



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

International Health Regulations Act 28 of 1974
section 3(2)

**Supplementary Regulations under the International Health
Regulations Act, 1974 (Act 28 of 1974)**

RSA Government Notice R.1606 of 1971

[\(RSA GG 4878\)](#)

came into force on date of publication: 24 October 1975

as amended by

RSA Government Notice R.790 of 1980 [\(RSA GG 6954\)](#)

came into force on date of publication: 24 October 1975

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DEFINITIONS

1. In these regulations -

[Note that the definitions do not appear in alphabetical order.]

“Executive Committee” means the Executive Committee of the Territory of South West Africa constituted in terms of section 4 of the Constitution of South-West Africa Act, 1968 (Act 39 of 1968);

[The definition of “Executive Committee” is substituted for the definition of “Administrator” by RSA GN R.790/1980.]

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“approved port” means a port designated by the State President by proclamation in the *Gazette* in terms of Article 17(1) of the Regulations, where Deratting Exemption Certificates are issued;

“designated approved port” means a port designated by the State President by proclamation in the *Gazette* in terms of Article 17(2) of the Regulations, where Deratting Certificates are issued;

“sanitary airport” means an airport designated by the State President by proclamation in the *Gazette* in terms of Article 19(1) of the Regulations;

“first port of call” means the first approved port or designated approved port of call within the Republic;

“Minister” means the Minister of Health;

“port health officer” means a medical practitioner appointed as such by the Minister or, in the case of the Territory of South-West Africa, a port health officer, referred to in section 89 of the Public Health Act, 1919 (Act 36 of 1919), as applied to the Territory and for that purpose amended by the Public Health Proclamation, 1920 (Proclamation 36 of 1920), and includes any person acting for or under the instructions of such port health officer;

[The definition of “port health officer” is substituted by RSA GN R.790/1980. The Public Health Act 36 of 1919 and the Public Health Proclamation 36 of 1920 have been replaced by the Public and Environmental Health Act 1 of 2015.]

“the Act” means the International Health Regulations Act, 1974 (Act 28 of 1974);

“the Regulations” means the International Health Regulations as applied to the Republic in terms of the Act;

“yellow fever endemic area of Africa” means the area of Africa comprised within the following limits:

From the mouth of the River Senegal along that river eastwards to the 15° north parallel of latitude; thence eastwards along that parallel to the western border of the Sudan; thence southwards along that boundary to the 12° north parallel of latitude; thence eastwards to the western boundary of Ethiopia and Eritrea and thence northwards to the coast of the Red Sea; thence south-eastwards and further along the east coast of Africa to the southern boundary of Tanzania; thence westwards along that boundary and the southern boundary of Zaire to the 10° south parallel of latitude; thence westwards along that parallel of latitude to the eastern boundary of Angola; thence southwards and westwards along that boundary to the west coast of Africa; thence northwards along the west coast of Africa to the mouth of the River Senegal, including the islands of the Gulf of Guinea. The harbour of Massawa in Eritrea and an area of 10 kilometres in radius from the centre of the Town of Asmara in Eritrea as well as those parts of Somalia previously known as French Somaliland and the Somaliland Protectorate and the harbour of Djibouti are excluded from the endemic area;

[In the closing phrase of the last definition above, the word “from” is misspelt as “form” in the *Government Gazette*.]

and any word or expression to which a meaning has been assigned in section 1 of the Act, or in Article 1 of the Regulations shall, when used in these regulations, bear the same meaning.

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CHAPTER 1

AIR TRAFFIC

First landing of aircraft within the Republic

2. (1) The pilot in command or other person in charge of every aircraft entering the Republic from any place within the yellow fever endemic area of Africa shall make his first landing at a sanitary airport: Provided that if such pilot or person has, through causes beyond his control, been compelled to make his first landing at any place within the Republic which is not a sanitary airport, and is unable to continue in such aircraft to a sanitary airport, he shall report the facts to the nearest district surgeon.

(2) Except on account of accident or stress of weather or with the approval in writing of a district surgeon or other person duly authorised thereto by the Minister or the Executive Committee, no person shall be permitted to disembark from any aircraft referred to in subregulation (1) at any place within the Republic which is not a sanitary airport.

[Subregulation (2) is amended by RSA GN R.790/1980. The word "referred" is misspelt in the Government Gazette, as reproduced above.]

(3) For the purposes of subregulations (1) and (2) the district surgeon concerned shall have all the powers and perform all the duties which by these regulations are conferred or imposed upon a port health officer.

Granting of pratique

["Pratique" is a historical term for permission granted to a ship to have dealings with a port, after appropriate health clearance. "Free pratique" refers to the permission given to a ship to enter a port on the assurance that it is free from contagious diseases.]

3. (1) Every aircraft upon entering the Republic shall obtain pratique from the port health officer at the sanitary airport at which it is to land, and such pratique may, if such officer is satisfied, on the basis of information received from the pilot in command or other person in charge of such aircraft prior to its arrival, that its arrival will not result in the introduction or spread of a quarantinable disease, be granted by radio.

(2) In the case of an infected aircraft free pratique shall not be granted until the measures referred to in regulation 5(3) have been carried out.

(3) In the case of a suspected aircraft free pratique shall not be granted until the measures referred to in regulation 5(4) have been carried out

(4) In the case of a healthy aircraft coming from an infected area referred to in regulation 6(2)(a), (b) or (c), free pratique shall, without prejudice to the measures prescribed therein, be granted upon arrival of the aircraft.

(5) In the case of a healthy aircraft coming from an infected area referred to in regulation 6(2)(d) or (e), free pratique shall be granted when the measures therein prescribed have been carried out.

General powers of port health officer

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4. Upon the arrival at a sanitary airport of any aircraft coming from beyond the borders of the Republic, the port health officer shall have the power -

- (a) to enter such aircraft and require the pilot in command or other person in charge to produce for examination a copy of that part of the Aircraft General Declaration indicated in Appendix 5 of the Regulations, and to supply such further information relating to health conditions on board during the flight as such officer may require; and
- (b) to require every person who has arrived on board such aircraft to produce for examination any certificates equivalent to those indicated in Appendix 2 or 3 of the Regulations in the possession of such person.

Infected and suspected aircraft

5. (1) An aircraft shall be regarded as infected if, on arrival, it has on board a case of -

- (a) human plague or a plague-infected rodent;
- (b) cholera;
- (c) yellow fever; or
- (d) smallpox.

(2) An aircraft shall be regarded as suspect if -

- (a) a case of cholera has occurred on board but has previously been disembarked; or
- (b) it has arrived within six days of departure from a yellow fever endemic area.

(3) The port health officer may remove and isolate any infected person found on board an aircraft referred to in subregulation (1), and -

(a) in the case of a plague-infected aircraft -

- (i) may disinsect any suspect and place such suspect under surveillance for a period not exceeding six days, reckoned from the date of arrival;
- (ii) may disinsect and, if necessary, disinfect the baggage of any infected person or suspect and any other article such as used bedding or linen, and any part of the aircraft which is considered to be contaminated; and
- (iii) if a plague-infected rodent is found on board, shall derat the aircraft, if necessary in quarantine;

(b) in the case of a cholera-infected aircraft -

- (i) may isolate or place under surveillance for a period not exceeding five days from the date of arrival any person who disembarks;

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- (ii) may disinfect the baggage of any infected person or suspect, any other article such as used bedding or linen, and any part of the aircraft which is considered to be contaminated;
 - (iii) may disinfect and cause to be removed any water carried on board which is considered to be contaminated, and disinfect the containers; and
 - (iv) shall disinfect and cause to be disposed of safely all human dejecta, waste water, waste matter and any other matter which is considered to be contaminated;
- (c) in the case of an aircraft infected with yellow fever -
- (i) may isolate any person who disembarks and is not in possession of a valid certificate of vaccination against yellow fever, for a period not exceeding six days reckoned from the last date of exposure to infection or the infection or until his certificate becomes valid, whichever is the lesser period; and
 - (ii) may disinsect the aircraft;
- (d) in the case of a smallpox-infected aircraft -
- (i) shall offer vaccination to any person on board who is not in possession of a valid certificate of vaccination against smallpox;
 - (ii) may isolate or place under surveillance, as he may think fit, for a period not exceeding 14 days reckoned from the last date of exposure to infection or until his certificate of vaccination against smallpox becomes valid, whichever is the lesser period, any person who disembarks and is not in possession of a valid certificate of vaccination against smallpox; and

[The word "infection" is misspelt in the *Government Gazette*, as reproduced above.]

- (iii) shall disinfect the baggage of any infected person and any other baggage or article such as used bedding or linen, and any part of the aircraft which is considered to be contaminated.
- (4) The port health officer may, in respect of an aircraft referred to -
- (a) in subregulation (2)(a) -
- (i) isolate or place under surveillance any person who disembarks for a period not exceeding five days reckoned from the date of arrival;
 - (ii) disinfect the baggage of any suspect, any other article such as used bedding or linen, and any part of the aircraft which is considered to be contaminated;
 - (iii) disinfect and cause to be removed any water carried on board which is considered to be contaminated and disinfect the containers; and

[The word "and" in the phrase "disinfect and cause" is misspelt in the *Government Gazette*, as reproduced above.]

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(iv) cause to be disinfected and safely disposed of all human dejecta, waste water, waste matter and any other matter which is considered to be contaminated; and

(b) in subregulation (2)(b) -

(i) isolate any person who disembarks and is not in possession of a valid certificate of vaccination against yellow fever, in accordance with the provisions of sub. regulation (3)(c)(i); and

(ii) inspect and disinsect the aircraft.

(5) An infected person on board an aircraft shall be removed and isolated if the pilot in command or other person in charge of such aircraft so requests.

Aircraft coming from infected areas

6. (1) An aircraft which is neither infected as described in regulation 5(1) nor suspected as described in regulation 5(2) shall be regarded as healthy even if it has come from an infected area.

(2) The port health officer may, in the case of a healthy aircraft which has come from -

(a) a plague-infected area, place under surveillance any suspect who disembarks, for a period not exceeding six days, reckoned from the date when the aircraft left such area;

(b) a cholera-infected area, isolate or place under surveillance for a period not exceeding five days, reckoned from the date of his departure from such area, any person who disembarks;

(c) a smallpox-infected area -

(i) vaccinate any person who disembarks and is not in possession of a valid certificate of vaccination against smallpox; or

(ii) place any such person under surveillance for a period not exceeding 14 days, reckoned from the date of his departure from such area; or

(iii) vaccinate and place any such person under surveillance or, if any such person refuses to be vaccinated, isolate him for a like period.

Requirements to be complied with by persons entering the Republic by air

7. (1) No person who has been in -

(a) a cholera-infected area within the preceding five days;

(b) a plague-infected area within the preceding six days;

(c) a yellow fever endemic area within the preceding six days;

(d) a smallpox-infected area within the preceding 14 days;

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shall be permitted to disembark within the Republic unless he complies with the requirements of the port health officer under subregulation (2).

(2) The port health officer may, subject to the provisions of subregulation (3), in the case of any person referred to in -

- (a) subregulation (1)(a), isolate or place such person under surveillance for a period not exceeding five days, reckoned from the date of his departure from the infected area;
- (b) subregulation (1)(b), who is a suspect, place such person under surveillance for a period not exceeding six days, reckoned from the date of his departure from the infected area;
- (c) subregulation (1)(c), who is not in possession of a valid certificate of vaccination against yellow fever and who disembarks, isolate such person for a period not exceeding six days, reckoned from the date of last possible exposure to infection or until his certificate becomes valid, whichever is the lesser period;
- (d) subregulation (1)(d), who is not in possession of a valid certificate of vaccination against smallpox -
 - (i) vaccinate such person; or
 - (ii) place such person under surveillance; or
 - (iii) vaccinate and place such person under surveillance: or
 - (iv) isolate such person if he refuses to be vaccinated:

Provided that the period of isolation or surveillance shall not exceed 14 days, reckoned from the date of his departure from the infected area.

(3) The port health officer shall not isolate any person referred to in subregulation (2)(d)(iv), unless he is satisfied, on reasonable grounds, that it is necessary to do so in order to prevent the introduction into the Republic of the quarantinable disease concerned.

(4) If any person is, upon examination by the port health officer, considered or suspected to be suffering from any quarantinable disease the said officer shall -

- (a) cause such person to be isolated;
- (b) apply such of the measures described in subregulation (2) as he may deem necessary in order to prevent the spread of the disease in respect of any person who has been in contact with such person.

Measures applicable in respect of goods, baggage and animals arriving by air

8. (1) If the port health officer has reason to believe that any goods may have become contaminated by the agent of a quarantinable disease or may serve as a vehicle for the spread of any such disease, he may, if such goods are not in transit without transshipment, require such goods to be disinfected and, if necessary, disinfected.

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(2) The provisions of subregulation (1) shall not apply to mail matter, newspapers, books or other printed matter.

(3) The provisions of subregulation (1) shall not apply to postal parcels unless they contain -

- (a) fish, shellfish, fruit or vegetables to be consumed uncooked, or beverages which have come from a cholera-infected area; or
- (b) linen, wearing apparel or bedding which has been used or soiled and which is considered by the port health officer to be contaminated with the agent of any quarantinable disease.

(4) Baggage shall not be subjected to disinfection or disinsecting except in the case of an infected person or suspect, or in the case of a person carrying infective material or insect vectors of a quarantinable disease.

(5) Any animal landed in the Republic which, after examination, is found to be suffering from any infectious disease, or which may reasonably be suspected of being a carrier of any infectious disease may, in accordance with instructions issued by the Minister of Agriculture or the Executive Committee, as the case may be, be destroyed without compensation, or be kept in quarantine for such period as may be deemed necessary by the said Minister or the Executive Committee.

[Subregulation (5) is amended by RSA GN R.790/1980.]

Deratting of aircraft

9. No aircraft shall be deratted except with the prior approval of the Regional Director of Health Services of the region concerned or, in the case of the Territory of South-West Africa, the Director of Health Services of the South-West African Administration, and no such approval shall be granted unless the said officer has satisfied himself that -

[Regulation 9 is amended by RSA GN R.790/1980. The word "satisfied" is misspelt in the Government Gazette, as reproduced above.]

- (a) exceptional circumstances of an epidemiological nature exist and the presence of rodents on board is suspected; or
- (b) a rodent which has died of plague has been found on board.

CHAPTER II

MARITIME TRAFFIC

Granting of pratique

10. (1) The master of every ship on an international voyage, upon anchoring off or arriving at the first port of call, shall immediately on arrival at the outer anchorage or roadstead thereof, hoist or cause to be hoisted at the foremast head or, if this is not possible, in the most conspicuous position available and clear of any other flags, the flag known as flag Q, being a yellow flag of six breadths of bunting, and shall keep the said flag hoisted until pratique has been granted: Provided that, between the hours of sunset and sunrise, the master of any such ship in

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respect of which pratique has not been granted shall maintain or cause to be maintained amidships and not less than six metres above the deckhouses, a red light over a white light, one two metres above the other, so constructed and so placed as to be visible on a clear night all round the horizon for a distance of three kilometres.

(2) Should a case of any quarantinable disease occur on board during a voyage from one port to another within the Republic, the master shall notify the port health officer of the next proposed port of call by radio or other expeditious means at the earliest opportunity prior to arrival thereat as to the facts, whereupon the provisions of subregulation (1) shall apply *mutatis mutandis*. Should a case of any other infectious disease occur during such voyage, the relevant provisions of the regulations made under section 33 of the Health Act, 1977 (Act 63 of 1977), or, in the case of the Territory of South-West Africa, section 86 of the Public Health Act, 1919 (Act 36 of 1919), as applied to the Territory and for that purpose amended by the Public Health Proclamation, 1920 (Proclamation 36 of 1920), shall apply.

[Subregulation (2) is amended by RSA GN R.790/1980. The Public Health Act 36 of 1919 and the Public Health Proclamation 36 of 1920 have been replaced by the Public and Environmental Health Act 1 of 2015.]

(3) If the port health officer is satisfied, on the basis of information received from the master of any such ship, that its arrival will not result in the introduction or spread of any quarantinable disease, he shall grant such pratique by radio or other expeditious means.

(4) In the case of an infected ship, free pratique shall not be granted until the measures referred to in regulation 12(3) have been carried out.

(5) In the case of a suspected ship, free pratique shall not be granted until the measures referred to in regulation 12(4) have been carried out.

(6) In the case of a healthy ship coming from an infected area referred to in regulation 13(2)(a), (b) or (c), free pratique shall, without prejudice to the measures prescribed therein, be granted upon arrival.

Powers of port health officer

- 11.** On arrival of a ship at the first port of call, the port health officer shall have the power -
- (a) to board such ship and require the master thereof to produce for examination and retention a Maritime Declaration of Health in the form prescribed in Appendix 4 of the Regulations, duly completed, and to furnish such further information relating to health conditions on board during the voyage as he may request;
 - (b) to require the master of such ship to produce for inspection any valid Deratting Certificate or Deratting Exemption Certificate in the form prescribed in Appendix 1 of the Regulations and to furnish such further information relevant thereto as he may request;
 - (c) to inspect such ship or such parts thereof as he may deem necessary; and
 - (d) to require every person who has arrived on board such ship and wishes to disembark therefrom (temporarily or otherwise) to produce for examination any certificate specified in Appendix 2 or 3 of the Regulations in the possession of such person.

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12. (1) A ship shall be regarded as infected if, on arrival, it has on board a case of -
- (a) human plague or a plague-infected rodent, or a case of human plague has occurred on board more than six days after embarkation;
 - (b) cholera, or if a case of cholera has occurred on board during a period of five days before arrival;
 - (c) yellow fever, or if a case of yellow fever has occurred on board during the voyage; or
 - (d) smallpox, or if a case of smallpox has occurred on board during the voyage.
- (2) A ship shall be regarded as suspect 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, or there is evidence of an abnormal mortality among rodents on board of which the cause is not yet known; or
 - (b) 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; or
 - (c) it has left an area infected with yellow fever less than six days before arrival or, if it has arrived within 30 days of departure therefrom, *Aedes aegypti* are found on board.
- (3) The port health officer may remove and isolate any infected person found on board a ship referred to in subregulation (1), and -
- (a) in the case of a plague-infected ship -
 - (i) may disinsect any suspect and place such suspect under surveillance for a period not exceeding six days reckoned from the date of arrival;
 - (ii) may disinsect and, if necessary, disinfect the baggage of any infected person or suspect and any other article such as used bedding or linen, and any part of the ship which is considered to be contaminated;
 - (iii) if there is rodent plague on board, shall cause the ship to be deratted, if necessary in quarantine, in accordance with the provisions of regulation 17;
 - (b) in the case of a cholera-infected ship -
 - (i) may isolate or place under surveillance for a period not exceeding five days, reckoned from the date of arrival, any person who disembarks;
 - (ii) may disinfect the baggage of any infected person or suspect, any other article such as used bedding or linen, and any part of the ship which is considered to be contaminated;
 - (iii) may disinfect and cause to be removed any water carried on board which is considered to be contaminated, and disinfect the containers; and

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- (iv) shall disinfect and cause to be disposed of safely all human dejecta, waste water (including bilge-water, waste matter and any other matter which is considered to be contaminated);

[There is no closing bracket in the *Government Gazette*. Comparison with subregulation (4)(b)(iv) below suggests that the closing bracket should appear after the phrase "including bilge-water".]

- (c) in the case of a ship infected with yellow fever -
 - (i) may isolate any person who disembarks and is not in possession of a valid certificate of vaccination against yellow fever, for a period not exceeding six days, reckoned from the date of the last possible exposure to the infection or until his certificate becomes valid, whichever is the lesser period;
 - (ii) may disinsect the ship; and
 - (iii) may require the master to keep the ship not less than 400 metres from land; and
- (d) in the case of a smallpox-infected ship -
 - (i) shall offer vaccination to any person on board who is not in possession of a valid certificate of vaccination against smallpox;
 - (ii) may isolate or place under surveillance, as he may think fit, for a period not exceeding 14 days, reckoned from the last date of exposure to infection or until his certificate of vaccination against smallpox becomes valid, whichever is the lesser period. any person who disembarks and is not in possession of a valid certificate of vaccination against smallpox; and
 - (iii) shall disinfect the baggage of any infected person and any other baggage or article such as used bedding or linen, and any part of the ship which is considered to be contaminated.
- (4) The port health officer may, in respect of a suspected ship referred to -
 - (a) in subregulation (2)(a) -
 - (i) disinsect any suspect and place such suspect under surveillance for a period not exceeding six days, reckoned from the date of arrival; and
 - (ii) disinsect and, if necessary, disinfect the baggage of any suspect and any other article such as used bedding or linen, and any part of the ship which is considered to be contaminated;
 - (b) in subregulation (2)(b) -
 - (i) isolate or place under surveillance for a period not exceeding five days, reckoned from the date of arrival, any person who disembarks;
 - (ii) disinfect the baggage of any suspect, any other article such as used bedding or linen, and any part of the ship which is considered to be contaminated;

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- (iii) disinfect and cause to be removed any water carried on board which is considered to be contaminated, and disinfect the containers;
 - (iv) cause to be disinfected and safely disposed of all human dejecta, waste water (including bilge-water), waste matter and any other matter which is considered to be contaminated; and
- (c) in subregulation (2)(c) -
- (i) isolate any person who disembarks and is not in possession of a valid certificate of vaccination against yellow fever in accordance with the provisions of subregulation (3)(i)(c):
 - (ii) inspect and disinsect the ship; and
 - (iii) require the master to keep the ship not less than 400 metres from land;

**[The semicolon at the end of subparagraph (iii) should be a full stop;
there is no other text in subregulation (4).]**

(5) An infected person on board a ship shall be removed and isolated ashore if the master so requests.

Ships coming from infected areas

13. (1) A ship which is neither infected as described in regulation 12(1) nor suspected as described in regulation 12(2) shall be regarded as healthy even if it has come from an infected area.

- (2) The port health officer may, in the case of a healthy ship which has come from -
- (a) a plague-infected area, place under surveillance any suspect who disembarks, for a period not exceeding six days, reckoned from the date when the ship left such area;
 - (b) a cholera-infected area, isolate or place under surveillance any person who disembarks, for a period not exceeding five days, reckoned from the date of his departure from such area;
 - (c) a smallpox-infected area -
 - (i) vaccinate any person who disembarks and is not in possession of a valid certificate of vaccination against smallpox; or
 - (ii) place any such person under surveillance for a period not exceeding 14 days, reckoned from the date of his departure from such area; or
 - (iii) vaccinate and place any such person under surveillance, or if any such person refuses to be vaccinated, isolate him for a like period.

Requirements to be complied with by persons entering the Republic by sea

- 14.** (1) No person who has been in -

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- (a) a cholera-infected area within the preceding five days;
- (b) a plague-infected area within the preceding six days;
- (c) a yellow fever endemic area within the preceding six days;
- (d) a smallpox-infected area within the preceding 14 days;

shall be permitted to disembark within the Republic unless he complies with the requirements of the port health officer under subregulation (2).

(2) The port health officer may, subject to the provisions of subregulation (3), in the case of any person referred to in -

- (a) subregulation (1)(a), isolate or place such person under surveillance for a period not exceeding five days, reckoned from the date of his departure from the infected area;
- (b) subregulation (1)(b), and who is a suspect, place such person under surveillance for a period not exceeding six days, reckoned from the date of departure from the infected area;
- (c) subregulation (1)(c), who is not in possession of a valid certificate of vaccination against yellow fever and who disembarks, isolate such person for a period not exceeding six days, reckoned from the date of last possible exposure to infection or until his certificate becomes valid, whichever is the lesser period;
- (d) subregulation (1)(d), who is not in possession of a valid certificate of vaccination against smallpox -
 - (i) vaccinate such person; or
 - (ii) place such person under surveillance; or
 - (iii) vaccinate and place such person under surveillance; or
 - (iv) isolate such person if he refuses to be vaccinated:

Provided that the period of isolation or surveillance shall not exceed 14 days, reckoned from the date of his departure from the infected area.

(3) The port health officer shall not isolate any person referred to in subregulation (2)(d)(iv) unless he is satisfied, on reasonable grounds, that it is necessary to do so in order to prevent the introduction into the Republic of the quarantinable disease concerned.

(4) If any person is, upon examination by the port health officer, considered or suspected to be suffering from any quarantinable disease, the said officer shall -

- (a) cause such person to be isolated; and
- (b) apply such of the measures described in subregulation (2) as he may deem necessary in order to prevent the spread of the disease in respect of any person who has been in contact with such person.

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Measures applicable in respect of goods, baggage and animals arriving by sea

15. (1) If the port health officer has reason to believe that any goods may have become contaminated by the agent of a quarantinable disease or may serve as a vehicle for the spread of any such disease, he may, if such goods are not in transit without transshipment, require such goods to be disinfected and, if necessary, disinfected.

(2) The provisions of subregulation (1) shall not apply to mail matter, newspapers, books or other printed matter.

(3) The provisions of subregulation (1) shall not apply to postal parcels unless they contain -

- (a) fish, shellfish, fruit or vegetables to be consumed uncooked, or beverages which have come from a cholera-infected area; or
- (b) linen, wearing apparel or bedding which has been used or soiled and which is considered by the port health officer to be contaminated by the agent of any quarantinable disease.

(4) Baggage shall not be subjected to disinfection or disinsecting except in the case of an infected person or suspect, or in the case of a person carrying infective material or insect vectors of a quarantinable disease.

(5) Any animal landed in the Republic and which, after examination, is found to be suffering from any infectious disease, or which may reasonably be suspected of being a vehicle for the spread of any infectious disease may, in accordance with instructions issued by the Minister of Agriculture or the Executive Committee, as the case may be, be destroyed without compensation, or be kept in quarantine for such period as may be deemed necessary by the said Minister or Executive Committee.

[Subregulation (5) is amended by RSA GN R.790/1980.]

Measures applicable if deratting certificate or exemption certificate is not produced

16. (1) If on arrival of a ship on an international voyage at a first port of call the master is unable to produce a valid Deratting Certificate or Deratting Exemption Certificate, the port health officer may -

- (a) in the case of a designated approved port, cause such ship to be deratted in accordance with the provisions of regulation 17 and shall thereafter furnish the master with a Deratting Certificate, duly completed, in the form prescribed in Appendix 1 of the Regulations; or
- (b) in the case of an approved port, require the master to remove the ship to a designated approved port in order that it may be deratted; or
- (c) if he is satisfied, after inspection, that the number of rodents on board, if any, is negligible, exempt the ship from deratting and shall thereupon issue to the master a Deratting Exemption Certificate, duly completed in the form prescribed in Appendix 1 of the Regulations.

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Requirements in respect of deratting and disinsecting

17. (1) For the purpose of deratting, the master shall, if so required in writing by the port health officer -

- (a) submit any part or the whole of the ship to cyanide fumigation as prescribed, or to some other approved method of fumigation as prescribed, or to such trapping or poisoning operations for the destruction of rodents as are specified in the order. If so directed by the port health officer, the fumigation or trapping or poisoning operations for the destruction of rodents shall be carried out either before or after the cargo has been discharged, or such operations may be carried out partially before and completed after the cargo has been discharged;
 - (b) wash or spray thoroughly with the prescribed insecticidal solution all portions of the ship infested with, or likely to harbour, fleas, lice, bugs or other insect pests;
 - (c) empty and flush or disinfect and cleanse all latrines, water tanks, or any closed space on board the ship: Provided that in any case where there is reasonable cause to apprehend that the ship may be endangered by the removal of water-ballast, the port health officer may cause any tank or other receptacle to be sealed; and, thenceforth, so long as the vessel remains within the port, the master shall prevent the breaking or removal of the seal or the discharge or removal from the tank or receptacle of any part of the water-ballast, except with the written permission of the port health officer;
 - (d) cause to be disinfected or fumigated any article specified by the port health officer;
 - (e) remove and restow or rearrange, in such a manner as to prevent access or harbourage of rats or mice, any dunnage, rubbish or deck cargo;
 - (f) remove, open up, or otherwise render thoroughly accessible to fumigation any linings, casings, partitions, lockers and similar enclosed spaces above or below deck;
 - (g) protect effectively against the passage of rats or mice all openings other than doors or hatches which are liable to afford entrance for rats from any hold or cargo space to any other part of the ship;
 - (h) protect effectively against the passage and harbourage of rats or mice any specified opening or place, whether below or above deck;
 - (i) provide a special guard who shall be one of the ship's officers for guarding the before, during and after fumigation, the guard's duties to be specified by the port health officer; and
 - (j) take such measures and precautions as regards the inspection and discharge of cargo may be specified by the port health officer.
- (2) The following processes are prescribed:
- (a) For the destruction of rats and mice in closed spaces in ships, fumigation with hydrocyanic acid gas.

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- (b) For the destruction of insects in ships, fumigation with hydrocyanic acid gas, or by the application to all places liable to harbour insects of D.D.T. or aqueous emulsion.

(3) Except in cases of emergency, the master or owner of any ship in any port in the Republic shall when the ship is about to undergo overhaul or to be docked for repairs or for any other purpose, give notice to that effect to the port health officer at least 24 hours before the beginning of any such overhaul or before the ship is taken to the dock.

Quarantining of ships

18. (1) If, in the case of an infected ship as described in regulation 12(1), or a suspected ship as described in regulation 12(2), the port health officer is of the opinion that the public health cannot otherwise be safeguarded, he may -

[The word “safeguarded” is misspelt in the *Government Gazette*, as reproduced above.]

- (a) place the ship concerned in quarantine at the place where it is moored; or
- (b) require the master to remove the ship in quarantine and moor it in a place to be determined in consultation with the port captain.

(2) The master of the ship concerned shall, as long as the ship remains in quarantine, cause the quarantine flag L, being a large flag of yellow and black borne quarterly, to be flown at the foremast head, when it is possible to do so or otherwise in the most conspicuous position available and clear of any other flags between sunrise and sunset and a red light over a white light to be shown between sunset and sunrise as provided in regulation 10.

(3) If the master refuses to submit to quarantine in terms of subregulation (1)(a), or to comply with any request addressed to him in terms of subregulation 1(b), he shall remove the ship from the port concerned and proceed forthwith to such other port outside the Republic as he may desire and he shall notify the port health officer accordingly. If necessary, he shall be permitted to take on stores in quarantine.

Prohibition of communication between shore and ship in quarantine

19. Except in case of danger no master of a ship in quarantine shall leave the ship or send any article or thing ashore or to any other ship or boat, or communicate with the shore or any other ship or boat, or permit any person on board to do so, and no person from the shore, other than the port health officer or any other duly authorised person, shall come alongside or on board such ship.

Prevention of migration of rodents

- 20.** (1) In the case of -
- (a) an infected ship referred to in regulation 12(1)(a); or
- (b) a suspected ship referred to in regulation 12(2)(a); or
- (c) an outbreak of plague in or in the vicinity of the port of arrival;

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the master shall take such of the measures prescribed in subregulations (2) and (3) as the port health officer may determine, for the purpose of preventing the access of rodents to or from the ship.

(2) For the purpose as aforesaid the master of a ship referred to in subregulation (1) shall, if so required by the port health officer -

- (a) within two hours after his vessel has been moored alongside any wharf, lighter or other vessel, close or render impassable to rats with fine mesh wire-netting or by other means all openings or holes in that side of the vessel contiguous to such wharf, lighter or other vessel;
- (b) within the same period affix an effective rat shield or screen, or parcelling of canvas or hessian covered with tar or birdlime to be freshly applied each day, not less than one metre or more than 1,5 metres from the side of the vessel, to every rope or hawser connecting the vessel to such wharf, lighter or other vessel;
- (c) between the hours of sunset and sunrise, either remove every landing stage, net or gangway between the vessel and the wharf, lighter or other vessel, or, except when any such appliance is actually in use, station a watchman at its inboard end to prevent migration of rats;
- (d) when so required in writing by the port health officer, thoroughly illuminate between sunset and sunrise with electric or other bright lights the whole side of the vessel next to the wharf, lighter or other vessel;
- (e) take such other measures to prevent the migration of rats to or from the vessel or for the destruction of rodents on board the vessel as the port health officer may by written notice require.

(3) The master of the vessel shall cause the foregoing measures and precautions to be maintained and continued to the satisfaction of the port health officer, throughout the period during which the vessel is moored to or lying alongside any wharf, lighter or other vessel.

CHAPTER III

RAIL AND ROAD TRAFFIC

Provisions of this part to be applied by notice in the Gazette

21. (1) The provisions of this Part shall be applied wholly or in part in respect of any point of entry into the Republic for rail and road traffic as may be determined by the Minister from time to time, by notice in the *Gazette*, and, in respect of the Territory of South-West Africa, after consultation with the Executive Committee.

[Subregulation (1) is amended by RSA GN R.790/1980.]

(2) As from the date of coming into force of any such notice the nearest district surgeon or any other medical practitioner specially authorised thereto by the Minister or the Executive Committee, as the case may be, shall exercise all the powers and perform all the functions of a port health officer in respect of such point of entry.

[Subregulation (2) is amended by RSA GN R.790/1980.]

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Requirements to be complied with by persons entering the Republic by rail or road

22. (1) No person who has been in -
- (a) a cholera-infected area within the preceding five days;
 - (b) a plague-infected area within the preceding six days;
 - (c) a yellow fever endemic area within the preceding six days;
 - (d) a smallpox-infected area within the preceding 14 days;

shall be permitted to enter the Republic unless he complies with the requirements of the port health officer under subregulation (2).

(2) The port health officer may, subject to the provisions of subregulation (3), in the case of any person referred to in -

- (a) subregulation (1)(a), isolate or place such person under surveillance for a period not exceeding five days, reckoned from the date of his departure from the infected area concerned;
- (b) subregulation (1)(b), place such person under surveillance for a period not exceeding six days, reckoned from the date of his departure from the infected area concerned;
- (c) subregulation (1)(c), who is not in possession of a valid certificate of vaccination against yellow fever and who enters the Republic, isolate such person for a period not exceeding six days, reckoned from the date of last possible exposure to infection or until his certificate becomes valid, whichever is the lesser period;
- (d) subregulation (1)(d), who is not in possession of a valid certificate of vaccination against smallpox -
 - (i) vaccinate such person; or
 - (ii) place such person under surveillance; or
 - (iii) vaccinate and place such person under surveillance; or
 - (iv) isolate any such person who declines vaccination:

Provided that the period of isolation or surveillance shall not exceed 14 days, reckoned from the date of departure from the infected area.

(3) The port health officer shall not isolate any person referred to in subregulation (2)(d)(iv), unless he is satisfied, on reasonable grounds, that it is necessary to do so in order to prevent the introduction into the Republic of the quarantinable disease concerned.

(4) If any person is, upon examination by the port health officer, considered or suspected to be suffering from any quarantinable disease, the said officer shall -

- (a) cause such person to be isolated; and

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- (b) apply such of the measures described in subregulation (2) as he may deem necessary in order to prevent the spread of the disease in respect of any person who has been in contact with such person.

Measures applicable in respect of trains and road vehicles

23. (1) The port health officer shall cause any part of a train or road vehicle in which any person referred to in regulation 22(4) has been conveyed to the Republic and which is considered to be contaminated by the agent of any quarantinable disease to be disinfected and, if necessary, disinfected, together with any article on board such train or road vehicle which is considered likely to be so contaminated.

(2) In the case of a train or road vehicle which has come from a cholera-infected area or on which a case of cholera has been discovered, the port health officer may prohibit the unloading of or cause to be removed and safely disposed of any fish, shellfish, fruit or vegetables to be consumed uncooked, or beverages, unless such food or beverages are in sealed containers and there is reason to believe that they are not contaminated.

Measures applicable in respect of goods, baggage and animals arriving by rail or road

24. (1) If the port health officer has reason to believe that any goods may have become contaminated by the agent of a quarantinable disease or may serve as a vehicle for the spread of any such disease, he may require such goods to be disinfected, and, if necessary, disinfected.

(2) The provisions of subregulation (1) shall not apply to mail matter, newspapers, books or other printed matter.

(3) The provisions of subregulation (1) shall not apply to postal parcels unless they contain -

- (a) fish, shellfish, fruit or vegetables to be consumed uncooked, or beverages which have come from a cholera-infected area; or
- (b) linen, wearing apparel or bedding which has been used or soiled and which is considered by the port health officer to be contaminated by the agent of any quarantinable disease.

(4) Baggage shall not be subjected to disinfection or disinsecting except in the case of an infected person or suspect, or in the case of a person carrying infective material or insect vectors of a quarantinable disease.

(5) Any animal entering the Republic and which, after examination, is found to be suffering from any infectious disease, or which may reasonably be suspected of being a vehicle for the spread of any infectious disease may, in accordance with instructions issued by the Minister of Agriculture or the Executive Committee, as the case may be, be destroyed without compensation, or be kept in quarantine for such period as may be deemed necessary by the said Minister or Executive Committee.

[Subregulation (5) is amended by RSA GN R.790/1980.]

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MISCELLANEOUS PROVISIONS

Requirements to be complied with on departure from the Republic

25. (1) The port health officer may, if he has grounds for believing that any person who is about to depart from the Republic by air, sea, rail or road may be suffering from or has come into contact with any other person suffering from an infectious or a quarantinable disease -

- (a) medically examine such person and prohibit the departure of such person if he is of the opinion that he is so suffering or suspected to be suffering or is likely, as a result of such contact, to contract any such disease until he -
 - (i) has recovered from;
 - (ii) is free from; or
 - (iii) is no longer likely, as a result of such contact, to contract any such disease;
- (b) prohibit the removal from the Republic of any baggage, article or thing in the possession of any such person which is considered likely to be contaminated, until it has been disinfected and, if necessary, disinfected; and
- (c) cause to be disinfected and, if necessary, disinfected, any baggage, article or thing referred to in paragraph (b).

(2) The port health officer may likewise prohibit the departure of any person who, or of any article or thing which, is dirty or verminous.

Quarantine of prohibited immigrants

26. (1) Whenever the port health officer lands in quarantine or for isolation or treatment in hospital any person who has not been granted authority to enter the Republic after examination by a passport control officer under any law relating to admission of persons in force in the Republic, he shall immediately inform the passport control officer of the name of such person, the means by which he arrived in the Republic and the place of detention. and shall also notify the medical or other officer in charge of the quarantine station, hospital or place of detention of the means by which such person arrived, the name and address of the owner or agents of the means of transport and that such person has not been authorised under the Admission of Persons to the Republic Regulation Act, 1972 (Act 59 of 1972), to enter the Republic and must not be discharged or released from detention until the master or agents of the ship, if he has arrived by ship, or the person in charge, owner or agents of the means of transport, have been notified of the intended time of discharge or release.

(2) The port health officer or the medical or other officer in charge of the quarantine station, hospital or place of detention shall give the passport control officer and the master or agents of the ship or the person in charge, owner or agents of the means of transport, as the case may be, due notice in advance of the release or discharge of such person, and upon being so released or discharged such person shall revert to the custody of the master or agents of the ship or of the person in charge, owner or agents of the means of transport, as the case may be, until authorised by the passport control officer to enter the Republic.

(3) All expenses in connection with the detention and maintenance (including expenses of escot and identification) of such person until permitted to enter the Republic and in connection

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with his repatriation in the event of his being declared a prohibited person, shall be borne by the master of the ship or the aforesaid person in charge, owner or agents of the means of transport and nothing in these regulations shall be construed as relieving any such master, person in charge, owner or agent of his obligations and responsibilities under the Admission of Persons to the Republic Regulation Act, 1972, or of his liability under sections 27 and 28 of the said Act.

(4) The bond or agreement referred to in section 31 of the Admission of Persons to the Republic Regulation Act, 1972, shall be construed as containing the provisions of subregulations (1), (2) and (3).

Certificates to be given by port health officer

27. When any measures for the removal or eradication of any quarantinable disease have been taken by the port health officer in terms of these regulations, the port health officer shall, if so requested by the master or agents of the ship or by the person in charge, owner or agents of the means of transport concerned, furnish a statement of the measures taken and the reasons therefor.

Refuse to be ejected only in specified area

28. (1) No master of a ship or person in charge of any other means of transport shall cause or permit any ballast, dirt, ashes, sweepings, rubbish, manure, excreta or refuse of any kind to be ejected from the ship or other means of transport but shall cause all such matters to be removed to a place set apart for that purpose, or otherwise disposed of as the port health officer may direct. Carcasses of dead animals, offal, and other offensive matters shall be kept separate, and shall be separately disposed of.

(2) Where any cattle ship or other means of transport is in a filthy condition, or has a large quantity of manure or other offensive matter on board, the port health officer may require the master or person in charge to cleanse the ship or other means of transport concerned in an area to be specified by the port health officer.

(3) In the case of a ship, the port health officer, after consultation with the port captain, may require the master to keep all water-closets and latrines on the ship closed while in port.

Prevention of nuisance

29. No master of a ship or person in charge of any other means of transport shall cause or permit any nuisance or danger to health to exist on board. Should any such nuisance or danger to health arise, the port health officer may require the master or person in charge to remedy it forthwith and to take such measures as he may specify, for preventing its recurrence.

Restriction in respect of medical examination of persons suffering or suspected to be suffering from cholera

30. (1) No person suffering or suspected to be suffering from cholera shall be required to submit to rectal swabbing.

(2) No person shall be required to submit to stool examination unless he has come from a cholera-infected area within the incubation period of cholera and shows symptoms indicative of cholera.

[The word "person" is misspelt in the Government Gazette, as reproduced above.]

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Recovery of expenses

31. (1) The master of a ship or the person in charge or the owner or agent of any means of transport by which any person has entered the Republic and from which such person has been removed and isolated within the Republic shall be required to pay all charges raised by or on the instructions of the port health officer in respect of the removal and maintenance of such person in isolation in accordance with the tariff prescribed under regulation 32.

(2) The master of a ship or the person in charge or the owner or agent of any means of transport shall be required to pay, in accordance with the tariff prescribed in regulation 33, the charges due in respect of services rendered by or on the instructions of the port health officer.

[Regulation 31 is amended by RSA GN R.790/1980.]

Charges in respect of removal and isolation of persons entering the Republic

32. A uniform tariff of R5,00 per person per day or part thereof shall be in force in the Republic and shall apply to the isolation of all persons who are isolated at any of the the Republic’s quarantine stations in terms of the regulations. All additional items of food and drink, etc. which are required by the detainees, but which are not normally supplied by the quarantine station concerned, will be provided at cost.

[Regulation 32 is amended by RSA GN R.790/1980. The word “the” is repeated before the phrase “Republic’s quarantine stations” in the *Government Gazette*, as reproduced above.]

Charges in respect of other services

33. (1) The following charges shall apply in respect of such of the services mentioned as have been carried out by or on the instructions of the port health officer in relation to maritime traffic, under these regulations:

[The table of charges below is amended by RSA GN R.790/1980.]

I. Clothing, bedding, linen, etc. (not being imported second-hand clothing), by steam pressure disinfector	R6,00 for the first cylinder load and R4,00 for each additional cylinder load disinfected on the same occasion.
II. Articles for which steam disinfection is unsuitable	R3,00 per charge of the fumigating chamber not exceeding 14,16 cubic metres plus R0,80 for each additional 2,83 cubic metres.
III. Cabins, crew’s quarters, etc.	According to extent and time taken: Minimum R6,00.
IV. Holy water, brought by pilgrims or imported from Mecca	Receptacles of up to ½ litre: R0,60 per receptacle; receptacles of up to 1 litre: R1,00 per receptacle; receptacles of up to 5 litres: R2,50 per receptacle; receptacles of more than 5 litres: R2,00 per 5 litres or part thereof. (Such disinfections to be carried out by a Hadji or other Mohammedan under the direction and supervision of an officer of the Department of Health.)
V. Non-specified disinfections.....	Actual cost.

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- VI. For the complete fumigation or fumigation of any part of a ship, the tariffs as determined from time to time by contract.
- VII. For the application of dichlorodiphenyl trichlorethane (D.D.T.) a charge of R4,80 per 5 litres of spray or equivalent dust used, with a minimum charge of R9,60 per any one ship.

(2) The provisions of subregulation (1) shall, in respect of the services mentioned under items I, II and IV, apply *mutatis mutandis* in the case of air, rail and road traffic.

Penalties

34. (1) Any person who contravenes or fails to comply with any provision of these regulations or who fails to comply with any instruction issued under these regulations or who obstructs or hinders any port health officer in the execution of his duties thereunder, or who fails or refuses to give any information which he is lawfully required by any person to give or who gives to any such person false or misleading information, knowing it to be false or misleading, shall be guilty of an offence and liable upon conviction to a fine not exceeding R200, or to imprisonment for a period not exceeding six months.

(2) If the master of a ship or the pilot in command or other person in charge of an aircraft contravenes or fails to comply with any provision of these regulations relating to pratique or quarantine, or makes any false statement or false answer to any question in the Maritime Declaration of Health or the Health Part of the Aircraft General Declaration as the case may be, knowing the same to be false, he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding R200, or to imprisonment for a period not exceeding six months.