



THE HEALTH (QUARANTINE) REGULATIONS 1983

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 28th day of
March 1983

Present:

THE RIGHT HON. D. MACINTYRE PRESIDING IN COUNCIL

PURSUANT to sections 117 and 118 of the Health Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Health (Quarantine) Regulations 1983.

(2) These regulations shall come into force on the 1st day of April 1983.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Health Act 1956:

“Airline’s agent”, in relation to an aircraft, means—

(a) The agent of the owner of the aircraft; or

(b) Where some person other than the owner is operating the aircraft under any charter, lease, or other arrangement, the agent of that person:

“Authorised officer” means any person authorised by the Medical Officer of Health to carry out duties under these regulations:

“Baggage” means the personal effects of a passenger or a member of the crew of a craft:

“Captain”, in relation to any craft, means the person who is for the time being in command of the craft:

“Craft” means an aircraft or a ship:

“Crew”, in relation to any craft, includes any person having duties on board the craft in connection with the operation of the craft; and includes anyone providing any service to the passengers:

“Customs airport” means an aerodrome specified in the First Schedule to these regulations:

“Customs officer” means any person employed in the service of the Customs:

“Deratting certificate”, in relation to a ship, means a certificate stating that the ship has been fumigated so as to destroy rodents on board the ship:

“Deratting exemption certificate”, in relation to a ship, means a certificate that the ship has been inspected and that the number of rodents on board the ship is negligible:

“Foreign place” means any place outside New Zealand:

“Infected person” means a person who is suffering from a quarantinable disease or who is believed to be infected with such a disease:

“International Health Regulations 1969” means the regulations adopted by the Twenty-second World Health Assembly in 1969:

“Port” means—

(a) A port of entry appointed under section 26 of the Customs Act 1966; and

(b) Any other harbour or place in New Zealand at which a ship arrives for the first time on any occasion from a foreign place:

“Quarantinable disease” means cholera, plague, or yellow fever:

“Suspect” means a person who is considered by the Medical Officer of Health or an Inspector of Health as having been exposed to infection by a quarantinable disease, and is considered by him to be capable of spreading that disease:

Other expressions defined in the Act have the meanings so defined.

PART I

AIRCRAFT ARRIVALS

3. Responsibilities of captain and airline's agent—(1) The captain of an aircraft arriving in New Zealand from a foreign place shall—

(a) Determine, as far as practicable, whether any person who has become ill on board the aircraft—

(i) Is suffering from diarrhoea or vomiting (not being caused by motion sickness); or

(ii) Has an abnormal temperature and a skin rash:

(b) Determine, as far as practicable, whether or not there is on board any other condition that may lead to the spread of disease:

(c) Notify the airline's agent at the intended aerodrome of arrival, at least 15 minutes before the expected landing time, or if that is not practicable, as soon as practicable thereafter, whether or not there is on board any person to whom subparagraph (i) or subparagraph (ii) of paragraph (a) of this subclause applies, and whether or not there is on board any other condition to which paragraph (b) of this subclause applies, and, if there is on board such a person or condition, give details of that person's illness or that condition.

(2) On receipt of the information referred to in paragraphs (b) and (c) of subclause (1) of this regulation, the airline's agent shall complete a declaration in form 1 in the Second Schedule to these regulations.

4. Arrival otherwise than at Customs airport—(1) If an aircraft arrives in New Zealand from a foreign place at any place (whether or not an aerodrome) that is not a Customs airport, the captain shall—

(a) Take all reasonable steps to inform the Medical Officer of Health of his arrival; and

(b) Prohibit the passengers and crew from leaving the vicinity of the aircraft (except for the purposes of paragraph (a) of this subclause) until permitted to do so by the Medical Officer of Health.

(2) If—

(a) An aircraft arrives in New Zealand from a foreign place at an aerodrome that is not a Customs airport; and

(b) The Medical Officer of Health or an Inspector of Health considers that—

(i) Certain sanitary measures are required in respect of the aircraft or any persons on board; and

(ii) Those measures can be carried out adequately only at a Customs airport,—

the Medical Officer of Health or Inspector of Health may direct the captain, in writing, to take the aircraft to the nearest Customs airport, and shall state in the written direction the reasons for it.

(3) In any such case, the Medical Officer of Health or Inspector of Health shall forthwith inform the senior Customs officer at the Customs airport to which the captain is directed of the direction and the reasons for it.

5. Spraying of aircraft—(1) Subject to the terms of any exemption granted by the Director-General under regulation 7 of these regulations, where an aircraft arrives at an aerodrome in New Zealand from a foreign place, the captain shall make, or satisfy himself that some other person has made, adequate arrangements for the spraying of every compartment of the aircraft so as to destroy all mosquitoes (if any) in the aircraft.

(2) Every person who sprays an aircraft for the purposes of this regulation shall ensure that the spraying is carried out—

- (a) With an insecticide approved for the purpose by the Director-General; and
- (b) In accordance with any instructions issued by the Director-General or, if no such instructions have been issued, in a manner most likely to kill all mosquitoes (if any) on the aircraft.

6. Persons and things to remain on board until after spraying is completed—Unless the aircraft was adequately sprayed immediately before take off, but subject to the terms of any exemption granted by the Director-General pursuant to regulation 7 of these regulations, where an aircraft arrives in New Zealand from a foreign place, no person on board shall leave the aircraft, and no person shall remove from or permit to leave the aircraft any baggage, goods, or other things (whether animate or inanimate), until the expiration of 5 minutes after the spraying of the aircraft has been completed.

7. Exemptions from spraying—(1) The Director-General may from time to time, at his discretion, exempt any aircraft or any specified class of aircraft from all or any of the requirements of regulations 5 (1) and 6 of these regulations.

(2) Any such exemption may apply generally or only in specified circumstances, and may be granted unconditionally or subject to such conditions as may be specified.

(3) The Director-General may at any time vary or revoke any exemption granted under this regulation.

8. Register of aircraft—(1) The person in charge of the aerodrome at which any aircraft arrives in New Zealand from a foreign place shall record in respect of every such aircraft—

- (a) Its name or identification mark or identification marks;
- (b) The exact time of its arrival at the aerodrome.

(2) Every record kept for the purposes of this regulation shall be made available for inspection on request by any officer of the Department of Health.

9. Certificate of pratique—The certificate of pratique to be given by the Medical Officer of Health to the captain of an aircraft in accordance with section 107 (2) of the Act shall be in form 2 in the Second Schedule to these regulations.

PART II

SHIP ARRIVALS

10. Notification of health on ship—The captain of every ship liable to quarantine and about to enter a port of call in New Zealand for the first time on any occasion shall, not later than 12 hours and not earlier than 24 hours before the expected time of arrival at that port, inform the Medical Officer of Health or an Inspector of Health by radio message of the last port of call, the date of departure therefrom, and the state of health on the ship.

11. Quarantine signal—The quarantine signal required by section 100 of the Act shall be in whichever of the following forms is appropriate:

Signal to be hoisted	Signifying
(a) In the daytime—Q flag . . .	I require health clearance
(b) By night—A red light over a white light (the lights to be 2 metres apart)	I require health clearance

12. Maritime declaration of health—The maritime declaration of health required by section 102 of the Act shall be in the form set out in Appendix 4 to the International Health Regulations 1969.

13. Radio pratique—(1) On receipt by the Medical Officer of Health or an Inspector of Health of a radio message, in accordance with regulation 10 of these regulations, to the effect that no infectious disease exists on board, or that an infectious disease that is not a quarantinable disease exists on board, he may grant pratique, and, before the arrival of the ship, inform the captain by radio message to that effect.

(2) In every case where the Inspector of Health grants radio pratique, he shall immediately inform the Harbourmaster, and shall supply to the Medical Officer of Health a copy of the radio message.

(3) In any case where the Medical Officer of Health or an Inspector of Health is not satisfied that the state of health on the ship is such that radio pratique should be granted, he may withhold radio pratique, and the provisions of sections 99 to 101 of the Act shall apply.

14. Certificate of pratique—The certificate of pratique to be given by the Medical Officer of Health or an Inspector of Health to the captain of a ship in accordance with section 107 (1) of the Act shall be in form 3 in the Second Schedule to these regulations.

15. Deratting certificates and deratting exemption certificates—(1) Every deratting certificate, and every deratting exemption certificate, shall be in the form in Appendix 1 to the International Health Regulations 1969.

(2) Every deratting certificate, and every deratting exemption certificate, shall remain valid for a period of 6 months from the date on which the ship was fumigated or was inspected and exempted.

(3) The fee for a deratting certificate or a deratting exemption certificate shall be such as may be fixed from time to time by the Director-General.

16. Approved ports—(1) The Director-General may from time to time, by notice in the *Gazette*, declare any ports in New Zealand to be approved ports for the purpose of fumigating ships under these regulations.

(2) Notwithstanding subclause (1) of this regulation, the Medical Officer of Health may, where in his opinion the circumstances require it, permit the fumigation of a ship at any port other than one approved under that subclause.

17. Foreign-going ships—If the captain of any foreign-going ship, arriving at a port of call in New Zealand for the first time on any occasion, is unable to produce to an Inspector of Health a valid deratting certificate or deratting exemption certificate, the Inspector of Health may—

- (a) If the port is one approved under regulation 16 of these regulations, order the ship to be fumigated, and may thereafter issue a deratting certificate; or
- (b) If the port has been declared by the Director-General to be an approved port for the purpose of inspecting ships, and the ship is in such a condition that a thorough inspection is possible to determine the number of rodents on board, inspect the ship, and, if the number of rodents on board is negligible, issue a deratting exemption certificate; or
- (c) If neither paragraph (a) nor paragraph (b) of this regulation can be complied with, extend by 1 month the existing deratting certificate or deratting exemption certificate to enable the ship to proceed to a port where fumigation may be carried out or where the ship may be inspected for the presence of rodents; or
- (d) If the conditions under which fumigation is carried out are such that, in the opinion of the Inspector of Health, a satisfactory result cannot be obtained, make a note to that effect on the existing deratting certificate.

18. Disinfection and fumigation of ships—Every order issued by the Medical Officer of Health or an Inspector of Health under section 110 (1) of the Act directing that a ship be cleansed, fumigated, disinfected, or treated shall be in form 4 in the Second Schedule to these regulations.

19. Fumigation—(1) Fumigation shall be carried out by means of hydrogen cyanide in quantity equal to 120 g of gas per 30 m³ of space requiring fumigation.

(2) The duration of exposure to the gas shall be 2 hours and the fumigation shall be carried out in accordance with the Fumigation Regulations 1967*.

(3) Fumigation for the purposes of obtaining a deratting certificate shall be carried out under the supervision and to the satisfaction of an Inspector of Health.

20. Infected rodents on board ship—If, in the opinion of an Inspector of Health, a ship has infected rodents on board, the Inspector of Health may require the captain of the ship to carry out all practicable measures to prevent the migration of rodents from the ship.

21. Exemptions for ships—(1) The Director-General may from time to time, in his discretion, exempt any ship, or ships of any specified class, from any of the provisions of paragraphs (a) and (b) of section 96 (1), and sections 99 to 102, 105, and 107 of the Act, or any provision of these regulations.

(2) Any such exemption may apply generally or only in specified circumstances, and may be granted unconditionally or subject to such conditions as may be specified.

(3) The Director-General may at any time vary or revoke any exemption granted under this regulation.

PART III

CONTROL AND DETENTION OF CRAFT

22. Detention of craft and persons—(1) Where a craft arrives at an aerodrome or port and it appears to the Medical Officer of Health or an Inspector of Health, from information given to him by the captain or from answers to inquiries made by him or otherwise,—

- (a) That during the voyage there has been on the craft a death or a case of illness caused or suspected to be caused by a quarantinable disease; or
- (b) That during the voyage death not attributable to poison or other measures for destruction has occurred among rodents on the craft,—

he may direct that the craft and the passengers and crew be detained for inspection.

(2) In any case to which subclause (1) of this regulation applies, the Medical Officer of Health or Inspector of Health may take the measures specified in the Third Schedule to these regulations.

(3) The Medical Officer of Health or Inspector of Health shall inform the person in charge of the aerodrome or port of any direction given by him under subclause (1) of this regulation, and that person shall not allow the craft to leave the aerodrome or port until he receives written notice under regulation 23 (1) of these regulations of the lifting of the detention of the craft.

23. Lifting of detention of craft—(1) The detention of craft under these regulations shall cease as soon as the Medical Officer of Health or an Inspector of Health has given written notice to that effect to the person in charge of the aerodrome or port.

(2) Nothing in this regulation shall affect the exercise of any powers of the Medical Officer of Health or an Inspector of Health in regard to the detention of craft for the purpose of carrying out the measures specified in the Third Schedule to these regulations.

PART IV

MISCELLANEOUS PROVISIONS

24. Powers and duties of Medical Officer of Health—The Medical Officer of Health may—

- (a) Examine any person who arrives in New Zealand by craft from a foreign place and who is believed or suspected by him, on reasonable grounds, to be suffering from any quarantinable disease or to have been exposed within the preceding 6 days to the infection of a quarantinable disease;
- (b) Detain for the purpose of examination any person whom he is empowered under this regulation to examine;
- (c) Require the captain to take or assist in taking such steps as, in the opinion of the Medical Officer of Health, are reasonably necessary—
 - (i) For the prevention of the spread of infection by any such person; or
 - (ii) For the destruction of insects or vermin; or

(iii) For the removal of conditions on the craft likely to convey infection, including conditions that might facilitate the harbouring of vermin:

- (d) Place and keep under surveillance any person referred to in paragraph (a) of this regulation for such period, not exceeding 6 days, as he considers necessary.

25. Removal of person to hospital—The Medical Officer of Health or an Inspector of Health may cause any person who arrives in New Zealand by craft from a foreign place and who is suffering from any quarantinable disease to be removed to any hospital or other suitable place for treatment, and to be detained until that person is no longer suffering from that disease.

26. Duties of crew and passengers—(1) Every person to whom these regulations apply shall comply with all directions, requirements, or conditions given, made, or imposed by the Medical Officer of Health or an Inspector of Health or other authorised officer in pursuance of these regulations, and shall, on request by any such officer, furnish all such information relating to his name, destination, address, and movements during the 6 days immediately preceding the day of his arrival as the officer may require.

(2) 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 directions, requirements, or conditions so given, made, or imposed, and shall furnish all such information as aforesaid in respect of any such child or other person.

(3) Every person who is placed or kept under surveillance pursuant to these regulations shall—

- (a) Present himself for any medical examination required by the Medical Officer of Health in whose district he may be during the period of surveillance;
- (b) Furnish all such information as the Medical Officer of Health may reasonably require to ascertain the person's state of health;
- (c) If so instructed by the Medical Officer of Health, report on arrival in any district to the Medical Officer of Health or to any registered medical practitioner nominated by the Medical Officer of Health, and, if required to do so by the Medical Officer of Health, report in person daily or at specified intervals during the period of surveillance to the Medical Officer of Health or to a registered medical practitioner nominated by the Medical Officer of Health;
- (d) If he departs for another place within the period of surveillance, inform the Medical Officer of Health, or the medical practitioner nominated by him, and give details of the address to which he is proceeding.

(4) Every person who is placed under surveillance shall give an undertaking, in form 5 in the Second Schedule to these regulations, that if released under surveillance he will report to a medical practitioner at the times and places required.

27. Immigration procedures unaffected—Nothing in these regulations shall limit or affect any of the provisions of the Immigration Act 1964 or any regulations made under that Act.

28. Revocations—The regulations specified in the Fourth Schedule to these regulations are hereby revoked.

SCHEDULES

Reg. 2

FIRST SCHEDULE

CUSTOMS AIRPORTS

- Auckland International Airport.
- Christchurch International Airport.
- Ohakea Airport.
- Wellington International Airport.
- Whenuapai Airport.

SECOND SCHEDULE

PRESCRIBED FORMS

Reg. 3 (2)

Form 1

AIRCRAFT DECLARATION

(Under Section 103 of the Health Act 1956)

Owner or operator:

Flight number, or name or identification mark of the aircraft:

Departure from Arrival at

[Airport in New Zealand]

FLIGHT ROUTING

PLACE <i>(Show place of original departure, every en route stop, and destination.)</i>	TOTAL NUMBER OF CREW	NUMBER OF PASSENGERS
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I, the undersigned, being the airline's agent for the above aircraft, hereby declare that I have been notified by the captain of the aircraft as follows:

- That, so far as the captain has been able to determine,—
 - There is (or is not) a person on board the aircraft suffering from diarrhoea or vomiting (not being caused by motion sickness); or
 - There is (or is not) a person on board the aircraft with an abnormal temperature and a skin rash;
 - There is (or is not) on board any other condition that may lead to the spread of disease.

[If there is any such person on board the aircraft, record the details of that person's illness as notified by the captain. If the captain has notified the existence of any other condition on board the aircraft that may lead to the spread of disease, give the details as notified by the captain.]

- That disinsecting or sanitary treatment was carried out during the flight at [Place] at [Time] on [Date] by [Method].

OR

That no disinsecting was carried out during the flight. The most recent disinsecting was carried out at [Place] at [Time] on [Date] by [Method].

And I declare that to the best of my knowledge the particulars contained in this declaration are true.

Signed:
Airline's Agent.

SECOND SCHEDULE—continued

Form 2

Reg. 9

CERTIFICATE OF PRATIQUE FOR AIRCRAFT

(Under Section 107 (2) of the Health Act 1956)

..... Airport

I hereby certify that the aircraft named or identified as “.....” (..... captain), which arrived at a.m. (p.m.) this day of 19....., has been granted pratique.

.....
Medical Officer of Health.

Form 3

Reg. 14

CERTIFICATE OF PRATIQUE FOR SHIPS

(Under Section 107 (1) of the Health Act 1956)

Port of

I hereby certify that the ship “.....” (..... captain) has this day been granted pratique.

Given under my hand, at a.m. (p.m.) this day of 19 .. .

.....
Medical Officer of Health or Inspector of Health.

Form 4

Reg. 18

ORDER TO CAPTAIN TO CLEANSE, FUMIGATE, DISINFECT, OR TREAT SHIP

(Under Section 110 of the Health Act 1956)

To, captain of [*Name of Ship*]

In my opinion the above-mentioned ship is in an insanitary condition (or in a condition favourable to the outbreak or spread of a notifiable infectious disease). Pursuant to section 110 of the Health Act 1956, I hereby order that the said ship be taken to [*State place to which ship is to be taken*] and there [*State in detail process of cleansing, fumigation, disinfection, or treatment*] within [*State time within which work shall be done*] after the date of this order.

I hereby notify that such work shall be carried out under my supervision and to my satisfaction.

Dated at this day of 19 .. .

.....
Inspector of Health.

SECOND SCHEDULE—*continued*

Reg. 26 (4)

Form 5

MEDICAL OFFICER OF HEALTH
INSPECTOR OF HEALTH

UNDERTAKING OF PERSON RELEASED UNDER MEDICAL SURVEILLANCE

I, at present on board the craft, and liable to quarantine, hereby undertake, if released under medical surveillance, to comply faithfully with the regulations relating to release under medical surveillance, and to report myself to the Medical Officer of Health, or to a medical practitioner nominated by him, at the times and places indicated below.

Places at which person shall report for medical examination	Medical Practitioner to whom he shall report	Dates on which he shall report
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[To be filled in by the Medical Officer of Health]

My address during the ensuing days will be

Date: Signature:

Reg. 22 (2)

THIRD SCHEDULE

MEASURES TO BE CARRIED OUT IN RESPECT OF AN INFECTED CRAFT IN
RESPECT OF PASSENGERS WHO HAVE BEEN EXPOSED TO INFECTION WITH A
QUARANTINABLE DISEASE

PART A—PLAGUE

1. The craft shall be inspected and, if so required by the Medical Officer of Health, the passengers and crew shall be medically examined.
2. The sick may be immediately disembarked and isolated.
3. Any suspect may be disinfected.
4. All suspects shall be placed under surveillance for a period of not more than 6 days reckoned from the date of arrival.
5. The baggage of any infected person or suspect may be disinfected and, if necessary, disinfected.
6. Any other articles such as used bedding or linen, and any part of the craft which is considered to be contaminated, may be disinfected or disinfected.
7. If a rodent which has died of plague is found on board, the craft shall be deratted, if necessary in quarantine.

THIRD SCHEDULE—*continued*

PART B—CHOLERA

1. The craft shall be inspected and the passengers and crew shall be medically examined.

2. The sick shall be removed and isolated.

3. All other persons shall be placed under surveillance, or in exceptional circumstances isolated, for a period of not more than 5 days reckoned from the date of disembarkation.

4. The baggage of any infected person or suspect and any other article such as used bedding or linen and any part of the craft which is considered to be contaminated may be disinfected.

5. If the drinking water stored on board is considered by the Medical Officer of Health or an Inspector of Health to be contaminated it shall be disinfected and removed and the containers shall be disinfected.

6. Human dejecta and waste water shall not be discharged without previous disinfection.

7. The Inspector of Health shall direct the disposal of foodstuffs in the craft or may prohibit their unloading, unless the foodstuffs form part of the cargo carried in the freight compartment of the craft, and are consigned to an airport or port in some other territory.

FOURTH SCHEDULE

Reg. 28

REGULATIONS REVOKED

Regulations	Serial Number
The Quarantine (Air) Regulations 1952	1952/192
The Quarantine (Ship) Regulations 1957	1957/15
The Quarantine (Air) Regulations 1952, Amendment No. 1	1962/112
The Quarantine (Ship) Regulations 1957, Amendment No. 1	1962/113
The Quarantine (Air) Regulations 1952, Amendment No. 2	1963/184
The Quarantine (Ship) Regulations 1957, Amendment No. 2	1963/185
The Quarantine (Air) Regulations 1952, Amendment No. 3	1966/11
The Quarantine (Air) Regulations 1952, Amendment No. 4	1968/26
The Quarantine (Ship) Regulations 1957, Amendment No. 3	1969/51
The Quarantine (Ship) Regulations 1957, Amendment No. 4	1975/26

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and update the Quarantine (Air) Regulations 1952 and the Quarantine (Ship) Regulations 1957, relating to quarantine measures in respect of incoming aircraft and ships. The revision follows the abolition of Port Health Officers by the Health Amendment Act 1982.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 March 1983.

These regulations are administered in the Department of Health.