;
- (b) if the ship is in BGTW but not within the Port, the Gibraltar Port Authority must direct the ship to proceed at the risk of the master of the ship to the Port, with a view to undertaking an inspection.

- (2) After having inspected a ship under subregulation (1)(a), the Authorised Officer must—
- (a) if the ship is exempt from control measures, issue or cause to be issued a Ship Sanitation Control Exemption Certificate (provided there has been compliance with subregulation (3)); or
 - (b) if control measures have been completed to satisfaction, issue or cause to be issued a Ship Sanitation Control Certificate and note or cause to be noted the evidence found and the control measures taken together with the Evidence Reporting Form; or
 - (c) if control measures have not been completed to satisfaction, issue or caused to be issued a Ship Sanitation Control Certificate together with an Evidence Report Form, noting the evidence found and the control measures to be undertaken.
- (3) The Authorised Officer must wherever possible issue or cause to be issued a Ship Sanitation Certificate only if the inspection of the ship was carried out when the ship and holds—
- (a) were empty; or
 - (b) contained only ballast or other material of such a nature or so disposed as to make a thorough inspection of the holds possible.

Production of Ship Sanitation Certificate.

17.(1) The Gibraltar Port Authority may request a Ship Sanitation Certificate from any ship travelling within BGTW when there is reason to believe that a public health risk may exist.

(2) If the master of a ship which during its voyage has been in a foreign port cannot produce to the Authorised Officer a valid Ship Sanitation Certificate 48 hours prior to its arrival, the Environmental Agency must as soon as reasonably practicable undertake the following—

- (a) if the ship is within the Port, the Authorised Officer may inspect the ship for evidence of danger of a public health risk or infection with a view to issuing a Ship Sanitation Certificate; or
 - (b) if the ship is in BGTW but not within the Port, the Gibraltar Port Authority must direct the ship to proceed at the risk of the master of the ship to the Port, with a view to undertaking an inspection.
- (3) The Authorised Officer must issue or cause to be issued a Ship Sanitation Control Exemption Certificate if, after having inspected a ship under subregulation (1)(a), the

Authorised Officer is satisfied that the ship is exempt from control measures (provided there has been compliance with regulation 16(3)).

(4) If, after a ship has been inspected the Authorised Officer is not satisfied that the ship is exempt from control measures, the Authorised Officer must—

- (a) carry out control measures necessary for the control of danger of a public health risk; or
- (b) otherwise take or cause to be taken any steps which he considers necessary to satisfy himself that the ship does not present a danger of a public health risk and is free of infection;

(5) A Ship Sanitation Certificate does not guarantee that the ship will remain in a sanitary condition after issue and may be reviewed or revoked should there be any change in relevant conditions on board the ship.

(6) The master of a ship must immediately make arrangements to carry out any control measures required by the Authorised Officer.

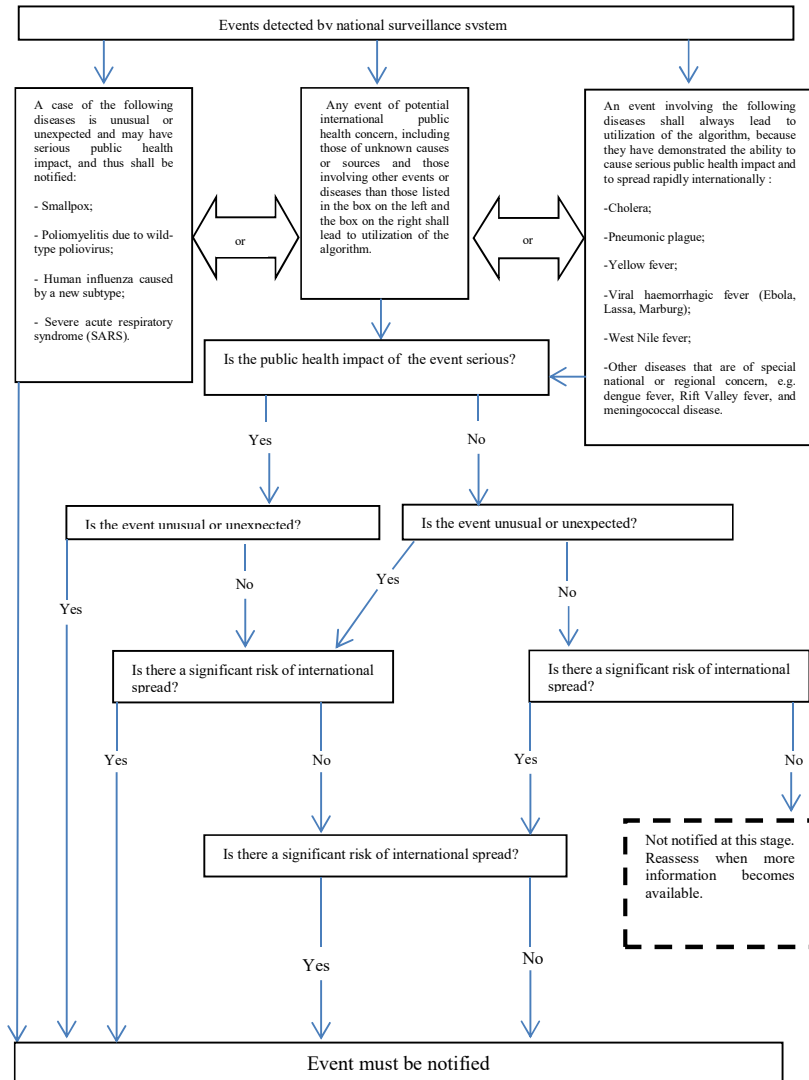
(7) When control measures have been completed to satisfaction, the Authorised Officer must—

- (a) issue or cause to be issued a Ship Sanitation Control Certificate; and
- (b) note or cause to be noted on the Ship Sanitation Control Certificate the evidence found and the control measures taken, together with the Evidence Reporting Form.

(8) If the conditions under which control measures are carried out are such that, in the opinion of the Environmental Agency a satisfactory result could not be obtained, the Environmental Agency must issue or cause to be issued a Ship Sanitation Control Exemption Certificate together with an Evidence Report Form, noting the evidence found and the control measures to be undertaken.

SCHEDULE 1

DECISION INSTRUMENT FOR THE ASSESSMENT AND NOTIFICATION OF EVENTS THAT MAY CONSTITUTE A PUBLIC HEALTH EMERGENCY OF INTERNATIONAL CONCERN



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SCHEDULE 2

Model Ship Sanitation Control Exemption Certificate/Ship Sanitation Control Certificate

Model Ship Sanitation Control Exemption Certificate

Issued at port of..... Date.....
Name of ship..... Flag.....
Registration/IMO No.....

At the time of inspection the holds were unladen/laden with.....tonnes of.....cargo.

Name and address of inspecting officer.....

Areas, (systems and services) inspected	Evidence found ¹	Sample results ²	Documents reviewed
Galley			Medical log
Pantry			Ship's log
Stores			Other
Hold(s)/cargo			
Quarters:			
- crew			
- officers			
- passengers			
- deck			
Potable water			
Sewage			

¹ Provide evidence of infection or contamination, including: vectors in all stages of growth; animal reservoirs for vectors; rodents or other species that could carry human disease, microbiological, chemical and other risks to human health; signs of inadequate sanitary measures (Information concerning any human cases should be included in the Maritime Declaration of Health).

² Results from samples taken on board. Analysis to be provided to ship's master by most expedient means and, if re-inspection is required, to the next appropriate port of call coinciding with the re-inspection date specified in this certificate.

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Signature and seal.....

Date.....

Attachment to model Ship Sanitation Control Exemption Certificate/Ship Sanitation Control Certificate

Areas/facilities/systems inspected	Evidence found	Sample results	Documents reviewed	Control measures applied	Re-inspection date	Comments regarding conditions found
Food						
- Source						
- Storage						
- Preparation						
- Service						
Water						
- Source						
- Storage						
- Distribution						
Waste						
- Holding						
- Treatment						
- Disposal						
Swimming pools/spas						
- Equipment						
- Operation						
Medical facilities						
- Equipment and medical devices						
- Operation						
- Medicines						
Other areas inspected						

Indicate when the areas listed are not applicable by marking N/A.

SCHEDULE 3

Evidence Report Form

Evidence Report Form					
This form supports the Ship Sanitation Certificate (SSC), and provides a list of evidence found and control measures to be performed.					
When attached to the SSC, each page of this attachment needs to be signed, stamped and dated by the competent authority. If this document is used as an attachment to a pre-existing SSC, this attachment must be noted in the SSC (e.g. by using a stamp).					
Ship's name and IMO no. or registration:			Name and signature of responsible on board ship officer:		
Name of issuing authority:			Actual inspection date (dd/mm/yyyy):		
Date of referred SSC (dd/mm/yyyy):			SSC issued in the port of:		
Indicate areas that <u>have not</u> been inspected:					
Quarters	Galley, pantry, service area	Stores	Child-care facilities		
Medical care facilities	Swimming pools/spas	Solid and medical waste	Engine room		
Potable water	Sewage	Ballast water	Cargo holds		
Other (e.g. laundry and washing machine)					
Detected health events on board			Yes	No	
Evidence code	Evidence found (brief description according to the WHO checklist; draw a line under each item of evidence to ensure items are clearly separated)	Measure to be applied	Required	Recommended	Measure successfully performed (stamp and signature of re-inspecting authority)
Name of issuing inspector:		Signature of issuing inspector:		Stamp of issuing authority:	
				Page ___ of ___	

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SCHEDULE 4

MODEL INTERNATIONAL CERTIFICATE OF VACCINATION OR PROPHYLAXIS

This is to certify that [name]

date of birth..... sex..... nationality.....,

national identification document, if applicable

whose signature follows

has on the date indicated been vaccinated or received prophylaxis against:
(name of disease or condition)

.....
in accordance with the International Health Regulations.

Vaccine or prophylaxis	Date	Signature and professional status of supervising clinician	Manufacturer and batch No. of vaccine or prophylaxis	Certificate valid from _____ until _____	Official stamp of administering centre
1.					
2.					

This certificate is valid only if the vaccine or prophylaxis used has been approved by the World Health Organization.

This certificate must be signed in the hand of the clinician, who shall be a medical practitioner or other authorized health worker, supervising the administration of the vaccine or prophylaxis. The certificate must also bear the official stamp of the administering centre; however, this shall not be 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.

The validity of this certificate shall extend until the date indicated for the particular vaccination or prophylaxis. The certificate shall be fully completed in English or in French. The certificate may also be completed in another language on the same document, in addition to either English or French.

SCHEDULE 5

Model of Maritime Declaration of Health

To be completed and submitted to the competent authorities by the masters of ships arriving from foreign ports.

Submitted at the port of..... Date.....

Name of ship..... Registration/IMO No.....

Arriving from Sailing to

(Nationality)(Flag of ship)..... Master's name.....

Gross tonnage (ship)

Valid Sanitation Control Exemption/Control Certificate carried on board?

Yes..... No.... Issued at..... date.....

Re-inspection required? Yes No

Has ship visited an affected area identified by the World Health Organization? Yes... No... Port and date of visit.....

.....

List ports of call from commencement of voyage with dates of departure, or within past thirty days, whichever is shorter:

.....

.....

Upon request of the competent authority at the port of arrival, list crew members, passengers or other persons who have joined ship since international voyage began or within past thirty days, whichever is shorter, including all ports/countries visited in this period (add additional names to the attached schedule):

(1) Name.....

Joined from: (1)..... (2)..... (3).....

(2) Name.....

Joined from: (1)..... (2)..... (3).....

Number of crew members on board

Number of passengers on board

Health questions

(1) Has any person died on board during the voyage otherwise than as a result of accident? Yes..... No..... If yes, state particulars in attached schedule.

Total number of deaths.....

(2) Is there on board or has there been during the international voyage any case of disease which you suspect to be of an infectious nature? Yes..... No..... If yes, state particulars in attached schedule.

(3) Has the number of ill passengers during the voyage been greater than normal/expected? YesNo..... How many ill persons?

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(4) Is there any ill person on board now?

Yes No If yes, state particulars in attached schedule.

(5) Was a medical practitioner consulted? Yes No

If yes, state particulars of medical treatment or advice provided in attached schedule.

(6) Are you aware of any condition on board which may lead to infection or spread of disease? Yes..... No.....

If

yes, state particulars in attached schedule.

(7) Has any sanitary measure (e.g. quarantine, isolation, disinfection or decontamination) been applied on board? Yes No

If yes, specify type, place and date.....

(8) Have any stowaways been found on board? Yes No.....

If yes, where did they join the ship (if known)?

(9) Is there a sick animal or pet on board? Yes No

Note: In the absence of a surgeon, the master should regard the following symptoms as grounds for suspecting the existence of a disease of an infectious nature:

(a) fever persisting for several days or accompanied by: prostration; decreased consciousness; glandular swelling; jaundice; cough or shortness of breath; unusual bleeding; or paralysis.

(b) with or without fever: any acute skin rash or eruption; severe vomiting (other than sea sickness); severe diarrhoea; or recurrent convulsions.

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 (if carried)

Date.....

Date.....

ATTACHMENT TO MODEL OF MARITIME DECLARATION OF HEALTH

Name	
Class or rating	
Age	
Sex	
Nationality	
Port and date joined ship	

Nature of illness	
Date of onset of symptoms	
Reported to a port medical officer?	
Disposal of case ³	
Drugs, medicines or other treatment given to patient	
Comments	

³ State: (1) whether the person recovered, is still ill or died; and (2) whether the person is still on board, was evacuated (including the name of the port or airport), or was buried at sea.

SCHEDULE 6

THIS DOCUMENT IS PART OF THE AIRCRAFT GENERAL DECLARATION, PROMULGATED BY THE INTERNATIONAL CIVIL AVIATION ORGANIZATION HEALTH PART OF THE AIRCRAFT GENERAL DECLARATION⁴

Declaration of Health

Name and seat number or function of persons on board with illnesses other than airsickness or the effects of accidents, who may be suffering from a communicable disease (a fever – temperature 38°C/100 °F or greater - associated with one or more of the following signs or symptoms, e.g. appearing obviously unwell; persistent coughing; impaired breathing; persistent diarrhoea; persistent vomiting; skin rash; bruising or bleeding without previous injury; or confusion of recent onset, increases the likelihood that the person is suffering a communicable disease) as well as such cases of illness disembarked during a previous stop

.....
.....

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, with time and date _____

Crew member concerned

⁴ This version of the Aircraft General Declaration entered into force on 15 July 2007. The full document may be obtained from the website of the International Civil Aviation Organization at <http://www.icao.int>.

SCHEDULE 7

Fees charged for Ship Sanitation Certificates

	Fee
Extension of current valid ship sanitation certificate	£ 69.50
Gross tonnage (tonnes) up to 1,000	£ 107.50
Gross tonnage (tonnes) 1,000 to 3,000	£ 166.00
Gross tonnage (tonnes) 3,000 to 10,000	£ 249.00
Gross tonnage (tonnes) 10,000 to 20,000	£ 331.00
Gross tonnage (tonnes) 20,000 to 30,000	£ 378.00
Gross tonnage (tonnes) over 30,000	£ 495.00
Vessel with a capacity of 50 to 1000 persons	£ 495.00
Vessel with a capacity of over 1000 persons	£ 825.00