

PUBLIC HEALTH ACT, 1971

No. 44



of 1971

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AN ACT TO MAKE THE NOTIFICATION OF CERTAIN DISEASES COMPULSORY AND TO CONTROL SUCH DISEASES; TO MAKE PROVISION REGARDING DISEASES SUBJECT TO THE INTERNATIONAL HEALTH REGULATIONS; TO PREVENT THE SPREAD OF SMALLPOX; TO PREVENT THE INTRODUCTION OF DISEASES INTO BOTSWANA; TO CONTROL ADVERTISEMENTS AND PUBLICATIONS CONCERNING VENEREAL DISEASE; TO REGULATE SANITATION AND HOUSING; TO PROVIDE FOR THE PROTECTION OF FOODSTUFFS AND OF WATER SUPPLIES; TO REGULATE THE USE OF CEMETERIES; AND GENERALLY TO MAKE PROVISION FOR PUBLIC HEALTH.

Date of Assent: 17.12.1971.

Date of Commencement:

ENACTED by the Parliament of Botswana.

**PART I
PRELIMINARY**

1. This Act may be cited as the Public Health Act, 1971, and shall come into operation on such date as the Minister may, by notice in the Gazette, prescribe.

Short title
and com-
mencement

2. In this Act, unless the context otherwise requires —

Inter-
pretation

“adult” means a person of sixteen years of age or over;

“approved” means approved by the Minister;

“building” includes any structure whatsoever for whatever purpose used;

“burial” means the burial in earth, interment or any other form of sepulture or the cremation or any other approved mode of disposal of a dead body;

“child” means a person who is under or appears to be under sixteen years of age;

“cleansing” means the removal from surfaces, by scrubbing and washing, as with hot water, soap or suitable detergent, of infectious agents and of organic matter on which and in which infectious agents may find favourable conditions for prolonging the life and virulence of such infectious agents, or of killing infectious agents outside the body by chemical or physical means directly applied;

- “communicable disease” means any disease which can be communicated directly or indirectly by any person suffering therefrom to any other person;
- “dwelling” means any house, room, shed, hut, cave, tent, vehicle, boat or any other structure or place whatsoever, any portion whereof is used by any human being for sleeping or in which any human being dwells;
- “food” means any animal product, fish, fruit, vegetables, condiments, confectionery, beverages and any other substance whatsoever (other than drugs or water) in any form, state or stage of preparation which is intended or ordinarily used for human consumption;
- “health officer” means and includes any medical practitioner registered under the Medical, Dental and Pharmacy Proclamation, any health inspector, and any public health nurse employed by or so designated by the Minister;
- “infected” means suffering from, or in the incubation stage of, or contaminated with the infection of any communicable disease;
- “isolated” means the segregation, and the separation from, and interdiction of communication with others, other than by means approved in writing by the health officer, of persons who are suspected of being infected, and “isolation” has a corresponding meaning;
- “medical surveillance” means the keeping of a person under medical supervision: Persons under such surveillance may be required to remain within a specified area or to attend for medical examination at specified places and times;
- “Ministry” means the Ministry for the time being responsible for the administration of this Act;
- “occupier” shall include any person in actual occupation of land or premises without regard to the title under which he occupies and in the case of premises subdivided and let to lodgers or various tenants the person receiving the rent payable by lodgers or tenants whether on his own account or as an agent for any person entitled thereto or interested therein, and in the case of a school the principal or other person in charge of the school;
- “parent” includes the father and mother of a child, whether adopted or whether legitimate or not and includes any legal guardian;

“premises” includes any building or tent together with the land on which the same is situated and adjoining land used in connection therewith, and includes any vehicle, conveyance or boat;

“public building” means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public worship or as a hospital, college, school, hotel, boarding-house, lodging-house, theatre, public hall or as a place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose;

“regulation” means any regulation made under this Act;

“school” means any public or private establishment for nursery, primary or secondary or higher education and includes a hostel or boarding-house kept for housing the pupils at any such establishment;

“this Act” includes any orders, notices or regulations for the time being in force thereunder;

“veterinary officer” means and includes any veterinary surgeon registered under the Veterinary Surgeons Act, of 1971, or livestock officer employed by the Government of Botswana.

35 of 1971

3. The functions of the Ministry under this Act shall be to promote the personal health and environmental health within Botswana; to prevent and guard against the introduction of disease from outside; to prevent or control communicable disease; to advise and assist local authorities in regard to matters affecting public health; to promote or carry out researches and investigations in connection with the prevention and treatment of human diseases; to prepare and publish reports and statistics or other information relative to the public health; to provide for the appointment of advisers, advisory bodies or councils to assist the Minister in all matters concerning public health; and generally to administer this Act.

Functions of the Ministry

4. Subject to the provisions of the law governing the Public Service the Minister may appoint as many health officers or other officers as may from time to time be necessary to carry out the purposes of this Act.

Appointment of health officers and others

PART II

NOTIFIABLE DISEASES

5. (1) The provisions of this Act, unless otherwise expressed, shall, so far as they concern notifiable disease apply to the following diseases —

Notification of diseases

Smallpox (including variola minor or alastrim), cholera, plague, yellow fever, diphtheria, typhoid (enteric) fever (including para-typhoid A, B), whooping-cough, tuberculosis and poliomyelitis.

(2) The Minister may by notice in the Gazette —

- (a) declare that any disease other than those specified in subsection (1) shall be notifiable diseases under this Act;
- (b) declare that only such provisions of this Act as are mentioned in such notice shall apply to any notifiable diseases; and
- (c) restrict the provisions of this Act regarding the notification of any disease, to any district or area and for such period specified in such notice, or until the notice has been withdrawn.

(3) Notice of any notifiable diseases shall be furnished by the health officer concerned as soon as practicable to the Minister, in the prescribed form.

Inspection of
infected pre-
mises, etc.

6. A health officer or other duly authorised officer may at any reasonable time enter and inspect any premises in which he has reason to believe that any person suffering or who has recently suffered from any communicable disease is or has recently been present, or any inmate of which has recently been exposed to the infection of any communicable disease, and may medically examine or cause to be medically examined any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any such disease.

Power to
order clean-
ing of build-
ing

7. (1) Where any health officer is of opinion that the cleansing of any building or part thereof, and of any articles therein likely to retain infection would tend to prevent or check communicable disease, he may give notice in writing to the owner or occupier of such building or part thereof specifying the steps to be taken to cleanse such building or part thereof and articles within a specified time in such notice.

(2) If a person to whom such notice is given fails to comply therewith he shall be guilty of an offence.

(3) Where the owner or occupier of any such building or part thereof is, from poverty or otherwise, unable to comply with the provisions of this section a health officer or other duly authorized officer may, with or without his consent, enter and cleanse such building or part thereof and articles therein.

8. A health officer may direct the destruction of any bedding, clothing or other articles which have been exposed to infection from any communicable disease, or which the opinion of a health officer are infected and any such direction shall be sufficient authority for any person authorized thereto destroy the same, and the Ministry may award compensation for any bedding, clothing or other articles destroyed in pursuance of this section.

Destruction of bedding, clothing, etc.

9. The Ministry may provide a proper place for the cleansing of bedding, clothing or other articles which have become infected, and may cause any such articles brought for cleansing to be cleansed free of charge.

Provision of cleansing centres

10. (1) Where in the opinion of a health officer any person certified to be suffering from a communicable disease, is not accommodated or is not being treated or nursed in such manner as adequately to guard against the spread of the disease, such person may, on the order of a registered medical practitioner, be detained in or removed to a hospital or any temporary place which in the opinion of the registered medical practitioner is suitable for the reception of such person and there detained until the health officer or any medical practitioner duly authorized thereto by the Minister is satisfied that he is free from infection or can be discharged without danger to the public health.

Isolation of persons who have been exposed to infection

(2) Any person detained in accordance with an order of a health officer who escapes or attempts to escape shall be guilty of an offence.

11. (1) Any person who —

- (a) while suffering from any communicable disease wilfully exposes himself without proper precautions against spreading the said disease in any street, public place, shop or public conveyance;
- (b) being in charge of any person so suffering so exposes or conveys such sufferer; or
- (c) gives, lends, sells, transmits or exposes, without previous cleansing, any bedding, clothing, rags or other articles which have been exposed to infection from any such disease,

Penalty for exposure of infected persons and things

shall be guilty of an offence:

Provided that proceedings under this section shall not be taken against persons conveying with proper precautions any bedding, clothing, rags or other articles for the purpose of having the same cleansed.

(2) For the purposes of this section, "public conveyance" includes any railway coach, omnibus, motor car or any vehicle whatsoever or any aircraft, if the conveyance plies for hire or is used by members of the public.

Cleansing of conveyances

12. Every owner or driver of a conveyance shall immediately provide for the cleansing of such conveyance on the instruction in writing of a health officer.

Penalty for letting infected premises

13. Any person who knowingly lets for hire any dwelling or premises or part thereof in which any person has been suffering from a communicable disease without having the same, and all articles therein, likely to retain infection, efficiently cleansed to the satisfaction of a health officer as testified by certificate signed by him shall be guilty of an offence.

Death in premises due to communicable disease

14. In every case of a death from a communicable disease it shall be the duty of the occupier of the premises in which the death has occurred immediately to arrange for a health officer to be notified thereof, and to make the best arrangements practicable, pending the removal of the body and the carrying out of thorough cleansing, for preventing the spread of such disease.

Disposal of body of person dying from communicable disease

15. (1) When —

- (a) the body of a person who has died of a communicable disease is retained in a room in which any person lives, sleeps, works, or in which food is kept or prepared or eaten;
- (b) any dead body is retained in any dwelling or place under circumstances which in the opinion of a health officer are likely to endanger health; or
- (c) any dead body is found and is unclaimed or where no competent person undertakes to bury it,

any magistrate or member of the Botswana Police of or above the rank of sergeant, may on a certificate signed by a health officer, direct that the body be removed to a mortuary for post-mortem examination, or if the body is that of a person certified to have died of a communicable disease, may order that the body be buried immediately without removal to a mortuary.

(2) Any person who hinders or obstructs the execution of any order or direction given under this section shall be guilty of an offence.

Regulations regarding communicable diseases

16. The Minister may make regulations applicable to all communicable diseases or to such communicable diseases as may be specified therein regarding the following matters —

- (a) the imposition and enforcement of isolation or of medical observation and surveillance in respect of persons suffering from communicable disease who are not removed to a hospital or place of isolation, the premises in which such persons are accommodated, those in charge of or in attendance on such persons and other persons living in or visiting such premises or who otherwise may have been exposed to the infection of any such disease;
- (b) the duties, in respect of the prevention of communicable disease and in respect of persons suffering or suspected to be suffering therefrom, of occupiers of land on which persons reside and of employers of labour, and of chiefs, chief's representatives, headmen and others;
- (c) the measures to be taken for preventing the spread of or eradicating smallpox, typhoid fever, cholera, yellow fever, plague, poliomyelitis, tuberculosis or any other communicable disease requiring to be dealt with in a special manner;
- (d) the conveyance of persons suffering from or the bodies of persons who have died of a communicable disease;
- (e) the prevention of the spread from any animal, or the carcase or produce of any animal to man, of anthrax, glanders, measles (tape worm), plague, rabies, tuberculosis or any other disease communicable by any animal, or the carcase or product of any animal, to man;
- (f) the prevention of the spread of disease by flies and other insects and the destruction of and the removal or improvement of conditions permitting or favouring the prevalence or multiplication of such flies or insects;
- (g) the destruction of rodents and other vermin, the removal or improvement of conditions permitting or favouring the harbourage or multiplication thereof;
- (h) the prevention of any disease in man caused by any animal or vegetable parasite;
- (i) the prevention of the spread of any communicable disease by the carrying on of any business, trade or occupation;
- (j) the prevention of the spread of any communicable disease by persons who, though not at the time suffering from such disease are carriers of and likely to disseminate the infection thereof, and the keeping under medical surveillance and the restriction of the movement of such persons;

- (k) the regulation and restriction of any trade or occupation entailing special danger to the health of those engaged therein, whether from communicable disease or otherwise, and the institution of measures for preventing or limiting such danger;
 - (l) cleansing centres and the cleansing of dirty or verminous persons, the cleansing or fumigation of premises, clothing or other articles which have been exposed to or are believed to have been contaminated with the infection of any communicable disease; or which are dirty or verminous, and prohibiting the carrying out of any fumigation which involves the use of poisonous gas except under licence;
 - (m) rag flock manufacture and the trade in rags and in bones and in second-hand clothing, bedding or any similar article, and requiring the cleansing of any such article before its importation, removal, sale or exposure for sale or use in any manufacturing process; and
 - (n) the disposal of any refuse, waste matters, or other matter or thing which has been contaminated with or exposed to the infection of any communicable disease,
- and generally for the better carrying out of the provisions and attaining the objects and purposes of this Part.

PART III

SPECIAL PROVISIONS REGARDING DISEASES SUBJECT TO THE INTERNATIONAL HEALTH REGULATIONS

Diseases
subject to
International
Health Regu-
lations

17. (1) The International Health Regulations in the Fourth Schedule hereto, shall apply within Botswana.

(2) The provisions of this Act, unless otherwise expressed, in so far as they concern diseases subject to the International Health Regulations shall be deemed to apply to smallpox (including alastrim or variola minor), plague (all forms), cholera (including cholera due to the El Tor Vibrio) and yellow fever.

(3) When any amendment has been made to the International Health Regulations, as soon as may be after the Government becomes a party to such amendment, the Minister shall by notice in the Gazette publish such amendments and upon publication the International Health Regulations shall, in their application to Botswana, be so amended.

(4) The Minister may by regulation —

- (a) make such provision as appears to him necessary or expedient for the carrying out of and giving effect to the International Health Regulations; and
- (b) subject to the provisions of the International Health Regulations, impose fees and provide for the recovery of any expenditure incurred in giving effect to the International Health Regulations.

(5) Any regulations made under this section may prescribe penalties for any contravention thereof, but no such penalty shall exceed a fine of R200 and imprisonment for six months.

18. Whenever Botswana or part thereof appears to be threatened by any of the diseases mentioned in section 17, the Minister may make regulations for all or any of the following purposes —

Power of
Minister to
make regu-
lations

- (a) for the speedy interment or cremation of the dead;
- (b) for house to house visitation;
- (c) for the provision of medical aid and accommodation, the promotion of ventilation and cleansing generally and guarding against the spread of disease;
- (d) for preventing any person from leaving any infected area without undergoing all or any of the following: medical examination and treatment, cleansing, inoculation, vaccination or revaccination or passing a specified period in an observation camp or centre;
- (e) for the establishment of hospitals and observation camps or centres, and for accommodating therein persons suffering from or who have been in contact with persons suffering from communicable disease;
- (f) for the destruction or cleansing of buildings, furniture, goods or other articles, which have been used by persons suffering from communicable disease, or which are likely to spread the infection;
- (g) for the removal of persons who are suffering from a communicable disease and persons who have been in contact with such persons;
- (h) for the removal of corpses;
- (i) for the destruction of rats, and the better prevention of the danger of spreading infection by rats;
- (j) for the regulation of hospitals used for the reception of persons suffering from a communicable disease and of observation camps and centres;

- (k) for the removal and cleansing of articles which have been exposed to infection;
- (l) for prohibiting any person living in any building or using any building for any purpose whatsoever if in the opinion of a health officer any such use is likely to cause the spread of any communicable disease, and any regulation made under this section may give a health officer power to prescribe the conditions on which such a building may be used; and
- (m) for any other purpose whether of the same kind or nature as the foregoing or not, having for its object the prevention or control of communicable diseases,

and may by order declare all or any of the regulations so made to be in force within the whole or any part of Botswana.

Execution of regulations

19. A health officer or other authorized officer in any area within which or part of which regulations so issued by the Minister are declared to be in force shall do and provide all such acts, matters and things as may be necessary for mitigating any such disease, or aiding in the execution of such regulations or for executing the same, as the case may require, and a health officer may, from time to time, cause to be instituted any prosecution or legal proceedings for or in respect of the wilful contravention of any such regulations.

Power of entry

20. A health officer and other duly authorized officers shall have power of entry on any premises for the purpose of executing or superintending the execution of any regulations so issued by the Minister as aforesaid.

Notification of sickness or mortality in animals

21. (1) Every person who becomes aware of any unusual sickness or mortality among rats, mice, cats, dogs or other animals susceptible to plague, rabies or other diseases subject to the International Health Regulations, not due to poison or other obvious cause, shall immediately report the fact to the nearest Police Station or to a health or veterinary officer.

(2) Any such person who fails so to report shall be guilty of an offence.

Notification of diseases subject to the International Health Regulations

22. Every police officer, health or veterinary officer shall immediately report to the Ministry headquarters in Gaborone, by radio, telegraph or other expeditious means, particulars of every notification received of a case of any disease subject to the International Health Regulations, or of any unusual sickness or mortality in animals made under the last preceding section.

23. (1) Where an outbreak of any disease subject to the International Health Regulations exists or is threatened it shall be lawful for the Minister, in the interests of public health, to require any person owning or having charge of any land or any buildings or dwellings not occupied or, any person owning or having charge of transport, bedding, hospital equipment, drugs, food or other appliances, materials or articles urgently required in connection with the outbreak, to hand over the use of any such land or building or to supply or make available any such article, subject to the prompt payment of adequate compensation as hire or purchase price.

Requisition of buildings, equipment, etc.

(2) Any person who without reasonable cause, fails or refuses to comply with any such requirement shall be guilty of an offence.

PART IV

PREVENTION OF THE SPREAD OF SMALLPOX

24. For the purposes of this Part —
“public vaccinator” shall include a public vaccinator appointed by the Minister and any person appointed by the Minister to assist or act for a public vaccinator, and includes any health officer.

Inter-pretation

25. Every person entering Botswana for whatever purpose shall be in possession of a valid International Certificate of vaccination against smallpox.

Vaccination of persons entering Botswana

26. In the event of the occurrence or threatened outbreak of smallpox in any area —

Emergency vaccination

- (a) a public vaccinator may require any person who has or is suspected to have been in any way recently exposed to smallpox infection to be vaccinated or revaccinated forthwith and may require the parent or guardian of any child who has or is suspected to have been so exposed to have such child vaccinated or revaccinated forthwith and any person failing to comply with such requirement shall be guilty of an offence;
- (b) a health officer may, or a health officer or public vaccinator, when instructed by the Minister to do so, shall require all persons within a defined area to attend at specified centres to undergo examination, vaccination, or revaccination as circumstances may require: Notices in this regard shall be published in the Press, or posted up in public places, or otherwise as may be deemed sufficient by the health officer. Non-attendance shall be deemed to be an offence; and

- (c) any public vaccinator or medical practitioner duly authorized by the Minister may require any person in such area to furnish satisfactory proof that he has been successfully vaccinated within three years immediately preceding the date of such requirement: Any person who fails to furnish such proof in regard to himself or any child of which he is the parent or guardian, and refuses to allow himself or such child to be vaccinated, shall be guilty of an offence.

Persons unfit
for vac-
cination

27. If a public vaccinator or medical practitioner is of opinion that any adult or child is not in a fit state to be vaccinated, he shall issue to the adult or to the parent or guardian of the child a certificate under his hand in the form set out in the First Schedule, or to the like effect, that the adult or child is in an unfit state for vaccination and such certificate shall remain in force for three months but shall be renewable for successive periods of three months until the public vaccinator or medical practitioner deems the adult or child to be fit for vaccination when the adult or child shall with all reasonable despatch be vaccinated.

Certificate of
insuscept-
ibility to be
given

28. (1) If a public vaccinator or medical practitioner finds any adult or child whom he has three times unsuccessfully vaccinated is insusceptible of successful vaccination or that the adult or child coming to him for vaccination has already been successfully inoculated or had smallpox, he shall deliver to the adult or to the parent or guardian of the child a certificate under his hand in the form set out in the Second Schedule.

(2) A certificate of insusceptibility to vaccination shall be given by a public vaccinator or medical practitioner only after three unsuccessful attempts at vaccination at intervals of not less than one month have been made by him.

Certificate of
successful
vaccination

29. A public vaccinator or medical practitioner who vaccinated any adult or child, and is satisfied that the vaccination has been successful, shall deliver to such adult or to the parent or guardian of such child a certificate in the form set out in the Third Schedule certifying that the said adult or child has been successfully vaccinated.

No unauth-
orized fee to be
charged

30. No fee other than a fee authorized by the Minister shall be charged by any public vaccinator or medical practitioner for any certificate granted under this Act, or for any vaccination done by him in pursuance of this Act.

31. A public vaccinator or medical practitioner giving any certificate under this Act shall enter thereon a description of the person in respect of whom the certificate is granted sufficient for the purpose of identification. Description of person to be entered on certificate

32. Any person who inoculates himself or any other person with material taken from a person suffering from smallpox or from a vaccine vesicle on another person or by any method not prescribed in regulations shall be guilty of an offence. Inoculation from arm to arm, etc., forbidden

33. The Minister may make regulations — Regulations

- (a) prescribing forms of certificate, notices, returns and books of record to be used in connection with public vaccination, and defining the information to be furnished therein, and requiring the furnishing and prescribing the manner of use thereof by Registrars of Births, public vaccinators, medical practitioners, parents or guardians of children, employers of labour and others;
- (b) conferring powers and imposing duties, in connection with the carrying out or enforcement of vaccination, on judicial officers, members of the Police Force, Government officers, persons in charge of schools, employers, Chiefs and others;
- (c) prescribing the conditions under which vaccine lymph may be supplied free of charge to medical practitioners and others;
- (d) providing for the vaccination or revaccination of persons and assigning, where deemed desirable, the responsibility for the carrying out of such vaccination or revaccination to specified bodies or employers of labour; and
- (e) as to the application and enforcement of the provisions of this Part to persons entering Botswana and for requiring, where deemed necessary, the vaccination or revaccination of any person before so entering.

PART V

PREVENTION OF INTRODUCTION OF DISEASES

34. (1) The Minister may by notice in the Gazette prohibit, restrict or regulate the immigration or importation into Botswana of any person, animal, article or thing likely in his opinion to introduce any communicable disease, or impose restrictions or conditions as regards the examination, detention, cleansing or otherwise of any such person, animal, article or thing. Introduction of diseases

(2) Any person who contravenes or fails to comply with any such notice shall be guilty of an offence and liable to a fine of R200 and to imprisonment for six months.

Removal of
infected
persons

35. (1) Where any person arriving in Botswana by aircraft, by train or other conveyance, or on foot is found to be suffering from any communicable disease, and in the opinion of a health officer cannot be accommodated or cannot be nursed and treated so as to guard against the spread of the disease or to promote recovery, a health officer may order the removal of such person to a hospital or place of isolation for such period as may be necessary in the interests of the patient or to prevent spread of infection.

(2) All expenses necessarily incurred in dealing with a patient under this section shall be a charge against the said patient and may be recovered from him in the manner prescribed by law.

Surveillance
or isolation

36. (1) Where any person arriving by aircraft, by train or other conveyance or on foot within Botswana is believed to have been recently exposed to infection, or may be in the incubation stage of any communicable disease, a health officer may require such person to be removed to some hospital or place of isolation until considered free from infection, or alternatively may allow such person to proceed to his place of destination and there report himself to a health officer for medical surveillance by such health officer until considered free from infection.

(2) A health officer shall in each case notify the medical officer of the district where such person's destination is, of the fact that such person is believed to have been recently exposed to infection and has been allowed to proceed to his destination.

Powers

37. (1) Any health officer may at any time board any aircraft, train or other conveyance arriving within Botswana and may inspect any portion thereof or anything therein and may medically examine or cause to be medically examined any person travelling by such train or other conveyance and require such person to answer any question for the purpose of ascertaining if such person is infected by or has recently been exposed to the infection of any communicable disease.

(2) Any person who refuses to allow such officer to board any aircraft, train or other conveyance or to make any inspection or medical examination as aforesaid or otherwise obstructs or hinders any such officer in the execution of his duty, or who fails or refuses to give any information which he may lawfully be required to give,

or who gives false or misleading information to any such officer, knowing it to be false or misleading, shall be guilty of an offence.

38. The Minister may, when he may consider it necessary for the prevention of the spread of any communicable disease, designate any health officer to inspect aircraft, trains or other conveyance and any article or thing therein, and to examine any persons travelling by aircraft, train or other conveyance, or on foot and whether entering, leaving or travelling within Botswana.

Health officers to inspect railway trains, etc.

39. (1) When it is considered necessary for the purpose of preventing the introduction of communicable disease into Botswana, the Minister may by notice in the Gazette —

Powers to enforce precautions

- (a) regulate, restrict or prohibit the entry into Botswana at its borders or any specified part thereof of any person;
- (b) regulate, restrict or prohibit the introduction into Botswana at its borders or any specified part thereof of any animal, article or thing;
- (c) impose requirements or conditions as regards the medical examination, detention, quarantine, cleansing, vaccination, isolation or medical surveillance or otherwise of persons entering Botswana, or the examination, detention or cleansing or otherwise of any article or thing introduced into Botswana at its borders or any part thereof; and
- (d) apply, with or without notification, any provisions of this Part to persons, animals, articles or things entering or introduced into, departing or removed from Botswana by means of aircraft, train or other conveyance.

(2) Any person who contravenes or fails to comply with any such notice shall be guilty of an offence.

40. The Minister may enter into agreements with any foreign country, providing for the reciprocal notification of outbreaks of any disease subject to International Health Regulations or other disease or any other matter affecting the public health relations of Botswana with other countries.

Agreements with other governments

41. Wherever under this Part powers are exercised by the Minister or other officer in accordance therewith and with the regulations and by reason of the exercise of such powers —

Government not liable

- (a) any person, conveyance, article or thing is delayed or removed or detained;
- (b) any article or thing is damaged or destroyed; or

(c) any person is deprived of the use of any article or thing, the Government shall not be liable to pay compensation, provided due care and reasonable precautions have been taken to avoid unnecessary delay or damage or destruction.

PART VI

VENEREAL DISEASES

Publication of
advertisements

42. (1) No person shall publish any advertisement or statement intended to promote the sale of any medicine, appliance or article for the alleviation or cure of any venereal disease or disease affecting the generative organs or functions or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse.

(2) Any person who publishes any such advertisement or statement by printing it in any newspaper or exhibiting it to public view in any place or delivering or offering or exhibiting it to any person in any street or public place or in any public conveyance or who sells, offers or shows it or sends it by post to any person, shall be guilty of an offence. For the purposes of this section "advertisement" or "statement" includes any paper, document or book containing any such advertisement or statement.

(3) This section shall not apply to publication by the Government or other public body in the discharge of its lawful duties or by any society or person acting with the authority of the Minister, or to any books, documents or papers published in good faith for the advancement of medical science.

(4) No prosecution under this section shall be instituted except on information laid by the Attorney-General.

PART VII

SANITATION AND HOUSING

Nuisances
prohibited

43. No person shall cause or allow a nuisance to continue on any land or premises owned or occupied by him or of which he is in charge which is likely to be injurious or dangerous to health.

Duties of
health
officers
regarding
nuisances

44. (1) It shall be the duty of every health officer to take all lawful, necessary and reasonably practicable measures for maintaining his area at all times in a clean and sanitary condition, or

requiring to be remedied, any nuisance or condition liable to be injurious or dangerous to health and to take proceedings at law against any person causing or responsible for the occurrence or continuance of any such nuisance or condition.

(2) If it appears to a health officer that a nuisance exists on any premises occupied as offices of the public service of Botswana he shall report the circumstances to the head of the appropriate Government department and the latter shall forthwith cause such steps to be taken as may be necessary to abate the nuisance and to prevent a recurrence thereof.

45. It shall be the duty of every health officer to take all lawful, necessary and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions likely to be injurious or dangerous to health arising from the erection or occupation of unhealthy dwellings or premises, the erection of dwellings or premises on unhealthy sites or on sites of insufficient extent, from overcrowding, or from the construction, condition or manner of use of any factory or trade premises, and to take proceedings under the law or regulation in force against any person causing or responsible for the continuance of any such condition. Unsuitable dwellings

46. (1) The following shall be deemed to be nuisances liable to be dealt with in the manner provided in this Part — What constitutes a nuisance

- (a) any railway carriage or other conveyance in such a state or condition as to be injurious or dangerous to health;
- (b) any dwelling or premises or part thereof which is or are of such construction or in such a state or so situated or so dirty or so verminous as to be in the opinion of the health officer injurious or dangerous to health, or which is or are likely to promote the spread of any disease;
- (c) any street, road or part thereof, any stream, pool, ditch, gutter, water-course, sink, water-tank, cistern, water closet, privy, urinal, cesspool, soak-away pit, septic tank, cesspit, soilpipe, wastepipe, drain, sewer, garbage receptacle, dust-bin, dung-pit, refuse-pit, slop-tank, ash-pit or manure heap so foul or in such state or so situated or constructed as in the opinion of a health officer to be offensive or to be injurious or dangerous to health;
- (d) any well or other source of water supply or any cistern or other receptacle for water, whether public or private, the water from which is used or is likely to be used by man for

drinking or domestic purposes or in connection with any dairy or milkshop, or in connection with the manufacture or preparation of any article of food intended for human consumption, which is in the opinion of a health officer polluted or otherwise liable to render any such water injurious or dangerous to health;

- (e) any noxious matter or waste water flowing or discharged from any premises wherever situated into any public street, or into the gutter or side channel of any street or into any water-course, irrigation channel or bed thereof not approved for the reception of such discharge;
- (f) any stable, cow-shed or other building or structure used for keeping of animals or birds which is so constructed, situated, used or kept as to be offensive or which is injurious or dangerous to health
- (g) any animal so kept as to be a nuisance, or injurious to health;
- (h) any accumulation or deposit of refuse, offal, manure or any other matter whatsoever which is offensive or which is injurious or dangerous to health;
- (i) any accumulation of stones, timber or other building material if such is in the opinion of a health officer likely to harbour rats or other vermin;
- (j) any premises in such a state or condition and any building so constructed as to be likely to harbour rats or other rodents;
- (k) any dwelling or premises which is so overcrowded as to be injurious or dangerous to the health of the inmates or is dilapidated or defective in lighting or ventilation or is not provided with or is so situated that it cannot be provided with sanitary accommodation to the satisfaction of a health officer;
- (l) any public or other building which is so situated, constructed, used or kept as to be unsafe, or injurious or dangerous to health;
- (m) any occupied dwelling for which such a proper, sufficient and wholesome water supply is not available within a reasonable distance as under the circumstances it is possible to obtain;
- (n) any factory or trade premises not kept in a clean state and free from offensive smell arising from any drain, privy, water

closet, earth closet, or urinal or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein;

- (o) any factory or trade premises causing or giving rise to smells or effluents which are offensive or which are injurious or dangerous to health;
- (p) any area of land kept or permitted to remain in such a state as to be offensive, or liable to cause any communicable or preventable disease or injury or danger to health;
- (q) any chimney sending forth smoke in such quantity or in such a manner as to be offensive or injurious or dangerous to health; and
- (r) any act, omission or thing which is or may be offensive, dangerous to life or injurious to health.

(2) The author of a nuisance means any person by whose act, default or sufferance nuisance is caused, exists or is continued, whether he be the owner or occupier or both owner and occupier or any other person.

47. If a health officer is satisfied of the existence of a nuisance he shall have a notice served on the author of the nuisance, or if he cannot be found, then on the occupier or owner of the dwelling or premises on which the nuisance exists or continues, requiring him to remove it within the time specified in the notice, and to execute such work and do such things as may be necessary for that purpose and if the health officer deems it necessary specifying any work to be executed to prevent a recurrence of the said nuisance:

Notice to
remove
nuisance

Provided that —

- (a) where the nuisance arises from any want or defect of a structure or character, or where the dwelling or premises are unoccupied the notice shall be served on the owner;
- (b) where the author of the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act or default or sufferance of the occupier or owner of the dwelling or premises, the health officer shall have the same removed and may do what is necessary to prevent a recurrence thereof.

Procedure
where owner
fails to
comply with
notice

48. (1) If the person on whom a notice to remove a nuisance has been served as aforesaid fails to comply with any of the requirements thereof within the time specified, the health officer shall cause a complaint relating to such nuisance to be made before a magistrate and such magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before his court.

(2) If the court is satisfied that the alleged nuisance exists, the court shall make an order on the author thereof, or the occupier or owner of the dwelling or premises, as the case may be, requiring him to comply with all or any of the requirements of the notice or otherwise to remove the nuisance within a time specified in the order and to do any works necessary for that purpose.

(3) The court may by such order impose a fine of R25 on the person on whom the order is made and may also give directions as to the payment of all costs incurred up to the time of the hearing or making of the order for the removal of the nuisance.

(4) If the nuisance although removed since the service of the notice in the opinion of the health officer is likely to recur on the same premises, the health officer shall cause a complaint relating to such nuisance to be made before a magistrate and the magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

(5) If the court is satisfied that the alleged nuisance although removed is likely to recur on the same premises, the court shall make an order on the author thereof or the occupier or owner of the dwelling or premises, as the case may be, requiring him to do any specified work necessary to prevent the recurrence of the nuisance and prohibiting its recurrence.

(6) In the event of the person on whom such order as is specified in subsections (4) and (5) not complying with the order within a reasonable time the health officer shall again cause a complaint to be made to a magistrate, who shall thereupon issue a summons requiring such person to appear before him and on proof that the order has not been complied with may impose a fine not exceeding R100 and may also give directions as to the payment of all costs up to the time of the hearing.

(7) Before making any order, the court may, if it thinks fit, adjourn the hearing or further hearing of the summons until an inspection, investigation or analysis in respect of the nuisance alleged has been made by some competent person.

(8) Where the nuisance proved to exist is such as to render a dwelling unfit, in the opinion of the court, for human habitation, the court may issue a closing order prohibiting the use thereof as a dwelling until in its opinion the dwelling is fit for that purpose; and may further order that no rent shall be due or payable by or on behalf of the occupier of that dwelling in respect of the period in which the closing order exists; and on the court being satisfied that it has been rendered fit for use as a dwelling the court may terminate the closing order and by a further order declare the dwelling habitable, and from the date thereof such dwelling may be let or inhabited:

Provided that, notwithstanding any such last-mentioned order further proceedings may be taken in accordance with this section in respect of the same building in the event of any nuisance occurring or of the dwelling being again found to be unfit for human habitation.

49. (1) Any person who fails to obey an order to comply with the requirements of the health officer or otherwise to remove the nuisance, shall, unless he satisfies the court that he has used all diligence to carry out such order, be liable to a fine not exceeding R5 for every day during which the default continues; any person wilfully acting in contravention of a closing order issued under section 48 shall be liable to a fine of R5 for every day during which the contravention continues.

Penalties in relation to nuisances

(2) A health officer may in such a case enter the premises to which any such order relates, and remove the nuisance and do whatever may be necessary in the execution of such order, and recover in any competent court the expenses incurred from the person on whom the order is made.

50. Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or that the owner or occupier of the premises is not known or cannot be found, the court may order the health officer forthwith to execute the works thereby directed and the cost of executing the same shall be a charge on the property on which the said nuisance exists.

Court may order examination

51. A health officer may enter any building or premises for the purpose of ascertaining as to the existence of any nuisance therein at all reasonable times and the health officer or any authorized officer may if necessary dig up the ground on such premises and cause the drains to be tested or such other work to be done as may be necessary for the effectual examination of the said premises:

Power of health officer to enter premises

Provided that if no nuisance is found to exist the Ministry shall restore the premises at its own expense.

Demolition
of dwellings

52. (1) Where under section 46 a nuisance is proved to exist with respect to a dwelling and the court is satisfied that such dwelling is so dilapidated or so defectively constructed or so situated that repairs to or alterations of the same are not likely to remove the nuisance and make such dwelling fit for human habitation, the court may order the owner thereof to commence to demolish the dwelling and other structures on the premises on or before a specified day, being at least one month from the date of issuing the order, and to complete the demolition and to remove on or before a specified day, being at least one month from the date of demolition the materials which comprised the same from the site.

(2) The court shall give notice to the occupier of a dwelling in respect of which such an order has been issued requiring him to move therefrom within a time to be specified in such notice, and if any person fails to comply with such notice or enters the dwelling or premises after the date fixed except for the purpose of demolition he shall be guilty of an offence.

(3) If any person fails to comply with such an order for demolition he shall be guilty of an offence and liable to pay the daily fine provided in section 49 and the health officer may cause the dwelling and any other structures on the premises to be demolished and may recover from the owner the expense incurred in doing so after deducting the net proceeds of the sale of the material, which the health officer may sell by auction.

(4) No compensation shall be paid to the owner or occupier of any dwelling or other structure in respect of the demolition thereof as aforesaid, and from the date of the demolition order no rent shall be due or payable by or on behalf of the occupier in respect of such dwelling or structure.

Prohibitions

53. (1) Within any area to which the Minister may, by notice in the Gazette apply this section, it shall not be lawful thereafter for any person —

- (a) to erect any dwelling constructed on the back-to-back system;
- (b) to erect any room intended to be used as a sleeping or living or work room which is not sufficiently lighted by a window or windows of a total area of not less than one-tenth of the floor area, and sufficiently ventilated by two or more ventilation openings or by windows capable of being wholly or partly open, such windows or openings being so placed as to secure through or cross ventilation; or

(c) to erect any dwelling on made ground containing street sweepings, refuse, rubbish or other matter liable to decomposition until the approval of the health officer has been obtained and until also such measures for safeguarding health have been taken as the health officer may require.

(2) Any person who contravenes any provision of this section shall be liable to a fine of R50 and to imprisonment for three months and to a further fine of R5 for every day during which such contravention continues after the date fixed in any written notice in respect thereof from the health officer.

54. The Minister may make regulations and may confer powers Regulations and impose duties in connection with the carrying out and enforcement thereof on health officer, owners and others as to —

- (a) the inspection of land, dwellings, buildings, factories and trade premises, and for securing the keeping of the same clean and free from nuisance and so as not to endanger the health of the inmates or the public health;
- (b) the periodical cleansing and white-washing or other treatment of dwellings and the cleansing of land attached thereto and the removal of rubbish or refuse therefrom;
- (c) the drainage of land, streets or premises, the disposal of offensive liquids and the removal and disposal of rubbish, refuse, manure and waste matters;
- (d) the standards of purity of any liquid which, after treatment in any purification works, may be discharged therefrom as effluent;
- (e) the establishment and carrying on of factories or trade premises which are likely to cause offensive smells or effluents or to discharge liquid or other material liable to cause such smells or effluents, or to pollute streams, or are otherwise liable to be a nuisance or injurious or dangerous to health, and for prohibiting the establishment or carrying on of such factories or trade premises in unsuitable localities or so as to be a nuisance or injurious or dangerous to health;
- (f) the inspection of the district of any health officer by that health officer with a view to ascertaining whether the lands and buildings thereon are in a state to be injurious or dangerous to health and the preparation, keeping and publication of such records as may be required; and

- (g) sanitary and hygienic conditions on premises or sites used for the purpose of public conveniences, or for amusement, or for recreational activities, or temporarily for groups of persons, such as day schools, creches, cinemas, churches, stadiums, open-air stalls, camps and mining encampments.

PART VIII **PROTECTION OF FOODSTUFFS**

Buildings used for storage of foodstuffs

55. (1) All warehouses or buildings of whatever nature used for the storage of foodstuffs shall be constructed in such manner as shall render such warehouses or buildings rat-proof.

(2) Where any warehouse or building intended for the storage of foodstuffs aforesaid has fallen into a state of disrepair, or does not afford sufficient protection against rat invasion by reason of the materials used in the construction of the same being defective, the health officer may by written notice require the owner to effect such repairs and alterations as the notice shall prescribe within a time to be specified in the said notice, and if such requirement is not complied with the health officer may enter upon the premises and effect such repairs and alterations, and may recover all costs and expenses incurred from the owner.

(3) Where any foodstuffs within a warehouse or building are insufficiently protected the owner thereof shall observe all written instructions and directions of the health officer, within a time to be specified in the notice, for the better protection of the same:

Provided that in the case of any prosecution under this section the court may in its discretion acquit the accused if it is satisfied that all reasonable steps have been taken to exclude rats having regard to all the circumstances of the case.

Buildings in which foodstuffs are stored or prepared for sale

56. (1) No person shall reside or sleep in any kitchen or room in which foodstuffs are prepared or stored for sale.

(2) If it appears that any such kitchen or room is being so used contrary to this section, or that any part of the premises adjoining the room in which foodstuffs are stored or exposed for sale is being used as a sleeping apartment under such circumstances that the foodstuffs are likely to be contaminated or made unwholesome, the health officer may serve upon the offender or upon the owner of the house, or upon both, a notice calling for such measures to be taken as shall prevent the improper use of such kitchen and premises within a time to be specified in the notice, and if such notice be not complied with the party upon whom it was served shall be guilty of an offence.

PART IX
WATER AND FOOD SUPPLIES

57. It shall be the duty of every health officer to take all lawful, necessary and reasonably practicable measures to ensure the purity of any supply of water which the public has a right to use and does use for drinking or domestic purposes, and to take all necessary measures against any person so polluting any such supply or polluting any streams so as to be a nuisance or danger to health.

Duty of health officers

58. (1) No person shall sell or expose for sale or bring into Botswana or into any market or have in his possession without reasonable excuse any food for human consumption in a tainted, adulterated, diseased or unwholesome state, or which is unfit for human consumption, or any food for any animal which is in an unwholesome state or unfit for its use, and any health officer, veterinary officer or police officer of or above the rank of sergeant may seize any such food, and any magistrate or a health officer or approved veterinary officer may order it to be destroyed, or to be so disposed of as to prevent it from being used as food for humans or animals as the case may be.

Sale of tainted food

(2) No person shall collect, prepare, manufacture, keep, transmit or expose for sale any foodstuffs without taking adequate measures to guard against or prevent any infection or contamination thereof.

59. Any health officer or other person duly authorized by him in writing, may at any reasonable time, enter any shop or premises used for the sale or preparation for sale, or for the storage of food, to inspect and examine any food found therein which he has reason to believe is intended for human consumption, and should such food appear to such officer to be unfit for such use, he may seize the same, and any magistrate may order it to be disposed of as in the foregoing section. The onus of proof that such food was not exposed for sale or intended for human consumption shall be on the person charged.

Seizure

60. Any person in whose possession there shall be found any food liable to seizure under sections 58 and 59 shall in addition be liable to a penalty of R200 and to imprisonment for six months.

Penalty

61. The Minister may make regulations in regard to all or any of the following matters —

Regulations

- (a) the inspection of dairies, markets, stock-sheds or yards, milk-shops, milk vessels and slaughter-houses, and of factories, stores, shops and other places where any article of food is manufactured, prepared, kept or sold;

- (b) the taking and examination of samples of milk, dairy produce, meat or other articles of food and the removal or detention, pending examination or enquiry, of animals or articles which are suspected of being diseased, unsound, unwholesome or unfit for human consumption, and the seizure and destruction or treatment or disposal so as not to endanger health, of any such article which is found to be unwholesome, and of diseased animals sold or contaminated, and of diseased animals sold or intended or offered or exposed for sale for human consumption and such regulations may empower a health officer, or (in the case of meat) a veterinary officer, to detain, seize or destroy any diseased, unsound or unwholesome article of food, but shall not confer on any other person any power beyond that of detention of such article for the purpose of examination;
- (c) fixing standard of milk contents and cleanliness of milk and prescribing the warning to be given to any cow-keeper, dairyman or purveyor of milk that any milk sold or kept or transmitted or exposed for sale by him has been found to be below any such standard, and the issue of orders prohibiting the sale or keeping or exposure for sale of milk from any particular animal or animals or requiring the closing of any dairy, stock-shed or yard or milk shop, the milk from which is found after analysis and official warning to be below any such standard;
- (d) the conveyance and distribution of milk and the labelling or marking of receptacles used for the conveyance of milk;
- (e) the veterinary inspection of dairy stock, the sampling and bacteriological examination of milk and dairy produce and the prevention of the sale, or the keeping, transmission or exposure for sale of milk from a diseased or infected animal;
- (f) the duties of cow-keepers, dairymen and purveyors of milk in connection with the occurrence of communicable disease amongst persons residing or employed in or about their premises and the furnishing by them of the names and addresses of their customers, and of cow-keepers, in connection with reporting the occurrence, in animals on the premises or any dairy cattle, of diseases which are communicable to man and of any diseases of the udder;
- (g) the inspection and examination of, and the regulation, inspection and supervision of the manufacture, preparation,

storage, keeping and transmission of any article of food intended for sale or for export from Botswana and the prohibition of the manufacture, preparation, storage, keeping, transmission, sale or export from Botswana of any such article which is, or contains an ingredient which is diseased or unsound or unfit for human consumption, or which has been exposed to any infection or contamination;

- (h) the medical supervision and hygiene of foodhandlers, including the provision of requisite hand-washing and sanitary facilities for such food-handlers;
- (i) prohibiting the importation into Botswana of any article of food which is not clean, wholesome, sound and free from any disease or infection or contamination, and the seizure and disposal by destruction or otherwise of any such article so imported;
- (j) the preparation, manufacture or importation and the storage and sale of or trade in articles of food which are packed in airtight receptacles or are otherwise preserved, and the marking of any such article or receptacle with the date of manufacture or preparation;
- (k) prohibiting the importation, sale, possession or use of vessels which are intended to contain milk or any liquid or semi-solid article of food and which are rusty or defectively soldered or are made of material containing in any part likely to come in contact with the contents, lead or other poisonous or injurious substance in such proportion as to be likely to cause injury or danger to health, and fixing the maximum proportions of such substances which may be used in such vessels;
- (l) requiring the marking or stamping in any manner prescribed by such regulations of any article of food for the purposes of showing clearly the nature, quality, weight, contents, place of manufacture or origin of any such article, and any other particulars whether of the same kind or not prescribed in such regulations in regard to any such article;
- (m) requiring the medical examination of any person in any premises in which any milk or dairy produce or other article of food intended for sale is collected, kept, sold or exposed for sale, or of any person who has been engaged in the collection, preparation, keeping, conveyance or distribution of any such milk or produce or article;

- (n) prohibiting the employment by any cow-keeper, dairyman or purveyor of milk or other person in connection with the collection, preparation, storage, distribution or sale of milk, dairy produce or any article of food of any person who has been proved to be a carrier of the infection of typhoid or enteric fever or other communicable disease, while so infected;
- (o) requiring the closing of any stock-shed or yard, dairy or milk-shop, or the exclusion from any stock-shed or dairy premises of any animal the milk from which is believed to have conveyed or to be liable to convey any communicable disease;
- (p) prohibiting the sale or exposure for sale of milk by any cow-keeper, dairyman or purveyor of milk who has been three times convicted of offences under any laws or regulations regarding the milk trade; and
- (q) prescribing the places at which and the conditions under which animals are slaughtered for human consumption.

PART X

PREVENTION AND DESTRUCTION OF MOSQUITOES

62. For the purposes of this Act —

- (a) all collections of water, sewage, rubbish, refuse, dung or other fluid or solid substances which permit or facilitate the breeding or multiplication of animal or vegetable parasites of men or domestic animals, or of insects or of other agents, which are known to carry such parasites or which may otherwise cause or facilitate the infection of men or domestic animals by such parasites;
- (b) any collection of water in any well, pool, gutter, channel, depression, excavation, barrel, tub, bucket or any other article, and found to contain any of the immature stages of the mosquito; and
- (c) any cesspit, latrine, urinal, dung-pit or ash-pit found to contain any of the immature stages of the mosquito,

shall be nuisances liable to be dealt with in the manner herein-before prescribed for the treatment of nuisances.

63. (1) The occupier or owner of any premises shall keep such premises free from all bottles, whole or broken, whether fixed on walls or not, tins, boxes, calabashes, earthenware vessels, shells or any other articles which are kept so that they are likely to retain water.

Breeding
places of
mosquitoes
to be
nuisances

Yards to be
kept free
from bottles,
whole or
broken, etc.

(2) Any occupier or owner of any premises who fails to comply with subsection (1) shall be guilty of an offence and liable to a fine of R10.

64. No person shall within a township permit any premises or lands owned or occupied by him or over which he has control to become overgrown with bush or long grass of such a nature as, in the opinion of the medical officer of health or health officer, to be likely to harbour mosquitoes. Premises not to be overgrown

65. (1) It shall not be lawful for any person to keep, or for the occupier or owner of any premises to allow to be kept thereon, any collection of water in any well, barrel, tub, bucket, tank or other vessel intended for the storage of water, unless such well, barrel, tub, bucket, tank or other vessel is fitted with a sufficient cover and is properly protected or screened to the satisfaction of the medical officer of health so as to prevent the ingress of mosquitoes into the same. Wells, etc., to be covered

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable to a fine of R10, and after notice received from the medical officer of health, to a further fine of R2 for each day during which he makes default.

66. The occupier or owner of any premises upon or attached to which is any cesspit or french drain shall cause such cesspit or french drain to be properly protected, screened or constructed to the satisfaction of the medical officer of health so as to prevent the ingress of mosquitoes into the same, and in default he shall be guilty of an offence and liable to a fine of R10, and to a further fine of R2 for each day during which he continues to make such default after notice received from the local authority to comply with this section. Cesspits to be screened

67. It shall be lawful for the medical officer of health by written notice to require the occupier or owner of any premises upon or attached to which is any gutter, pipe, groove or waterway used or intended for carrying off water from any roof or other place to cause the same to be perforated by holes at least every two feet in such a manner as to prevent the collection or accumulation of water therein, and if any person duly served with such notice fails to comply with the provisions thereof within such times as may be specified therein he shall be guilty of an offence and liable to a fine of R10, and to a further fine of R2 for each day during which he continues to make such default. Gutters may be required to be perforated

Larvae, etc.,
may be
destroyed

68. Where any of the immature stages of the mosquito are found on any premises in any collection of water in any cesspit, well, pool, channel, barrel, tub, bucket, tank or any other vessel, or in any bottle, whole or broken, whether fixed on a wall or not, tin, box, calabash, shell or any other article, it shall be lawful for the medical officer of health, health inspector or any person specially authorized in writing in that behalf by the Minister or the medical officer of health to take immediate steps to destroy such immature stages of the mosquito by the application of oil or larvicide or otherwise, and to take such action as is necessary to prevent the recurrence of the nuisance and to render any pools or collections of water unfit to become breeding places for mosquitoes.

Mere
presence of
mosquito
larvae an
offence

69. Notwithstanding any provision of this Act, the occupier or owner of any house or premises, or the owner or person having the charge of any vessel, timber, cask or other article, in or about which there is any collection of water found by the medical officer of health, health inspector or any other person appointed in writing by the Minister or the medical officer of health as an inspector for the purpose to contain any of the immature stages of the mosquito shall be guilty of an offence and liable in respect of each and every such collection of water to a fine of R10, or in default to imprisonment for seven days.

PART XI CEMETERIES

Sites

70. (1) It shall be lawful for the Minister to select and declare cemeteries for certain areas and to notify in the Gazette proper places to be the sites of and to be used as cemeteries; and save as in subsections (2) and (3) provided it shall be obligatory where such cemeteries exist to bury the dead of those areas in such cemeteries.

(2) It shall not be lawful for any person to remove any corpse from Botswana or to cremate any corpse within Botswana without express permission in writing and subject to such conditions as the Minister may by regulation prescribe.

(3) Where any person dies within any area in respect of which a cemetery has been declared under subsection (1) such person may be buried in a cemetery which has been declared for some other area.

Authorized
cemeteries

71. All cemeteries existing at the time this Act comes into operation and such other cemeteries as may be authorized by the Minister, notice whereof shall be published in the Gazette, shall be deemed authorized cemeteries.

72. (1) Subject to section 73 it shall not be lawful to exhume any body or the remains of any body which may have been interred in any authorized cemetery or in any other cemetery, burial ground or other place without a permit granted in manner hereinafter provided.

Permit to
exhume

(2) Such permit shall be granted only to the legal personal representative or next-of-kin of the person buried, or to his or their duly authorized agent.

(3) Such permit may be granted by the Minister in respect of any body or the remains of any body interred in any cemetery or burial ground or any other place and the Minister may prescribe such precautions and conditions as he may deem fit, and any person who exhumes any body or the remains of any body contrary to this Act, or who neglects to observe the precautions and conditions prescribed in the permit shall be guilty of an offence:

Provided always that nothing herein contained shall be deemed to affect the right of a magistrate to order the exhumation of a body or the remains of any body for the purpose of holding an enquiry into the cause of death of any person.

73. (1) It shall be lawful for the Minister whenever he deems it expedient for the execution of any public work or any public, mining or industrial purpose, to remove any body or the remains of any body from any grave whether in an authorized cemetery or elsewhere, and by order under his hand to direct such removal to be made in such manner as he shall direct.

Essential
exhumation

(2) No such order shall be made in respect of any grave situated in an authorized cemetery until six months' notice of the intention to make it shall have been given by notification in the Gazette.

74. The Minister shall make proper and fitting arrangements for the reinterment in an authorized cemetery of any body or remains of any body removed under section 73 and for the removal and re-erection of any monument, all charges in connection therewith being defrayed out of the Consolidated Fund.

Reinterment

75. The Minister shall keep a record of every permit granted and of every order made under sections 72 and 73. Such record shall contain particulars, so far as the same can be ascertained, of the race, nationality, name, sex and age of the persons buried, date of burial, and of the place of original burial and of reburial or removal. Such record shall be open during office hours to inspection by any person.

Record of
exhumation

76. It shall be lawful for the Minister to notify in the Gazette that any cemetery or burial ground shall, from a time in such notification

Closing of
cemeteries

to be specified, be closed, and the same shall be closed accordingly, and any person who after the said specified time buries any body or the remains of any body in the said cemetery or burial ground, shall be guilty of an offence.

Regulations **77.** The Minister may make regulations for the better carrying out of the purposes of this part, and without derogating from the generality of the foregoing may make regulations stipulating the manner in, times at, and conditions under which the dead may be buried, cremated or exhumed and cemeteries and crematoria may be operated or used.

PART XII GENERAL

Basements **78.** (1) It shall not be lawful to live in, occupy or use or to let or sublet, or to suffer or permit to be used any basement for human habitation.

(2) It shall not be lawful, without the written permission of a health officer, to use such basement as a shop, workshop or factory, or for the preparation or storage of food, and no basement shall be used unless it is well lit and well ventilated and is free from damp and is rendered rodent-proof to the satisfaction of a health officer.

Lodging houses **79.** The Minister may make regulations for the conduct and inspection of lodging-houses, boarding-houses or any dwelling or part thereof which is let or sub-let as lodgings.

Nursing homes **80.** (1) No person shall open or keep open a nursing home, maternity home, convalescent home, private hospital, clinic or any institution where invalids or convalescents are treated or received upon payment of fees or charges unless such premises are registered and the keeper or manager thereof is licensed annually by the Minister.

(2) The Minister may authorize a health officer to visit any such premises as in this section mentioned to report to him upon any matter or thing connected with the premises or the use thereof.

(3) Any person who knowingly obstructs an authorized health officer in any such inspection shall be guilty of an offence.

Regulations **81.** The Minister may make regulations for ensuring that the health of the inhabitants of any area may be safeguarded in respect of—

- (a) the prevention of pools of standing water;
- (b) the drainage and control of such pools when they exist; and

(c) the inspection, repair and cleansing of open channels, canals and drains.

82. (1) The Minister may provide for the inspection, sampling and examination of vaccines, vaccine lymph, sera, toxins, anti-toxins, antigens, insulin, and any other therapeutic substance as defined by regulation imported into or manufactured in Botswana and intended or used for the prevention or treatment of human or animal diseases, and shall regulate their sale or supply, and may prohibit their sale or supply, and may prohibit the importation, manufacture, sale or use of any such substance which is considered to be unsafe or to be liable to be harmful or dangerous to health.

Supervision
of vaccines,
etc.

(2) The Minister may make such regulations as he may consider necessary for carrying out the provisions of this section.

83. Notwithstanding any other provisions of this Act, whenever a power is conferred enabling a person to be compulsorily examined, if the person to be examined is a female over the age of fourteen years, such female shall have the right to demand that the examination be conducted by a female health officer or, if no female health officer is available to conduct such examination, that the examination be made in the presence of the husband of the person to be examined or in the presence of another female.

Examination
of females

PART XIII **MISCELLANEOUS PROVISIONS**

84. Notices, orders and other documents required or authorized to be served under this Act may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises by delivering the same, or a true copy thereof, to some responsible person on the premises, or can be served by fixing the same on some conspicuous part of the premises, and they may also be served by post by a prepaid letter and if served by post shall *prima facie* be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service it shall be sufficient to prove that the notice, order or other document was properly addressed and put in the post.

Service of
notices

85. No defect in the form of any notice or order made under this Act shall invalidate or render unlawful the administrative action, or be ground for exception to any legal proceedings which may be taken in the matter to which such notice or order relates, provided the requirements thereof are substantially and intelligibly set forth.

Defect in
form

Powers of entry and inspection

86. (1) Any health officer, veterinary officer, or any police officer of or above the rank of sergeant or any other person generally or specially authorized in writing by the Minister may, at any hour reasonable for the proper performance of the duty, enter any land or premises to make any inspection or to perform any work or to do anything which is required or authorized by this Act or any other law to be done, if such inspection, work or thing is necessary for or incidental to the performance of his duties or the exercise of his powers.

(2) Any person who fails to give or refuses access to any health officer, veterinary officer, sergeant, police officer or person authorized under subsection (1) if he requests entrance on any land or premises, or obstructs or hinders him in the execution of his duties under this Act, or who fails or refuses to give information that he may lawfully be required to give to such health officer, veterinary officer, sergeant, police officer or person, or who gives to such health officer, veterinary officer, sergeant, police officer or person, false or misleading information knowing it to be false or misleading, or who prevents the owner or any of his servants or workmen from entering any land or dwelling or premises for the purpose of complying with any requirement under this Act shall be guilty of an offence.

Penalties not expressly provided for

87. Any person guilty of an offence against or contravention of, or default in complying with, any provision of this Act shall, if no penalty is expressly provided for such offence, contravention or default, be liable to a fine of R200 and to imprisonment for six months and if the offence, contravention or default is of a continuing nature, to a further fine of R10 for each day during which he shall make default:

Provided that where the offence is in respect of any building or premises for which a licence is required under any law for the time being in force the court before which any such conviction is obtained may in addition to or in substitution for any of the aforesaid penalties revoke or suspend such licence.

Power to make regulations

88. The Minister shall have power to make regulations generally for the carrying out of the purposes of this Act, provided that prior to publishing regulations or notices under any of the Parts of this Act relating to animals or poultry or animal or poultry diseases the Minister shall be required to consult with the Minister responsible for Agriculture.

Repeal of Cap 40 of 1948 Ed. of the Laws

89. The Public Health Proclamation and all regulations made thereunder are hereby repealed.

FIRST SCHEDULE

(See section 27)

I, the undersigned, hereby certify that in my opinion
is not now in a fit and proper state to be vaccinated, and I do hereby recommend that the vaccination be
postponed for the period of three months from this date.

Dated this day of 19.....

.....
*(Signature of Medical Practitioner
or Public Vaccinator)*

SECOND SCHEDULE

(See section 28)

I, the undersigned, hereby certify that I have three times unsuccessfully vaccinated
..... or that
has already had smallpox, as the case may be, and I am of opinion that the said
..... is unsusceptible of successful vaccination.

Dated this day of 19.....

.....
*(Signature of Medical Practitioner
or Public Vaccinator)*

THIRD SCHEDULE
INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST
SMALLPOX

This is to certify that..... date of birth..... sex.....

whose signature follows
has on the date indicated been vaccinated against smallpox.

Date	Show by "x" whether	Signature and professional status of vaccinator	Approved stamp	
			la	lb
1a	Primary vaccination performed.....		la	lb
1b	Read as successful Unsuccessful.....			
2	Revaccination		2	3
3	Revaccination			
4	Revaccination		4	5
5	Revaccination			
6	Revaccination		6	7
7	Revaccination			

The validity of this certificate shall extend for a period of three years beginning eight days after the date of a successful primary vaccination or in the event of a revaccination, on the date of that revaccination. The approved stamp mentioned above must be in a form prescribed by the Health Administration of the territory in which the vaccination is performed.

FOURTH SCHEDULE

INTERNATIONAL HEALTH REGULATIONS

PART I - DEFINITIONS

Article 1

For the purposes of these Regulations —

"*Aedes aegypti* index" means the ratio, expressed as a percentage, between the number of house in a limited well-defined area on the premises of which actual breeding places of *Aedes aegypti* are found, and the total number of houses examined in that area;

"aerosol dispenser" means a dispenser holding a pressurized formulation which produces an insecticidal aerosol when the valve is opened;

"aircraft" means an aircraft making an international voyage;

"airport" means an airport designated by the State in whose territory it is situated as an airport of entry or departure for international air traffic;

"arrival" of a ship, an aircraft, a train, or a road vehicle means —

(a) in the case of a seagoing vessel, arrival at a port;

(b) in the case of an aircraft, arrival at an airport;

(c) in the case of an inland navigation vessel, arrival either at a port or at a frontier post, as geographical conditions and treaties or arrangements among the States

concerned, under Article 98 or under the laws and regulations in force in the territory of entry, may determine;

(d) in the case of a train or road vehicle, arrival at a frontier post;

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

"container (freight 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;

(d) so designed as to be easy to fill and empty.

The term "container (freight container)" does not include vehicles or conventional packing;

"crew" means the personnel of a ship, an aircraft, a train, a road vehicle or other means of transport who are employed for duties on board;

"day" means an interval of twenty-four hours;

"direct transit area" means a special area established in connexion with an airport, approved by the health authority concerned and under its direct supervision, for accommodating direct transit traffic and, in particular, for accommodating, in segregation, passengers and crews breaking their air voyage without leaving the airport;

"Director-General" means the Director-General of the Organization;

"diseases subject to the Regulations" (quarantinable diseases) means cholera, including cholera due to the El Tor vibrio, plague, smallpox, including variola minor (alastrim), and yellow fever;

"disinsecting" means the operation in which measures are taken to kill the insect vectors of human disease present in ships, aircraft, trains, road vehicles or other means of transport, and containers;

"epidemic" means an extension of a disease subject to the Regulations by a multiplication of cases in an area;

"free pratique" means permission for a ship to enter a port, disembark and commence operation, or for an aircraft, after landing, to disembark and commence operation;

"health administration" means the governmental authority responsible over the whole of a territory to which these Regulations apply for the implementation of the health measures provided herein;

"health authority" means the authority immediately responsible in its jurisdiction for the appropriate health measures permitted or prescribed by these Regulations;

"imported case" means an infected person arriving on an international voyage;

"infected area" is defined on epidemiological principles by the health administration

reporting the disease in its country and need not correspond to administrative boundaries. It is that part of its territory which, because of population characteristics, density and mobility and/or vector and animal reservoir potential, could support transmission of the reported disease;

"infected person" means a person who is suffering from a disease subject to the Regulations or who is subsequently shown to have been incubating such a disease;

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

"in quarantine" means that state or condition during which measures are applied by a health authority to a ship, an aircraft, a train, road vehicle, other means of transport or container, to prevent the spread of disease, reservoirs of disease or vectors of disease from the object of quarantine;

"international voyage" means —

(a) in the case of a ship or an aircraft, a voyage between ports or airports in the territories of more than one State, or a voyage between ports or airports in the territory or territories of the same State if the ship or aircraft has relations with the territory of any other State on its voyage but only as regards those relations;

(b) in the case of a person, a voyage involving entry into the territory of a State other than the territory of the State in which that person commences his voyage;

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

"medical examination" includes visit to and inspection of a ship, an aircraft, a train, road vehicle or other means of transport and container, and the preliminary examination of persons, including scrutiny of vaccination certificates, but does not include the periodical inspection of a ship to ascertain the need for deratting;

"organization" means the World Health Organization;

"port" means a seaport or an inland port;

"ship" means a seagoing or an inland navigation vessel making an international voyage;

"suspect" means a person who is considered by the health authority as having been exposed to infection by a disease subject to the Regulations and is considered capable of spreading that disease;

"transferred case" means an infected person whose infection originated in another area under the jurisdiction of the same health administration;

"valid certificate", when applied to vaccination, means a certificate conforming with the rules and the model laid down in Appendix 2, 3 or 4.

PART II – NOTIFICATIONS AND EPIDEMIOLOGICAL INFORMATION

Article 2

For the application of these Regulations, each State recognizes the right of the Organization to communicate directly with the health administration of its territory or territories. Any notification or information sent by the Organization to the health administration shall be considered as having been sent to the State, and any notification or information sent by the health administration to the Organization shall be considered as having been sent by the State.

Article 3

1. Each health administration shall notify the Organization by telegram or telex within twenty-four hours of its being informed that the first case of a disease subject to the Regulations, that is neither an imported case nor a transferred case, has occurred in its territory, and, within the subsequent twenty-four hours, notify the infected area.

2. In addition each health administration shall notify the Organization by telegram or telex within twenty-four hours of its being informed:

(a) that one or more cases of a disease subject to the Regulations has been imported or transferred into a non-infected area – the notification to include all information available on the origin of infection;

(b) that a ship or aircraft has arrived with one or more cases of a disease subject to the Regulations on board – the notification to include the name of the ship or the flight number of the aircraft, its previous and subsequent ports of call, and the health measures, if any, taken with respect to the ship or aircraft.

3. The existence of the disease so notified on the establishment of a reasonably certain clinical diagnosis shall be confirmed as soon as possible by laboratory methods, as far as resources permit, and the result shall be sent immediately to the Organization by telegram or telex.

Article 4

1. Each health administration shall notify the Organization immediately of evidence of the presence of the virus of yellow fever, including the virus found in mosquitos or in vertebrates other than man, or the plague bacillus, in any part of its territory, and shall report the extent of the area involved.

2. Health administrations, when making a notification of rodent plague, shall distinguish wild rodent plague from domestic rodent plague and, in the case of the former, describe the epidemiological circumstances and the area involved.

Article 5

Any notification required under paragraph 1 of Article 3 shall be promptly supplemented by information as to the source and type of the disease, the number of cases and deaths, the conditions affecting the spread of the disease, and the prophylactic measures taken.

Article 6

1. During an epidemic the notifications and information required under Article 3 and Article 5 shall be followed by subsequent communications sent at regular intervals to the Organization.

2. These communications shall be as frequent and as detailed as possible. The number of cases and deaths shall be communicated at least once a week. The precautions taken to prevent the spread of the disease, in particular the measures which are being applied to prevent the spread of the disease to other territories by ships, aircraft, trains, road vehicles, other means of transport, and containers leaving the infected area, shall be stated. In the case of plague, the measures taken against rodents shall be specified. In the case of the diseases subject to the Regulations which are transmitted by insect vectors, the measures taken against such vectors shall also be specified.

Article 7

1. The health administration for a territory in which an infected area has been defined and notified shall notify the Organization when that area is free from infection.

2. An infected area may be considered as free from infection when all measures of prophylaxis have been taken and maintained to prevent the recurrence of the disease or its spread to other areas, and when:

(a) in the case of plague, cholera or smallpox, a period of time equal to at least twice the incubation period of the disease, as hereinafter provided, has elapsed since the last case identified has died, recovered or been isolated, and there is no epidemiological evidence of spread of that disease to any contiguous area;

(b) (i) in the case of yellow fever not transmitted by *Aedes aegypti*, three months have elapsed without evidence of activity of the yellow-fever virus;

(ii) in the case of yellow fever transmitted by *Aedes aegypti*, three months have elapsed since the occurrence of the last human case, or one month since that occurrence if the *Aedes aegypti* index has been continuously maintained below one per cent.;

(c) (i) in the case of plague in domestic rodents, one month has elapsed since the last infected animal was found or trapped;

(ii) in the case of plague in wild rodents, three months have elapsed without evidence of the disease in sufficient proximity to ports and airports to be a threat to international traffic.

Article 8

1. Each health administration shall notify the Organization of:

(a) the measures which it has decided to apply to arrivals from an infected area and the withdrawal of any such measures, indicating the date of application or withdrawal;

(b) any change in its requirements as to vaccination for any international voyage.

2. Any such notification shall be sent by telegram or telex, and whenever possible in advance of any such change or of the application or withdrawal of any such measure.

3. Each health administration shall send to the Organization once a year, at a date to be fixed by the Organization, a recapitulation of its requirements as to vaccination for any international voyage.

4. Each health administration shall take steps to inform prospective travellers, through the co-operation of, as appropriate, travel agencies, shipping firms, aircraft operators or by other means, of its requirements and of any modifications thereto.

Article 9

In addition to the notifications and information required under Articles 3 to 8 inclusive, each health administration shall send to the Organization weekly:

- (a) a report by telegram or telex of the number of cases of the diseases subject to the Regulations and deaths therefrom during the previous week in each of its towns and cities adjacent to a port or an airport, including any imported or transferred cases;
- (b) a report by airmail of the absence of such cases during the periods referred to in sub-paragraph (a), (b) and (c) or paragraph 2 of Article 7.

Article 10

Any notification and information required under Articles 3 to 9 inclusive shall also be sent by the health administration, on request, to any diplomatic mission or consulate established in the territory for which it is responsible.

Article 11

1. The Organization shall send to all health administrations, as soon as possible and by the means appropriate to the circumstances, all epidemiological and other information which it has received under Articles 3 to 8 inclusive and paragraph (a) of Article 9 as well as information as to the absence of any returns required by Article 9. Communications of an urgent nature shall be sent by telegram, telex or telephone.

2. Any additional epidemiological data and other information available to the Organization through its surveillance programme shall be made available, when appropriate, to all health administrations.

3. The Organization may, with the consent of the government concerned, investigate an outbreak of a disease subject to the Regulations which constitutes a serious threat to neighbouring countries or to international health. Such investigation shall be directed to assist governments to organize appropriate control measures and may include on-the-spot studies by a team.

Article 12

Any telegram or telex sent, or telephone call made, for the purposes of Article 3 to 8 inclusive and Article 11 shall be given the priority appropriate to the circumstances; in any case of exceptional urgency, where there is risk of the spread of a disease subject to the Regulations, the priority shall be the highest available under international telecommunication agreements.

Article 13

1. Each State shall forward annually to the Organization, in accordance with Article 62 of the Constitution of the Organization, information concerning the occurrence of any case of a disease subject to the Regulations due to or carried by international traffic, as well as on the action taken under these Regulations or bearing upon their application.

2. The Organization shall, on the basis of the information required by paragraph 1 of this Article, of the notifications and reports required by these Regulations, and of any other official information, prepare an annual report on the functioning of these Regulations and on their effect on international traffic.

3. The Organization shall review the epidemiological trends of the diseases subject to the Regulations, and shall publish such data, not less than once a year, illustrated with maps showing infected and free areas of the world, and any other relevant information obtained from the surveillance programme of the Organization.

PART III – HEALTH ORGANIZATION

Article 14

1. Each health administration shall ensure that ports and airports in its territory shall have at their disposal an organization and equipment adequate for the application of the measures provided for in these Regulations.

2. Every port and airport shall be provided with pure drinking water and wholesome food supplied from sources approved by the health administration for public use and consumption on the premises or on board ships or aircraft. The drinking water and food shall be stored and handled in such a manner as to ensure its protection against contamination. The health authority shall conduct periodic inspections of equipment, installations and premises, and shall collect samples of water and food for laboratory examinations to verify the observance of this Article. For this purpose and for other sanitary measures, the principles and recommendations set forth in the guides on these subjects published by the Organization shall be applied as far as practicable in fulfilling the requirements of these Regulations.

3. Every port and airport shall also be provided with an effective system for the removal and safe disposal of excrement, refuse, waste water, condemned food, and other matter dangerous to health.

Article 15

There shall be available to as many of the ports and airports in a territory as practicable an organized medical and health service with adequate staff, equipment and premises, and in particular facilities for the prompt isolation and care of infected persons, for disinfection, disinsecting and deratting, for bacteriological investigation, and for the collection and examination of rodents for plague infection, for collection of water and food samples and for their dispatch to a laboratory for examination, and for other appropriate measures provided for by these Regulations.

Article 16

The health authority for each port and airport shall:

- (a) take all practicable measures to keep port and airport installations free of rodents;
- (b) make every effort to extend rat-proofing to the port and airport installations.

Article 17

1. Each health administration shall ensure that a sufficient number of ports in its territory shall have at their disposal adequate personnel competent to inspect ships for the issue of the Deratting Exemption Certificates referred to in Article 54, and the health administration shall approve such ports for that purpose.

2. The health administration shall designate a number of these approved ports, depending upon the volume and incidence of its international traffic, as having at their disposal the equipment and personnel necessary to derat ships for the issue of the Deratting Certificates referred to in Article 54.

3. Each health administration which so designates ports shall ensure that Deratting Certificates and Deratting Exemption Certificates are issued in accordance with the requirements of the Regulations.

Article 18

Each health administration shall designate those airports which possess a direct transit area as defined in Article 1.

Article 19

1. Depending upon the volume of its international traffic, each health administration shall designate as sanitary airports a number of the airports in its territory, provided they meet the conditions laid down in paragraph 2 of this Article, and the provisions of Article 14.

2. Every sanitary airport shall have at its disposal:

- (a) an organized medical service with adequate staff, equipment and premises;
- (b) facilities for the transport, isolation, and care of infected persons or suspects;
- (c) facilities for efficient disinfection, and disinsecting, for the control of vectors and rodents, and for any other appropriate measure provided for by these Regulations;
- (d) a bacteriological laboratory, or facilities for dispatching suspected material to such a laboratory;
- (e) facilities within the airport for vaccination against smallpox, and facilities within the airport or available to it for vaccination against cholera and yellow fever.

Article 20

1. Every port and the area within the perimeter of every airport shall be kept free from *Aedes aegypti* in its immature and adult stages, and the mosquito vectors of malaria and other diseases of epidemiological significance in international traffic. For this purpose active anti-mosquito measures shall be maintained within a protective area extending for a distance of at least 400 metres around the perimeter.

2. Within a direct transit area provided at any airport situated in or adjacent to an area where the vectors referred to in paragraph 1 of this Article exist, any building used as accommodation for persons or animals, shall be kept mosquito proof.

3. For the purposes of this Article, the perimeter of an airport means a line enclosing the area containing the airport buildings and any land or water used or intended to be used for the parking of aircraft.

4. Each health administration shall furnish data to the Organization once a year on the extent to which its ports and airports are kept free from vectors of epidemiological significance in international traffic.

Article 21

1. Each health administration shall send to the Organization:

(a) a list of the ports in its territory approved under Article 17 for the issue of:

(i) Deratting Exemption Certificates only; and

(ii) Deratting Certificates and Deratting Exemption Certificates;

(b) a list of the airports and sanitary airports in its territory;

(c) a list of the airports in its territory provided with direct transit areas.

2. The health administration shall notify the Organization of any change which may occur from time to time in the lists required by paragraph 1 of this Article.

3. The Organization shall send promptly to all health administrations the information received in accordance with this Article.

Article 22

1. The Organization shall, at the request of the health administration concerned, arrange to certify, after any appropriate investigation, that a sanitary airport in its territory fulfils the conditions required by the Regulations.

2. The Organization shall, at the request of the health administration concerned, and after appropriate investigation, certify that a direct transit area at an airport in a yellow-fever infected area in its territory fulfils the conditions required by the Regulations.

3. These certifications shall be subject to periodic review by the Organization, in co-operation with the health administration concerned, to ensure that the required conditions are fulfilled.

4. In the list which the Organization is required to publish under Article 21, it shall indicate those airports certified under the provisions of this Article.

Article 23

1. Wherever the volume of international traffic is sufficiently important and whenever epidemiological conditions so require, facilities for the application of the measures provided for in these Regulations shall be made available at frontier posts on railway lines, on roads and, where sanitary control over inland navigation is carried out at the frontier, on inland waterways.

2. Each health administration shall notify the Organization when and where such facilities are provided.

3. The Organization shall send promptly to all health administrations the information received in accordance with this Article.

PART I V – HEALTH MEASURES AND PROCEDURE

Chapter I – General Provisions

Article 24

The health measures permitted by these Regulations are the maximum measures applicable to international traffic, which a State may require for the protection of its territory against the diseases subject to the Regulations.

Article 25

Health measures shall be initiated forthwith, completed without delay, and applied without discrimination.

Article 26

1. Disinfection, disinsecting, deratting, and other sanitary operations shall be carried out so as:

- (a) not to cause undue discomfort to any person, or injury to his health;
- (b) not to produce any deleterious effect on the structure of a ship, an aircraft, or a vehicle, or on its operating equipment;
- (c) to avoid all risk of fire.

2. In carrying out such operations on cargo goods, baggage, containers and other articles, every precaution shall be taken to avoid any damage.

3. Where there are procedures or methods recommended by the Organization they should be employed.

Article 27

1. A health authority shall when so requested, issue free of charge to the carrier a certificate specifying the measures applied to a ship, or an aircraft, or a train, road vehicle, other means of transport or container, the parts thereof treated, the methods employed, and the reasons why the measures have been applied. In the case of an aircraft this information shall, on request, be entered instead in the Health Part of the Aircraft General Declaration.

2. Similarly, a health authority shall, when so requested, issue free of charge:

- (a) to any traveller a certificate specifying the date of his arrival or departure and the measures applied to him and his baggage;
- (b) to the consignor, the consignee, and the carrier, or their respective agents, a certificate specifying the measures applied to any goods.

Article 28

1. A person under surveillance shall not be isolated and shall be permitted to move about freely. The health authority may require him to report to it, if necessary, at specified intervals during the period of surveillance. Except as limited by the provisions of Article 71, the health authority may also subject such a person to medical investigation and make any inquiries which are necessary for ascertaining his state of health.

2. When a person under surveillance departs for another place within or without the same territory, he shall inform the health authority, which shall immediately notify the health authority for the place to which the person is proceeding. On arrival the person shall report to that health authority which may apply the measure provided for in paragraph 1 of this Article.

Article 29

Except in case of an emergency constituting a grave danger to public health, a ship or an aircraft, which is not infected or suspected of being infected with a disease subject to the Regulations, shall not on account of any other epidemic disease be refused free pratique by the health authority for a port or an airport; in particular it shall not be prevented from discharging or loading cargo or stores, or taking on fuel or water.

Article 30

A health authority may take all practicable measures to control the discharge from any ship of sewage and refuse which might contaminate the waters of a port, river or canal.

Chapter II – Health Measures on Departure

Article 31

1. The health authority for a port or an airport or for the area in which a frontier post is situated shall take all practicable measures:

- (a) to prevent the departure of any infected person or suspect;
- (b) to prevent the introduction on board a ship, an aircraft, a train, a road vehicle, other means of transport or container, of possible agents of infection or vectors of a disease subject to the Regulations.

2. The health authority in an infected area may require a valid vaccination certificate from departing travellers.

3. The health authority referred to in paragraph 1 of this Article may, when it considers it necessary, medically examine any person before his departure on an international voyage. The time and place of this examination shall be arranged to take into account any other formalities, so as to facilitate his departure and to avoid delay.

4. Notwithstanding the provisions of sub-paragraph (a) of paragraph 1 of this Article, a person on an international voyage who on arrival is placed under surveillance may be allowed to continue his voyage. The health authority shall, in accordance with Article 28, notify by the most expeditious means the health authority for the place to which he is proceeding.

**Chapter III -- Health Measures Applicable between Ports or
Airports of Departure and Arrival**

Article 32

No matter capable of causing any epidemic disease shall be thrown or allowed to fall from an aircraft when it is in flight.

Article 33

1. No health measure shall be applied by a State to any ship which passes through waters within its jurisdiction without calling at a port or on the coast.
2. If for any reason such a call is made, the laws and regulations in force in the territory may be applied without exceeding, however, the provisions of these Regulations.

Article 34

1. No health measure, other than medical examination, shall be applied to a healthy ship, as specified in Part V, which passes through a maritime canal or waterway in the territory of a State on its way to a port in the territory of another State, unless such ship comes from an infected area or has on board any person coming from an infected area, within the incubation period of the disease with which the area is infected.
2. The only measure which may be applied to such a ship coming from such an area or having such a person on board is the stationing on board, if necessary, of a sanitary guard to prevent all unauthorized contact between the ship and the shore, and to supervise the application of Article 30.
3. A health authority shall permit any such ship to take on, under its control, fuel, water and stores.
4. An infected or suspected ship which passes through a maritime canal or waterway may be treated as if it were calling at a port in the same territory.

Article 35

Notwithstanding any provision to the contrary in these Regulations except Article 76, no health measure, other than medical examination, shall be applied to:

- (a) passengers and crew on board a healthy ship from which they do not disembark;
- (b) passengers and crew from a healthy aircraft who are in transit through a territory and who remain in a direct transit area of an airport of that territory, or, if the airport is not yet provided with such an area, who submit to the measures for segregation prescribed by the health authority in order to prevent the spread of disease; if such persons are obliged to leave the airport at which they disembark solely in order to continue their voyage from another airport in the vicinity of the first airport, no such measure shall be applied to them if the transfer is made under the control of the health authority or authorities.

Chapter IV – Health Measures on Arrival

Article 36

Whenever practicable States shall authorize granting of free pratique by radio to a ship or an aircraft when, on the basis of information received from it prior to its arrival, the health authority for the intended port or airport of arrival is of the opinion that its arrival will not result in the introduction or spread of a disease subject to the Regulations.

Article 37

1. The health authority for a port, an airport, or a frontier station may subject to medical examination on arrival any ship, aircraft, train, road vehicle, other means of transport, or container, as well as any person arriving on an international voyage.

2. The further health measures which may be applied to the ship, aircraft, train, road vehicle, or other means of transport and container shall be determined by the conditions which existed on board during the voyage or which exist at the time of the medical examination, without prejudice, however, to the measures which are permitted by these Regulations to be applied to the ship, aircraft, train, road vehicle or other means of transport and container if it arrives from an infected area.

3. Where a health administration has special problems which could constitute a grave danger to public health, it may require a person on an international voyage to give on arrival a destination address in writing.

Article 38

The application of the measures provided for in Part V, which depend on arrival from an infected area as notified by the health administration concerned, shall be limited to the ship, aircraft, train, road vehicle, or other means of transport, person, container or article as the case may be, arriving from such an area, provided that the health authority for the infected area is taking all measures necessary for checking the spread of the disease and is applying the measures provided for in paragraph 1 of Article 31.

Article 39

On arrival of a ship, an aircraft, a train, a road vehicle or other means of transport, an infected person on board may be removed and isolated by the health authority. Such removal by the health authority shall be compulsory if it is required by the person in charge of the means of transport.

Article 40

1. Apart from the provisions of Part V, a health authority may place under surveillance any suspect on an international voyage arriving by whatever means from an infected area. Such surveillance may be continued until the end of the appropriate period of incubation specified in Part V.

2. Except where specifically provided for in these Regulations, isolation shall not be substituted for surveillance unless the health authority considers the risk of transmission of the infection by the suspect to be exceptionally serious.

Article 41

Any health measure, other than medical examination, which has been applied at a previous port or airport shall not be repeated at a subsequent port or airport, unless:

- (a) after the departure of a ship or an aircraft from the port or airport where the measures were applied, an incident of epidemiological significance calling for a further application of any such measure has occurred either in that port or airport or on board the ship or aircraft;
- (b) the health authority for the subsequent port or airport has ascertained on the basis of definite evidence that the individual measure so applied was not substantially effective.

Article 42

Subject to Article 80, a ship or an aircraft shall not be prevented for health reasons from calling at any port or airport. If the port or airport is not equipped for applying the health measures which are permitted by these Regulations and which in the opinion of the health authority for the port or airport are required, such ship or aircraft may be ordered to proceed at its own risk to the nearest suitable port or airport convenient to the ship or aircraft.

Article 43

An aircraft shall not be considered as having come from an infected area if it has landed only in such an area at any sanitary airport which is not itself an infected area.

Article 44

Any person on board a healthy aircraft which has landed in an infected area, and the passengers and crew of which have complied with the conditions laid down in Article 35, shall not be considered as having come from such an area.

Article 45

1. Except as provided in paragraph 2 of this Article, any ship or aircraft, which is unwilling to submit to the measures required by the health authority for the port or airport in accordance with these Regulations, shall be allowed to depart forthwith, but it shall not during its voyage call at any other port or airport in the same territory. Such a ship or an aircraft shall nevertheless be permitted, while in quarantine, to take on fuel, water and stores. If, on medical examination, such a ship is found to be healthy, it shall not lose the benefit of Article 34.

2. A ship or an aircraft arriving at a port or an airport situated in an area where the vector of yellow fever is present shall not, in the following circumstances, be allowed to depart and shall be subject to the measures required by the health authority in accordance with these Regulations:

- (a) if the aircraft is infected with yellow fever;
- (b) if the ship is infected with yellow fever, and *Aedes aegypti* have been found on board, and the medical examination shows that any infected person has not been isolated in good time.

Article 46

1. If, for reasons beyond the control of the pilot in command, an aircraft lands elsewhere than at an airport, or at any airport other than the airport at which the aircraft was due to land, the pilot in command or other person in charge shall make every effort to communicate without delay with the nearest health authority or any other public authority.

2. As soon as the health authority has been informed of the landing it may take such action as is appropriate, but in no case shall it exceed the measures permitted by these Regulations.

3. Subject to paragraph 5 of this Article, and except for the purpose of communicating with any such health or public authority or with the permission of any such authority, no person on board the aircraft shall leave its vicinity and no cargo shall be removed from that vicinity.

4. When any measure required by the health authority has been completed, the aircraft may, so far as health measures are concerned, proceed either to the airport at which it was due to land, or, if for technical reasons it cannot do so, to a conveniently situated airport.

5. The pilot in command or other person in charge may take such emergency measures as may be necessary for the health and safety of passengers and crew.

Chapter V -- Measures concerning the International Transport of Cargo, Goods, Baggage, and Mail

Article 47

1. Cargo and goods shall be submitted to the health measures provided for in these Regulations only when coming from infected areas and when the health authority has reason to believe that the cargo and goods may have become contaminated by the agent of a disease subject to the Regulations or may serve as a vehicle for the spread of any such disease.

2. Apart from the measures provided for in Article 70, goods, other than live animals, in transit without transshipment shall not be subject to health measures or detained at any port, airport, or frontier.

3. The issue of a certificate of disinfection of merchandise which is the subject of trade between two countries may be governed by bilateral agreements between the exporting and the importing countries.

Article 48

Except in the case of an infected person or suspect, baggage may be disinfected or disinsected only in the case of a person carrying infectious material or insect vectors of a disease subject to the Regulations.

Article 49

1. Mail, newspapers, books, and other printed matter shall not be subject to any health measure.

2. Postal parcels may be subject to health measures only if they contain:

- (a) any of the foods referred to in paragraph 1 of Article 70 which the health authority has reason to believe comes from a cholera-infected area; or
- (b) linen, wearing apparel, or bedding, which has been used or soiled and to which the provisions of Part V are applicable;
- (c) infectious material; or
- (d) living insects and other animals capable of being a vector of human disease if introduced or established.

Article 50

Health administration shall ensure as far as practicable that containers used in international traffic by rail, road, sea or air shall, in packing, be kept free of infectious material, vectors or rodents.

PART V – SPECIAL PROVISIONS RELATING TO EACH OF THE DISEASES SUBJECT TO THE REGULATIONS

Chapter I – Plague

Article 51

For the purposes of these Regulations the incubation period of plague is six days.

Article 52

Vaccination against plague shall not be required as a condition of admission of any person to a territory.

Article 53

1. Each State shall employ all means in its power to diminish the danger from the spread of plague by rodents and their ectoparasites. Its health administration shall keep itself constantly informed by systematic collection and regular examination of rodents and their ectoparasites of the conditions in any area, especially any port or airport, infected or suspected of being infected by rodent plague.

2. During the stay of a ship or an aircraft in a port or an airport infected by plague, special care shall be taken to prevent the introduction of rodents on board.

Article 54

1. Every ship shall be either:

- (a) permanently kept in such a condition that it is free of rodents and the plague vector; or
- (b) periodically deratted.

2. A Deratting Certificate or a Deratting Exemption Certificate shall be issued only by the health authority for a port approved for the purpose under Article 17. Every such certificate shall be valid for six months, but this period may be extended by one month for a ship proceeding to such a port if the deratting or inspection, as the case may be, would be facilitated by the operations due to take place there.

3. Deratting Certificates and Deratting Exemption Certificates shall conform with the model specified in Appendix 1.

4. If a valid certificate is not produced, the health authority for a port approved under Article 17, after inquiry and inspection, may proceed in the following manner:

- (a) If the port has been designated under paragraph 2 of Article 17, the health authority may derat the ship or cause the deratting to be done under its direction and control. It shall decide in each case the technique which should be employed to secure the extermination of rodents on the ship. Deratting shall be carried out so as to avoid as far as possible damage to the ship and to any cargo and shall not take longer than is absolutely necessary. Wherever possible deratting shall be done when the holds are empty. In the case of a ship in ballast, it shall be done before loading. When deratting has been satisfactorily completed, the health authority shall issue a Deratting Certificate.
- (b) At any port approved under Article 17, the health authority may issue a Deratting Exemption Certificate if it is satisfied that the ship is free of rodents. Such a certificate shall be issued only if the inspection of the ship has been carried out when the holds are empty 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. A Deratting Exemption Certificate may be issued for an oil tanker with full holds.

5. If the conditions under which a deratting is carried out are such that, in the opinion of the health authority for the port where the operation was performed, a satisfactory result cannot be obtained, the health authority shall make a note to that effect on the existing Deratting Certificate.

Article 55

In exceptional circumstances of an epidemiological nature, when the presence of rodents is suspected on board, an aircraft may be disinfected and deratted.

Article 56

Before departure on an international voyage from an area where there is an epidemic of pulmonary plague, every suspect shall be placed in isolation by the health authority for a period of six days, reckoned from the date of the last exposure to infection.

Article 57

1. A ship or an aircraft on arrival shall be regarded as infected if:

- (a) it has a case of human plague on board;
- (b) a plague-infected rodent is found on board.

A ship shall also be regarded as infected if a case of human plague has occurred on board more than six days after embarkation.

2. A ship on arrival shall be regarded as suspected if:

- (a) it has no case of human plague on board, but such a case has occurred on board within the first six days after embarkation;

- (b) there is evidence of an abnormal mortality among rodents on board of which the cause is not yet known;
- (c) it has a person on board who has been exposed to pulmonary plague and has not met the requirements of Article 56.

3. Even when coming from an infected area or having on board a person coming from an infected area, a ship or an aircraft on arrival shall be regarded as healthy if, on medical examination, the health authority is satisfied that the conditions specified in paragraphs 1 and 2 of this Article do not exist.

Article 58

1. On arrival of an infected or suspected ship or an infected aircraft, the following measures may be applied by the health authority:

- (a) disinsecting of any suspect and surveillance for a period of not more than six days reckoned from the date of arrival;
- (b) disinsecting and, if necessary, disinfection of:
 - (i) any baggage of any infected person or suspect; and
 - (ii) any other article such as used bedding or linen, and any part of the ship or aircraft, which is considered to be contaminated;

2. On arrival of a ship, an aircraft, a train, road vehicle or other means of transport 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 health authority may, in addition to the measures required by paragraph 1 of this Article, place the passengers and crew of the ship, aircraft, train, road vehicle or other means of transport in isolation for a period of six days, reckoned from the date of the last exposure to infection.

3. If there is rodent plague on board a ship, or in its containers, it shall be disinsected and deratted, if necessary in quarantine, in the manner provided for in Article 54 subject to the following provisions:

- (a) the deratting shall be carried out as soon as the holds have been emptied;
- (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 health authority may apply any measures, including placing the ship in quarantine, which it considers necessary to prevent the escape of infected rodents.

4. If a rodent infected with plague is found on board an aircraft, the aircraft shall be disinsected and deratted, if necessary in quarantine.

Article 59

A ship shall cease to be regarded as infected or suspected, or an aircraft shall cease to be regarded as infected, when the measures required by the health authority in ac-

cordance with Articles 39 and 58 have been effectively carried out, or when the health authority is satisfied that the abnormal mortality among rodents is not due to plague. The ship or aircraft shall thereupon be given free pratique.

Article 60

On arrival, a healthy ship or aircraft shall be given free pratique, but, if it has come from an infected area, the health authority may:

- (a) place under surveillance any suspect who disembarks, for a period of not more than six days, reckoned from the date on which the ship or aircraft left the infected area;
- (b) require the destruction of rodents on board a ship and disinsecting in exceptional cases and for well-founded reasons which shall be communicated in writing to the master.

Article 61

If, on arrival of a train or a road vehicle, a case of human plague is discovered, the measures provided for in Article 39 and in paragraphs 1 and 2 of Article 58 may be applied by the health authority, disinsecting and, if necessary, disinfection being applied to any part of the train or road vehicle which is considered to be contaminated.

Chapter II – Cholera

Article 62

For the purposes of these Regulations the incubation period of cholera is five days.

Article 63

1. The possession of a valid certificate of vaccination against cholera shall be taken into consideration by a health authority in applying the measures provided for in these Regulations.
2. Anti-cholera vaccine used for vaccination for international travellers shall meet the requirements laid down by the Organization.
3. A health authority may apply the following measures to a person on an international voyage who has come from an infected area within the incubation period:
 - (a) if he is in possession of a valid certificate of vaccination against cholera, he may be placed under surveillance for a period of not more than five days, reckoned from the date of his departure from the infected area;
 - (b) if he is not in possession of such a certificate, he may be placed in isolation for a like period.
4. Any health administration may apply the measures provided for in this Article whether cholera infection is present in its territory or not.

Article 64

1. A ship shall be regarded as infected if, on arrival, it has a case of cholera on board, or if a case of cholera has occurred on board during a period of five days before arrival.

2. A ship shall be regarded as suspected if a case of cholera has occurred on board during the voyage, but a fresh case has not occurred during a period of five days before arrival.

3. An aircraft shall be regarded as infected if, on arrival, it has a case of cholera on board. It shall be regarded as suspected if a case of cholera has occurred on board during the voyage but the case has previously been disembarked.

4. Even when coming from an infected area or having on board a person coming from an infected area, a ship or an aircraft on arrival shall be regarded as healthy if, on medical examination, the health authority is satisfied that no case of cholera has occurred on board during the voyage.

Article 65

1. On arrival of an infected ship or aircraft, the following measures may be applied by the health authority:

- (a) for a period of not more than five days, reckoned from the date of disembarkation, surveillance of any passenger or member of the crew who produces a valid certificate of vaccination against cholera, and isolation of all others who disembark;
- (b) disinfection of:
 - (i) any baggage of any infected person or suspect; and
 - (ii) any other article such as used bedding or linen, and any part of the ship or aircraft, which is considered to be contaminated;
- (c) disinfection and removal of any water carried on board which is considered to be contaminated, and disinfection of the water tanks.

2. Human dejecta, waste water including bilge-water, waste matter, and any matter which is considered to be contaminated shall not be discharged or unloaded without previous disinfection. Their safe disposal shall be the responsibility of the health authority.

Article 66

1. On arrival of a suspected ship or aircraft, the measures provided for in subparagraphs (b) and (c) of paragraph 1 and in paragraph 2 of Article 65, may be applied by the health authority.

2. In addition, but without prejudice to the measure provided for in subparagraph (b) of paragraph 3 of Article 63, any passenger or member of the crew who disembarks may be placed under surveillance for a period of not more than five days, reckoned from the date of arrival.

Article 67

A ship or an aircraft shall cease to be regarded as infected or suspected when the measures required by the health authority in accordance with Article 39 and with Articles 65 and 66 respectively have been effectively carried out. The ship or aircraft shall thereupon be given free pratique.

Article 68

On arrival, a healthy ship or aircraft shall be given free pratique but, if it has come from an infected area, the health authority may apply to any passenger or member of the crew who disembarks the measures provided for in Article 63.

Article 69

If, on arrival of a train, road vehicle or other means of transport, a case of cholera is discovered, the following measures may be applied by the health authority:

- (a) for a period of not more than five days, reckoned from the date of arrival, surveillance of any passenger or member of the crew who produces a valid certificate of vaccination against cholera, and isolation of all others who disembark;
- (b) disinfection of:
 - (i) any baggage of the infected person and, if necessary, that of any suspect; and
 - (ii) any other article such as used bedding or linen, and any part of the train, road vehicle or other means of transport, which is considered to be contaminated.

Article 70

1. On arrival of an infected or suspected ship or aircraft, of a train, road vehicle or other means of transport in which a case of cholera has been discovered or a ship, an aircraft, a train, road vehicle or other means of transport coming from an infected area, the health authority may take samples of food, including fish, shellfish, fruit, vegetables or beverages, for culture examination, unless such food and beverages are in sealed packages, and the health authority has no reason to believe that they are contaminated; and may prohibit the unloading, or may remove, any of these articles found to be contaminated. If any such food or beverage is removed, arrangements shall be made for its safe disposal.

2. If any such food or beverage intended for unloading forms part of the cargo in a hold of a ship or freight compartment of an aircraft, or a container, only the health authority for the port or airport at which such food or beverage is to be unloaded may exercise the power to remove it.

3. The pilot in command of an aircraft and the master of a ship have the right to require the removal of any such food or beverage.

Article 71

- 1. No person shall be required to submit to rectal swabbing.
- 2. A person on an international voyage, who has come from an infected area within the incubation period of cholera and who has symptoms indicative of cholera, may be required to submit to stool examination.

Chapter III – Yellow Fever

Article 72

For the purposes of these Regulations the incubation period of yellow fever is six days.

Article 73

1. Vaccination against yellow fever may be required of any person leaving an infected area on an international voyage.
2. If such a person is in possession of a certificate of vaccination against yellow fever which is not yet valid, he may nevertheless be permitted to depart, but the provisions of Article 75 may be applied to him on arrival.
3. A person in possession of a valid certificate of vaccination against yellow fever shall not be treated as a suspect, even if he has come from an infected area.
4. The yellow-fever vaccine used must be approved by the Organization, and the vaccinating centre must have been designated by the health administration for the territory in which it is situated. The Organization shall be assured that the vaccines used for this purpose continue to be of suitable quality.

Article 74

1. Every person employed at a port or an airport situated in an infected area, and every member of the crew of a ship or an aircraft using any such port or airport, shall be in possession of a valid certificate of vaccination against yellow fever.
2. Every aircraft leaving an airport situated in an infected area shall be disinfected in accordance with Article 26, using methods recommended by the Organization, and details of the disinfecting shall be included in the Health Part of the Aircraft General Declaration, unless this Part of the Aircraft General Declaration is waived by the health authority of the airport of arrival. States concerned shall accept disinfecting of aircraft by the approved vapour disinfecting system carried out in flight.
3. Every ship leaving a port in an area where *Aedes aegypti* still exists and bound for an area where *Aedes aegypti* has been eradicated shall be kept free of *Aedes aegypti* in its immature and adult stages.
4. An aircraft leaving an airport where *Aedes aegypti* exists and bound for an area where *Aedes aegypti* has been eradicated shall be disinfected in accordance with Article 26, using methods recommended by the Organization.

Article 75

A health authority in an area where the vector of yellow fever is present may require a person on an international voyage, who has come from an infected area and is unable to produce a valid certificate of vaccination against yellow fever, to be isolated until his certificate becomes valid, or until a period of not more than six days reckoned from the date of last possible exposure to infection has elapsed, whichever occurs first.

Article 76

1. A person coming from an infected area who is unable to produce a valid certificate of vaccination against yellow fever and who is due to proceed on an international voyage to an airport in an area where the vector of yellow fever is present at which the means for securing segregation provided for in Article 35 do not yet exist, may, by arrangement between the health administrations for the territories in which the airports

concerned are situated, be prevented from proceeding from an airport at which such means are available, during the period provided for in Article 75.

2. The health administrations concerned shall inform the Organization of any such arrangement, and of its termination. The Organization shall immediately send this information to all health administrations.

Article 77

1. On arrival, a ship shall be regarded as infected if it has a case of yellow fever on board, or if a case has occurred on board during the voyage. It shall be regarded as suspected if it has left an infected area less than six days before arrival, or, if arriving within thirty days of leaving such an area, the health authority finds *Aedes aegypti* or other vectors of yellow fever on board. Any other ship shall be regarded as healthy.

2. On arrival, an aircraft shall be regarded as infected if it has a case of yellow fever on board. It shall be regarded as suspected if the health authority is not satisfied with a disinsecting carried out in accordance with paragraph 2 of Article 74 and it finds live mosquitos on board the aircraft. Any other aircraft shall be regarded as healthy.

Article 78

1. On arrival of an infected or suspected ship or aircraft, the following measures may be applied by the health authority:

- (a) in an area where the vector of yellow fever is present, the measures provided for in Article 75 to any passenger or member of the crew who disembarks and is not in possession of a valid certificate of vaccination against yellow fever;
- (b) inspection of the ship or aircraft and destruction of any *Aedes aegypti* or other vectors of yellow fever on board; in an area where the vector of yellow fever is present, the ship may, until such measures have been carried out, be required to keep at least 400 metres from land.

2. The ship or aircraft shall cease to be regarded as infected or suspected when the measures required by the health authority in accordance with Article 39 and with paragraph 1 of this Article have been effectively carried out, and it shall thereupon be given free pratique.

Article 79

On arrival of a healthy ship or aircraft coming from an infected area, the measures provided for in sub-paragraph (b) of paragraph 1 of Article 78 may be applied. The ship or aircraft shall thereupon be given free pratique.

Article 80

A State shall not prohibit the landing of an aircraft at any sanitary airport in its territory if the measures provided for in paragraph 2 of Article 74 are applied, but, in an area where the vector of yellow fever is present aircraft coming from an infected area may land only at airports specified by the State for that purpose.

Article 81

On arrival of a train, a road vehicle, or other means of transport in an area where the vector of yellow fever is present the following measures may be applied by the health authority:

- (a) isolation, as provided for in Article 75, of any person coming from an infected area, who is unable to produce a valid certificate of vaccination against yellow fever;
- (b) disinsecting of the train, road vehicle or other means of transport if it has come from an infected area.

Article 82

In an area where the vector of yellow fever is present the isolation provided for in Article 39 and in this Chapter shall be in mosquito-proof accommodation.

Chapter IV - Smallpox

Article 83

For the purposes of these Regulations the incubation period of smallpox is 14 days.

Article 84

1. A health administration may require any person on an international voyage who does not show sufficient evidence of protection by a previous attack of smallpox to possess, on arrival, a valid certificate of vaccination against smallpox. Any such person who does not produce such a certificate may be vaccinated or, if he refuses vaccination, he may be placed under surveillance for not more than fourteen days, reckoned from the date of his departure from the last territory visited before arrival.

2. A person on an international voyage, who during a period of 14 days before his arrival has visited an infected area and who, in the opinion of the health authority, is not sufficiently protected by vaccination or by a previous attack of smallpox, may be required to be vaccinated, or may be placed under surveillance, or may be vaccinated and then placed under surveillance; if he refuses to be vaccinated, he may be isolated. The period of surveillance or isolation shall not be more than fourteen days, reckoned from the date of his departure from the infected area. A valid certificate of vaccination against smallpox shall be considered as evidence of sufficient protection.

3. Any health administration may apply the measures provided for in this Article, whether smallpox infection is present in its territory or not.

Article 85

1. A ship or an aircraft shall be regarded as infected if, on arrival, it has a case of smallpox on board, or if such a case has occurred on board during the voyage.

2. Any other ship or aircraft shall be regarded as healthy, even though there may be suspects on board, but any suspect may on disembarking be subjected to the measures provided for in Article 86.

Article 86

1. On arrival of an infected ship or aircraft, the health authority:

- (a) shall offer vaccination to any person on board who, in its opinion, is not sufficiently protected against smallpox;
- (b) may, for a period of not more than fourteen days, reckoned from the last exposure to infection, isolate or place under surveillance any person disembarking, but the health authority shall take into account the previous vaccinations of the person and the possibility of his having been exposed to infection in determining the period of such isolation or surveillance;
- (c) shall disinfect:
 - (i) any baggage of any infected person; and
 - (ii) any other baggage or article such as used bedding or linen, and any part of the ship or aircraft, which is considered to be contaminated.

2. A ship or an aircraft shall continue to be regarded as infected until every infected person has been removed and until the measures required by the health authority in accordance with paragraph 1 of this Article have been effectively carried out. The ship or aircraft shall thereupon be given free pratique.

Article 87

On arrival, a healthy ship or aircraft, even when it has come from an infected area, shall be given free pratique.

Article 88

If, on arrival of a train, road vehicle or other means of transport, a case of smallpox is discovered, the infected person shall be removed and the provisions of paragraph 1 of Article 86 shall apply, any period of surveillance or isolation being reckoned from the date of arrival, and disinfection being applied to any part of the train, road vehicle or other means of transport which is considered to be contaminated.

PART VI – HEALTH DOCUMENTS

Article 89

Bills of health, with or without consular visa, or any certificate, however designated, concerning health conditions of a port or an airport, shall not be required from any ship or aircraft.

Article 90

1. The master of a seagoing vessel making an international voyage, before arrival at its first port of call in a territory, shall ascertain the state of health on board, and, except when a health administration does not require it, he shall, on arrival, complete and deliver to the health authority for that port a Maritime Declaration of Health which shall be countersigned by the ship's surgeon if one is carried.

2. The master, and the ship's surgeon if one is carried, shall supply any information required by the health authority as to health conditions on board during the voyage.

3. A Maritime Declaration of Health shall conform with the model specified in Appendix 5.

4. A health administration may decide:

- (a) either to dispense with the submission of the Maritime Declaration of Health by all arriving ships; or
- (b) to require it only if the ship arrives from certain stated areas, or if there is positive information to report.

In either case, the health administration shall inform shipping operators.

Article 91

1. The pilot in command of an aircraft, on landing at the first airport in a territory, or his authorized agent, shall complete and deliver to the health authority for that airport the Health Part of the Aircraft General Declaration which shall conform with the model specified in Appendix 6, except when a health administration does not require it.

2. The pilot in command of an aircraft, or his authorized agent, shall supply any information required by the health authority as to health conditions on board during the voyage.

3. A health administration may decide:

- (a) either to dispense with the submission of the Health Part of the Aircraft General Declaration by all arriving aircraft; or
- (b) to require it only if the aircraft arrives from certain stated areas, or if there is positive information to report.

In either case, the health administration shall inform aircraft operators.

Article 92

1. The Certificates specified in Appendices 1, 2, 3 and 4 shall be printed in English and in French. An official language of the territory of issue may be added.

2. The certificates referred to in paragraph 1 of this Article shall be completed in English or in French. Completion in another language in addition is not excluded.

3. International certificates of vaccination must be signed by a medical practitioner in his own hand; his official stamp is not an accepted substitute for the signature.

4. International certificates of vaccination are individual certificates and shall in no circumstances be used collectively. Separate certificates shall be issued for children.

5. No departure shall be made from the models of the certificates specified in Appendices 2, 3 and 4, and no photograph shall be included.

6. A parent or guardian shall sign the international certificate of vaccination when the child is unable to write. The signature of an illiterate shall be indicated in the usual manner by his mark and the indication by another that this is the mark of the person concerned.

7. If a vaccinator is of the opinion that vaccination is contra-indicated on medical grounds he shall provide the person with reasons, written in English or French, underlying that opinion, which health authorities should take into account.

Article 93

A vaccination document issued by the Armed Forces to an active member of those Forces shall be accepted in lieu of an international certificate in the form shown in Appendix 2, 3, or 4 if:

- (a) it embodies medical information substantially the same as that required by such form; and
- (b) it contains a statement in English or in French recording the nature and date of the vaccination and to the effect that it is issued in accordance with this Article.

Article 94

No health document, other than those provided for in these Regulations, shall be required in international traffic.

PART VII - CHARGES

Article 95

1. No charge shall be made by a health authority for:
 - (a) any medical examination provided for in these Regulations, or any supplementary examination, bacteriological or otherwise, which may be required to ascertain the state of health of the person examined;
 - (b) any vaccination of a person on arrival and any certificate thereof.
2. Where charges are made for applying the measures provided for in these Regulations, other than the measures referred to in paragraph 1 of this Article, there shall be in each territory only one tariff for such charges and every charge shall:
 - (a) conform with this tariff;
 - (b) be moderate and not exceed the actual cost of the service rendered;
 - (c) be levied without distinction as to the nationality, domicile, or residence of person concerned, or as to the nationality, flag, registry or ownership of the ship, aircraft, train, road vehicle or other means of transport and containers. In particular, there shall be no distinction made between national and foreign persons, ships, aircraft, trains, road vehicles or other means of transport and containers.
3. The levying of a charge for the transmission of a message relating to provisions of these Regulations by radio, may not exceed the normal charge for radio messages.
4. The tariff, and any amendment thereto, shall be published at least ten days in advance of any levy thereunder and notified immediately to the Organization.

PART VIII - VARIOUS PROVISIONS

Article 96

1. Every aircraft leaving an airport situated in an area where transmission of malaria or other mosquito-borne disease is occurring, or where insecticide-resistant mosquito vectors of disease are present, or where a vector species is present that has been eradicated in the area where the airport of destination of the aircraft is situated, shall be disinfected in accordance with Article 26 using the methods recommended by the Organization. States concerned shall accept disinfecting of aircraft by the approved vapour disinfecting system carried out in flight. Every ship leaving a port in the situation referred to above shall be kept free from the immature and adult stages of the mosquito concerned.

2. On arrival at an airport in an area where malaria or other mosquito-borne disease could develop from imported vectors, or where a vector species has been eradicated that is present in the area in which the airport of origin is located, the aircraft mentioned in paragraph 1 of this Article may be disinfected in accordance with Article 26 if the health authority is not provided with satisfactory evidence that disinfecting has been carried out in accordance with paragraph 1 of this Article. Every ship arriving in a port in the situation referred to above should be treated and freed, under the control of the health authority, from the immature and adult stages of the mosquito concerned.

3. As far as practicable, and where appropriate, a train, road vehicle or other means of transport, container or boat used for international coastal traffic, or for international traffic on inland waterways shall be kept free of insect vectors of human disease.

Article 97

1. Migrants, nomads, seasonal workers or persons taking part in periodic mass congregations, and any ship, in particular small boats for international coastal traffic, aircraft, train, road vehicle or other means of transport carrying them, may be subjected to additional health measures conforming with the laws and regulations of each State concerned, and with any agreement concluded between any such States.

2. Each State shall notify the Organization of the provisions of any such laws and regulations or agreement.

3. The standards of hygiene on ships and aircraft carrying persons taking part in periodic mass congregations shall not be inferior to those recommended by the Organization.

Article 98

1. Special treaties or arrangements may be concluded between two or more States having certain interests in common owing to their health, geographical, social or economic conditions, in order to facilitate the application of these Regulations, and in particular with regard to:

- (a) the direct and rapid exchange of epidemiological information between neighbouring territories;
- (b) the health measures to be applied to international coastal traffic and to international traffic on inland waterways, including lakes;

- (c) the health measures to be applied in contiguous territories at their common frontier;
 - (d) the combination of two or more territories into one territory for the purposes of any of the health measures to be applied in accordance with these Regulations;
 - (e) arrangements for carrying infected persons by means of transport specially adapted for the purpose.
2. The treaties or arrangements referred to in paragraph 1 of this Article shall not be in conflict with the provisions of these Regulations.
3. States shall inform the Organization of any such treaty or arrangement which they may conclude. The Organization shall send immediately to all health administrations information concerning any such treaty or arrangement.

PART IX - FINAL PROVISIONS

Article 99

1. These Regulations, subject to the provisions of Article 101 and the exceptions hereinafter provided, replace, as between the States bound by these Regulations and as between these States and the Organization, the provisions of the following existing International Sanitary Conventions, Regulations and similar agreements:

- (a) International Sanitary Convention, signed in Paris, 3 December, 1903;
- (b) Pan American Sanitary Convention, signed in Washington, 14 October 1905;
- (c) International Sanitary Convention, signed in Paris, 17 January, 1912;
- (d) International Sanitary Convention, signed in Paris, 21 June, 1926;
- (e) International Sanitary Convention for Aerial Navigation, signed at The Hague, 12 April, 1933;
- (f) International Agreement for dispensing with Bills of Health, signed in Paris, 22 December, 1934;
- (g) International Agreement for dispensing with Consular Visas on Bills of Health, signed in Paris, 22 December, 1934;
- (h) Convention modifying the International Sanitary Convention of 21 June 1926, signed in Paris, 31 October, 1938;
- (i) International Sanitary Convention, 1944, modifying the International Sanitary Convention of 21 June 1926, opened for signature in Washington, 15 December 1944;
- (j) International Sanitary Convention for Aerial Navigation, 1944, modifying the International Sanitary Convention of 12 April 1933, opened for signature in Washington, 15 December, 1944;
- (k) Protocol of 23 April 1946 to prolong the International Sanitary Convention, 1944, signed in Washington;
- (l) Protocol of 23 April 1946 to prolong the International Sanitary Convention for Aerial Navigation, 1944, signed in Washington;
- (m) International Sanitary Regulations 1951, and the Additional Regulations of 1955, 1956, 1960, 1963 and 1965.

2. The Pan American Sanitary Code, signed at Habana, 14 November 1924, remains in force with the exception of Articles 2, 9, 10, 11, 16, to 53 inclusive, 61, and 62, to which the relevant part of paragraph 1 of this Article shall apply.

Article 100

1. The period provided in execution of Article 22 of the Constitution of the Organization for rejection or reservation shall be nine months from the date of the notification by the Director-General of the adoption of these Regulations by the World Health Assembly.

2. Such period may, by notification to the Director-General, be extended to eighteen months with respect to overseas or other outlying territories for whose international relations the State may be responsible.

3. Any rejection or reservation received by the Director-General after the expiry of the periods referred to in paragraph 1 or 2 of this Article shall have no effect.

Article 101

1. If any State makes a reservation to these Regulations, such reservation shall not be valid unless it is accepted by the World Health Assembly, and these Regulations shall not enter into force with respect to that State until such reservation has been accepted by the Assembly or, if the Assembly objects to it on the ground that it substantially detracts from the character and purpose of these Regulations, until it has been withdrawn.

2. A rejection in part of these Regulations shall be considered as a reservation.

3. The World Health Assembly may, as a condition of its acceptance of a reservation, request the State making such reservation to undertake that it will continue to fulfil any obligation or obligations corresponding to the subject-matter of such reservation, which such State has previously accepted under the existing conventions, regulations and similar agreements listed in Article 99.

4. If a State makes a reservation which in the opinion of the World Health Assembly detracts to an insubstantial extent from an obligation or obligations previously accepted by that State under the existing conventions, regulations and similar agreements listed in Article 99 the Assembly may accept such reservation without requiring as a condition of its acceptance an undertaking of the kind referred to in paragraph 3 of this Article.

5. If the World Health Assembly objects to a reservation, and that reservation is not then withdrawn, these Regulations shall not enter into force with respect to the State which has made such a reservation. Any existing conventions, regulations and similar agreements listed in Article 99 to which such State is already a party consequently remain in force as far as such State is concerned.

Article 102

A rejection, or the whole or part of any reservation, may at any time be withdrawn by notifying the Director-General.

Article 103

1. These Regulations shall come into force on the first of January, 1971.
2. Any State which becomes a Member of the Organization after that date and which is not already a party hereto may notify its rejection of, or any reservation to, these Regulations within a period of three months from the date on which that State becomes a Member of the Organization. Unless rejected, these Regulations shall come into force with respect to that State, subject to the provisions of Article 101 upon expiry of that period.

Article 104

1. Any State not a Member of the Organization, which is a party to any conventions, regulations and similar agreements listed in Article 99 or to which the Director-General has notified the adoption of these Regulations by the World Health Assembly, may become a party hereto by notifying its acceptance to the Director-General and, subject to the provisions of Article 101, such acceptance shall become effective upon the date of coming-into-force of these Regulations, or, if such acceptance is notified after that date, three months after the date of receipt by the Director-General of the notification of acceptance.
2. For the purpose of the application of these Regulations Articles 23, 33, 62, 63 and 64 of the Constitution of the Organization shall apply to any non-Member State which becomes a party to these Regulations.
3. Any non-Member State which has become a party to these Regulations may at any time withdrawn from participation in these Regulations, by means of a notification addressed to the Director-General which shall take effect six months after he has received it. The State which has withdrawn shall, as from that date, resume application of the provisions of any conventions, regulations and similar agreements listed in Article 99 to which it was previously a party.

Article 105

The Director-General shall notify all Members and Associate Members, and also other parties to any conventions, regulations and similar agreements listed in Article 99 of the adoption by the World Health Assembly of these Regulations. The Director-General shall also notify these States as well as any other State, which has become a party to these Regulations, of any additional Regulations amending or supplementing these Regulations, of any notification received by him under Articles 100, 102, 103 and 104 respectively, as well as of any decision taken by the World Health Assembly under Article 101.

Article 106

1. Any question or dispute concerning the interpretation or application of these Regulations or of any Regulations supplementary to these Regulations may be referred by any State concerned to the Director-General who shall attempt to settle the question or dispute. If such question or dispute is not thus settled, the Director-General on his own initiative, or at the request of any State concerned, shall refer the question or dispute to the appropriate committee or other organ of the Organization for consideration.

2. Any State concerned shall be entitled to be represented before such committee or other organ.

3. Any such dispute which has not been thus settled may, by written application, be referred by any State concerned to the International Court of Justice for decision.

Article 107

1. The English and French texts of these Regulations shall be equally authentic.

2. The original texts of these Regulations shall be deposited in the archives of the Organization. Certified true copies shall be sent by the Director-General to all Members and Associate Members, and also to other parties to one of the conventions, regulations and similar agreements listed in Article 99. Upon the entry into force of these Regulations, certified true copies shall be delivered by the Director-General to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

IN FAITH WHEREOF we have set our hands at Boston, this twenty-fifth day of July 1969.

W.H. STEWART
President of the Twenty-second World Health Assembly

M.G. CANDAU
Director-General of the World Health Organization

Appendix J *

DERATTING CERTIFICATE (a) — CERTIFICAT DE DÉRATISATION (a)

DERATTING EXEMPTION CERTIFICATE (a) — CERTIFICAT D'EXEMPTION DE LA DÉRATISATION (a)

issued in accordance with Article 52 of the International Sanitary Regulation. — Délivré conformément à l'article 52 du Règlement sanitaire international (Not to be taken away by Port Authorities.) — (Ce certificat ne doit pas être retiré par les autorités portuaires.)

Date — Date PORT OF — PORT DE

THIS CERTIFICATE records the inspection and (a) at this port and on the above date

LE PRÉSENT CERTIFICAT atteste l'inspection et (a) en ce port et à la date ci-dessus

of the ship (a) of net tonnage for a sea-going vessel (a) (f) of the inland navigation vessel (a) (f) de tonnage net dans le cas d'un navire de haute mer (a) (f) du navire de tonnage net dans le cas d'un navire de navigation intérieure (a) (f)

At the time of inspection (a) the holds were laden with tons of cargo

Au moment de l'inspection (a) les cales étaient chargées de tonnes de cargaison

COMPARTMENTS (a)	RAT INDICATIONS TRACES DE RATS (c)	RAT HARBOURAGE REFUGES A RATS		DERATTING — DÉRATISATION				COMPARTMENTS (a)
		discovered trouvées (d)	treated supprimés	by fumigation — par fumigation Fumigant — Gaz utilisé Hours exposure — Exposition (heures)		by catching, trapping, or poisoning par capture ou poison		
				Space (cubic feet) Espaces (mètres cubes)	Quantity used Quantités employées (e)	Rats found dead Rats trouvés morts	Traps set or poisons put out Pièges ou poisons mis	
Holds 1. — 2. — 3. — 4. — 5. — 6. — 7. Shelter deck space Bunker space Exhaustum and shaft alley Forepeak and storeroom Afterpeak and storeroom Lifebuoys Charts and wireless rooms Galley Pantry Provision storerooms Quarters (crew) Quarters (officers) Quarters (cabin passengers) Quarters (stowage) Total								Cats 1. — 2. — 3. — 4. — 5. — 6. — 7. Entrepon Soute à charbon Chaudières, tunnel de l'arbre Peak avant et magasin Peak arrière et magasin Canois de sauvetage Chambre des cartes, T.S.F. Cuisines Cambuses Soute à vivres Postes (équipage) Chambres (officiers) Cabines (passagers) Postes (émigrants) Total

(a) Strike out the unnecessary indications. — Rayer les mentions inutiles.

(b) In case any of the compartments enumerated do not exist on the ship or inland navigation vessel, this fact must be mentioned. — Lorsqu'un des compartiments énumérés n'existe pas sur le navire, on devra le mentionner explicitement.

(c) Old or recent evidence of excreta, rats, or gnawing. — Traces anciennes ou récentes d'excréments, de passages ou de rongements.

RECOMMENDATIONS MADE. — OBSERVATIONS. — In the case of exemption, state here the measures taken for maintaining the ship or inland navigation vessel in such a condition that the number of rats on board is negligible. — Dans le cas d'exemption, indiquer ici les mesures prises pour que le navire soit maintenu dans des conditions telles que le nombre de rats à bord soit négligeable.

Seal, name, qualification, and signature of the inspector. — Cachet, nom, qualité et signature de l'inspecteur.

* It is preferable to use sulfur dioxide or hydrocyanic acid as fumigation agents in the derattling of ships. However, Derattling Certificates shall be accepted as valid (irrespective of the agent used, provided it is of recognized effectiveness and inspection of the ship after derattling shows it to be free from rats. (Off. Rec. Wild Huh Org. 72, 37: 127, 37)

(d) None, small, moderate, or large. — Néant, peu, passablement ou beaucoup.

(e) State the weight of sulphur or of cyanide salts or quantity of HCN acid used. — Indiquer les poids de soufre ou de cyanure ou la proportion d'acide cyanhydrique.

(f) Specify whether applies to metric displacement or any other method of determining the tonnage. — Spécifier s'il s'agit de déplacement métrique ou, sinon, de quel autre tonnage il s'agit.

Appendix 2

**INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION
AGAINST CHOLERA**

**CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION
CONTRE LE CHOLÉRA**

This is to certify that } date of birth } sex }
 Je soussigné(e) certifie que } né(e) le } sexe }

whose signature follows }
 dont la signature suit }

has on the date indicated been vaccinated or revaccinated against cholera,
 a été vacciné(e) ou revacciné(e) contre le choléra à la date indiquée.

Date	Signature and professional status of vaccinator Signature et qualité professionnelle du vaccinateur	Approved stamp Cachet d'authentification	
		1	2
1			
2			
3		3	4
4			

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

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

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

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

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

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

Appendix 3

**INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION
AGAINST YELLOW FEVER
CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION
CONTRE LA FIÈVRE JAUNE**

This is to certify that } date of birth } sex }
 Je soussigné(e) certifie que } né(e) le } sexe }
 whose signature follows }
 dont la signature suit }
 has on the date indicated been vaccinated or revaccinated against yellow fever.
 a été vacciné(e) ou revacciné(e) contre la fièvre jaune à la date indiquée.

Date	Signature and professional status of vaccinator Signature et qualité professionnelle du vaccinateur	Origin and batch no. of vaccine Origine du vaccin employé et numéro du lot	Official stamp of vaccinating centre Cachet officiel du centre de vaccination	
1			1	2
2				
3			3	4
4				

This certificate is valid only if the vaccine used has been approved by the World Health Organization and if the vaccinating centre has been designated by the health administration for the territory in which that centre is situated.

The validity of this certificate shall extend for a period of ten years, beginning ten days after the date of vaccination or, in the event of a revaccination within such period of ten years, from the date of that revaccination.

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

Ce certificat n'est valable que si le vaccin employé a été approuvé par l'Organisation mondiale de la Santé et si le centre de vaccination a été habilité par l'administration sanitaire du territoire dans lequel ce centre est situé.

La validité de ce certificat couvre une période de dix ans commençant dix jours après la date de la vaccination ou, dans le cas d'une revaccination au cours de cette période de dix ans, le jour de cette revaccination.

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

This appendix, as amended by the Additional Regulations of 12 May 1965 (extension of the validity period from six to ten years) has been accepted by all countries, including those which are not bound by the Regulations.

Appendix 4

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION
AGAINST SMALLPOX

CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION
CONTRE LA VARIOLE

This is to certify that } date of birth } sex }
Je soussigné(e) certifie que } né(e) le } sexe }
whose signature follows }
dont la signature suit }

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

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

Date	Show by "x" whether: Indiquer par "x" s'il s'agit de:	Signature and professional status of vaccinator Signature et qualité professionnelle du vaccinateur	Origin and batch no. of vaccine Origine du vaccin et numéro du lot	Approved stamp Cachet d'authentification	
1a	Primary vaccination performed Primovaccination effectuée			1a	1b
1b	Read as successful Prise Unsuccessful Pas de prise				
2	Revaccination			2	3
3	Revaccination				

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

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

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

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

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

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

Appendix 5

MARITIME DECLARATION OF HEALTH

(To be rendered by the masters of ships arriving from ports outside the territory)

Port of Date

Name of ship From To

Nationality Master's name

Net Registered Tonnage

Deratting or } Certificate Dated

Deratting Exemption } Issued at

Number of } Cabin Number of crew

passengers } Deck

List of ports of call from commencement of voyage with dates of departure :

.....

.....

Health Questions

Answer
Yes or No

1. Has there been on board during the voyage * any case or suspected case of plague, cholera, yellow fever, smallpox, typhus, or relapsing fever? Give particulars in the Schedule.
2. Has plague occurred or been suspected among 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 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?

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

Date Ship's Surgeon

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

Appendix 5 (continued)

SCHEDULE TO THE DECLARATION

Particulars of every case of 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.

Appendix 6

HEALTH PART OF THE AIRCRAFT GENERAL DECLARATION

Declaration of Health

Persons on board known to be suffering from illness other than airsickness or the effects of accidents, as well as those cases of illness disembarked during the flight ..

.....

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

.....

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

.....

.....

Signature, if required : ..

Crew member concerned

Passed by the National Assembly this day, the 22nd September, 1971.

G.T. MATENGE,
Clerk of the National Assembly.