
QUARANTINE (PUBLIC HEALTH) (AMENDMENT) REGULATIONS 2010

The Administrator makes the following Regulations in exercise of the power under section 6 of the Quarantine Ordinance(a).

Citation and commencement

1. These Regulations may be cited as the Quarantine (Public Health) (Amendment) Regulations 2010 and come into force on the day they are published in the Gazette.

Interpretation

2. In these Regulations, “the principal Regulations” means the Quarantine (Public Health) Regulations(b).

Regulations 2 and 3 amended

3. Regulations 2 and 3 of the principal Regulations are amended by revoking “First Appendix” and replacing it with “Schedule”.

Regulation 4 amended

4. Regulation 4 of the principal Regulations is revoked and replaced with the following—

“4. Every Head of Community who has reasonable cause to believe that a person in his village is suffering from a disease mentioned in the Schedule must, without delay, report it to the nearest Medical Officer.”.

Regulation 8 amended

5. Regulation 8 of the principal Regulations is amended by revoking “First Appendix” and replacing it with “Schedule”.

Regulation 10 amended

6. Regulation 10 of the principal Regulations is revoked and replaced with the following—

“10. The Director of Medical and Health Services, or any Medical Officer authorised by him for the purpose of this regulation, may require any person who has been exposed to a disease mentioned in the Schedule to be examined by a Medical Officer.”.

Regulations 37 to 43 revoked and replaced

7. Regulations 37 to 43 of the principal Regulations are revoked and replaced with the following —

“37. (1) The Director of Medical and Health Services may instruct a person to abstain from working if satisfied that—

- (a) the person is or may be infected with a disease listed in the Schedule;
- (b) the infection is one which presents or could present significant harm to human health;
- (c) there is a risk that the person might infect others; and
- (d) it is necessary to issue such an instruction in order to remove or reduce that risk.

(2) A person must comply with any instructions issued to them under paragraph (1).”.

Regulation 45 amended

8. Regulation 45 of the principal Regulations is amended as follows—

- (a) by revoking the definition of “carrier”; and
- (b) by inserting the following definitions after the definition of “contact”—
 - ““Director of Medical and Health Services” means the Chief Officer;
 - “Head of Community” has the same meaning as in the Akrotiri Community Ordinance(c) or in the Overlapping Communities Ordinance(d) as appropriate to the location; and
 - “Medical Officer” means any person authorised in writing by the Chief Officer to perform that role for the purposes of these Regulations, subject to such restrictions or conditions as the Chief Officer may specify.”.

New regulation 46 inserted

9. After regulation 45 of the principal Regulations, the following new regulation is inserted—

“46. (1) Subject to subsections (2) and (3), the functions placed on the Director of Medical and Health Services and on Medical Officers by these regulations are qualified delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007(e) (“the 2007 Ordinance”).

(2) The functions placed on Medical Officers by regulations 2, 3 and 4 are general delegated functions for the purposes of the 2007 Ordinance.

(3) The function placed on the Director of Medical and Health Services by regulation 37 is not a delegated function for the purposes of the 2007 Ordinance.”.

First Appendix revoked and replaced with new Schedule

10. The First Appendix to the principal Regulations is revoked and replaced with the following—

“SCHEDULE

(regulations 2, 3, 4, 8 and 37)

- 1. Botulism;
- 2. Chickenpox;
- 3. Anthrax;
- 4. Brucellosis;
- 5. Influenza;
- 6. Diphtheria;
- 7. Bacillary Dysentery;
- 8. Malaria;
- 9. Endemic Typhus;
- 10. Rubella;
- 11. Congenital Rubella;
- 12. Echinococcosis;
- 13. Hepatitis A;
- 14. Hepatitis B;
- 15. Hepatitis C;

16. Other Viral Hepatitis;
17. Viral Haemorrhagic Fevers;
18. Measles;
19. Yellow Fever;
20. Pertussis;
21. Legionnaires' Disease;
22. Cutaneous Leishmaniasis;
23. Visceral Leishmaniasis;
24. Leprosy;
25. Leptospirosis;
26. Human Immunodeficiency Virus ("HIV") / Acquired Immune Deficiency Syndrome ("AIDS");
27. Rabies;
28. Viral Meningitis;
29. Meningococcal Disease;
30. Microbic Meningitis (other);
31. Plague;
32. Parotitis;
33. Poliomyelitis;
34. Q Fever;
35. Typhoid and Paratyphoid Fever (Salmonella Typhi/Paratyphi);
36. Salmonellosis;
37. Spongiform Encephalopathies, variant Creutzfeldt-Jakob's Disease;
38. Syphilis;
39. Tetanus;
40. Neonatal Tetanus;
41. Tuberculosis;
42. Cholera;
43. Severe Acute Respiratory Syndrome ("SARS");
44. Haemophilus Influenza group B (invasive);
45. Smallpox;
46. Chlamydia Trachomatis infection;
47. Gonococcal Conjunctivitis;
48. Campylobacteriosis;
49. Cryptosporidiosis (Cryptosporidium Parvum);
50. Giardiasis (Giardia Lamblia);
51. Infection with Enterohaemorrhagic Escherichia Coli;
52. Listeriosis;
53. Congenital Toxoplasmosis;
54. Trichinosis;
55. Yersinosis;
56. Pneumococcal disease;
57. Tularaemia;

- 58. Avian Influenza A/H5 or A/H5N1;
- 59. West Nile Fever;
- 60. Syphilis (congenital and neo-natal); and
- 61. Scarlet fever.”.

Second and Third Appendices revoked

- 11.** The Second and Third Appendices to the principal Regulations are revoked.

Revocations

- 12.** The Quarantine (Public Health) (Amendment) Regulations 1958**(f)**, 1983**(g)** and 1987**(h)** are revoked.

Dated this 18th of January 2010.

By the Administrator’s Command,

J. Gondelle,

Acting Chief Officer,
Sovereign Base Areas.

(SBA/AG/2/MI/180/1)

Notes

- (a)** Cap. 260, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).
- (b)** Subsidiary Legislation of Cyprus revised edition volume 1, 1954, page 259, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).
- (c)** Ordinance 23/01.
- (d)** Ordinance 27/01.
- (e)** Ordinance 17/07.
- (f)** Public Instrument 729 of 1958, Subsidiary Legislation (Cyprus), as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).
- (g)** Public Instrument 2/84.
- (h)** Public Instrument 12/87.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Introduction

1. This explanatory note relates to the Quarantine (Public Health) (Amendment) Regulations 2010 (“the Regulations”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Regulations. It does not form part of the Regulations.
2. The note should be read in conjunction with the Regulations. It is not, and is not meant to be, a comprehensive description of the Regulations. So when a regulation or part of a regulation does not seem to require any explanation or comment, none is given.

Particular points

3. The Regulations amend the Quarantine (Public Health) Regulations.
4. There is a minor amendment to the requirement for Heads of Communities to report cases of disease in their area (regulation 4). Regulation 10 is amended to widen the circumstances in which a person can be ordered to submit to a medical examination, but the power to order a person to be vaccinated is revoked.
5. Regulations 37 to 43 and the Second and Third Appendices, which restricted the employment in specified occupations of persons suffering from certain diseases, are revoked. The new regulation 37 replaces them with a new power for the Director of Medical and Health Services to instruct a person to abstain from working if necessary to prevent the spread of infection in the particular circumstances.
6. The list of diseases in the First Appendix (which is renamed “Schedule”) is updated to replicate the equivalent Republican legislation. The effect of a disease being listed is that it must be reported (regulations 2 to 4) and a sufferer may be isolated (regulation 8) and restricted from working (regulation 37). There are minor consequential amendments and three public instruments which have now been superseded are revoked.
7. Definitions of “Director of Medical and Health Services” and “Medical Officer” are inserted into regulation 45 to make it clear who may exercise the relevant powers and a new regulation 46 is inserted to delegate certain of their functions. Delegated functions are functions which may be carried out in the Areas by an officer of the Republic on whom a corresponding function is placed under Republican law. The Delegation of Functions to the Republic Ordinance 2007 sets out the effects and limits of delegation. The functions of Medical Officers in relation to the reporting of diseases (regulations 2 to 4) are general delegated functions. All other functions (except for the new regulation 37 which is not delegated at all) are qualified delegated functions, so can only be exercised after consultation with the appropriate SBA official.
8. The penalty for any breach of the Quarantine (Public Health) Regulations is provided for in section 7 of the Quarantine Ordinance.