

**MONTSERRAT**  
**STATUTORY RULES AND ORDERS**  
**S.R.O. 50 OF 2021**

**QUARANTINE (MARITIME AND AIR) REGULATIONS**

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**QUARANTINE (MARITIME AND AIR) REGULATIONS**

**THE QUARANTINE (MARITIME AND AIR) REGULATIONS MADE BY THE GOVERNOR ACTING ON THE ADVICE OF CABINET UNDER SECTION 4 OF THE QUARANTINE ACT (CAP. 14.09).**

**PART 1 – PRELIMINARY**

**1. Citation**

These Regulations may be cited as the Quarantine (Maritime and Air) Regulations, 2021.

**2. Interpretation**

**(1)** In these Regulations—

“**Act**” means the Quarantine Act (Cap. 14.09);

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

“**affected area**” means a geographical location specifically for which health measures have been recommended by the WHO under the IHR 2005;

“**arrival**” in relation to a conveyance, means—

(a) in the case of a seagoing vessel, arrival or anchoring in the defined area of a port; and

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

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

“**container**” means an article of transport equipment—

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

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

**“conveyance”** means an aircraft or ship on a flight or journey;

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

**“crew”** means persons on board a conveyance who are not travellers;

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

**“departure”** means, for persons, baggage, cargo, conveyances or goods, the act of leaving a territory;

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

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

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

**“disinsection”** means the procedure whereby health measures are taken to control or kill the insect vectors of human diseases present in

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baggage, cargo, containers, conveyances, goods and postal parcels;

**“event”** means a manifestation of disease or an occurrence that creates a potential for disease;

**“goods”** means tangible products, including animals and plants, transported on an international journey, including for utilization on board a conveyance;

**“health assessment”** means an evaluation of the relevant medical history and the travel history of a traveller and a non-invasive physical examination, including an examination of the traveller’s head, neck and extremities and the measurement of vital signs such as the traveller’s temperature, heart rate and respiratory rate;

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

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

**“infectious disease”** means an epidemic or acute communicable disease and includes a disease that affects the upper and lower respiratory tract but does not include a sexually transmitted disease;

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

**“International Health Regulations 2005”** or **“IHR 2005”** means the International Health Regulations 2005 as adopted by the Fifty-eight World Health Assembly on 23 May 2005 and includes any amendments made to the IHR 2005;

**“invasive”** means the puncture or incision of the skin or insertion of an instrument or foreign material into the body or the examination of a body cavity. For the purposes of these Regulations, medical examination of the ear, nose and mouth, temperature assessment using an ear, oral or cutaneous thermometer, or thermal imaging, medical inspection, auscultation, external palpitation, retinoscopy, external collection of urine, faeces or saliva samples, external measurement of blood pressure, and electrocardiography shall be considered to be non-invasive;

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**“isolation”** in relation to a person who is ill, means the separation of that person from other people in such a manner as to prevent infection or contamination with an infectious disease—

- (a) in a hospital; or
- (b) at another suitable place;

**“medical examination”** means ascertaining the relevant medical history and the travel history of the person being examined, the conduct of a physical examination and laboratory tests or radiographic or diagnostic tests that may be required to make a determination of whether the person might have an infectious disease;

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

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

**“public health risk”** means a likelihood of an event that may affect adversely the health of human populations, with an emphasis on one which may spread internationally or may present a serious and direct danger;

**“quarantine”** means the restriction of activities, which may include the separation from others of suspect persons who are not ill or the separation of suspect baggage, containers, conveyances or goods in such a manner as to prevent the possible spread of infection or contamination;

**“Quarantine Authority”** means the Quarantine Authority established under section 3 of the Act;

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

**“Ship Sanitation Control Certificate”** means a certificate issued by a Health Officer that corroborates a ship’s compliance with maritime sanitation and quarantine set out in Form 5 of Schedule 3;

**“Ship Sanitation Control Exemption Certificate”** means a certificate issued by a Health Officer that corroborates a ship’s compliance with maritime sanitation and quarantine rules set out in Form 5 of Schedule 3;

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“**valid**” in relation to a Ship Sanitation Control Certificate and Ship Sanitation Control Exemption Certificate, means a certificate issued within the preceding six months or, where the conveyance in respect of which the certificate is issued is proceeding to its home port, the preceding seven months;

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

“**WHO**” means the World Health Organization.

- (2) In relation to infectious diseases, the measures which may be taken and the circumstances in which they may be taken shall be in accordance with these Regulations.

## PART 2 – CONVEYANCES

### 3. Identifying contamination or suspected contamination on a conveyance

- (1) A conveyance operator arriving in Montserrat shall report to a Health Officer whether a public health risk has occurred on board the conveyance in the case where—
- (a) a traveller, crew member or conveyance operator on board the conveyance is suffering from an infectious disease or suspected of suffering from an infectious disease as set out in Schedule 1;
  - (b) there has been a case of a death on board; or
  - (c) the conveyance is arriving from an affected area.
- (2) On discovering the presence of a public health risk as referred to in paragraph (1), the conveyance operator shall report the details promptly to a Health Officer or cause a Health Officer to be informed immediately and note that information on the Maritime Declaration of Health or Aircraft Declaration of Health, as the case may be.
- (3) A conveyance operator may, for the purposes of paragraph (1)(a), determine whether a traveller is suspected of suffering from an infectious disease in accordance with the guidance in Schedule 2.
- (4) A conveyance operator who reported the public health risk identified in paragraph (1) shall provide to the Health Officer upon arrival or where requested by the Health Officer—
- (a) in the case where the journey is by ship, a Maritime Declaration of Health as set out in Form 1 of Schedule 3; or

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- (b) in the case where the journey is by aircraft, an Aircraft Declaration of Health as set out in Form 2 of Schedule 3.
- (5) A Health Officer may require a Maritime Declaration of Health or Aircraft Declaration of Health from a conveyance at any time before the arrival of the conveyance where the Health Officer deems it necessary to do so.
- (6) A conveyance operator who contravenes the provisions of this regulation commits an offence.
- 4. Restriction on boarding or leaving conveyance**
- (1) No person, including a conveyance operator, traveller or crew member, shall, without the general or special permission of a Health Officer, board or leave a conveyance arriving in Montserrat, in the case where the conveyance operator has reported that a public health risk outlined in regulation 3(1) has taken place and a Health Officer—
- (a) may request a police officer to arrest the person as provided in regulation 21; or
- (b) may cause all other reasonable steps to be taken to enforce this provision.
- (2) Before a conveyance operator, traveller or crew member is landed, he shall furnish all such information as may reasonably be required by a Health Officer, including information as to places recently visited and the intended destination and address of his continued travels and shall, if so required by a Health Officer, complete and sign a Public Health Passenger Locator Form as set out in Form 3 of Schedule 3.
- 5. Power to inspect**
- A Health Officer may at any time board a conveyance arriving in Montserrat—
- (a) to inspect the conveyance, cargo or baggage;
- (b) to assess the health of a conveyance operator, traveller or crew member to determine whether a health assessment is needed; and
- (c) to determine whether a traveller is suspected of having an infectious disease.

**6. Power to divert conveyances**

- (1) If a Health Officer is of the opinion that a port or part of the airport in Montserrat at which a conveyance arrives or is lying is not suitably equipped to deal with a public health risk that has been reported, he may order the conveyance to be taken to a berth, port or part of the airport in Montserrat which is suitably equipped.
- (2) The Health Officer, upon being authorised by the Quarantine Authority, shall order the diversion of a conveyance to the next known port of call or destination airport available to it if a Health Officer has reasonable grounds to believe that there is an infectious disease on board that is of such severity that Montserrat would be unable to manage.
- (3) The Health Officer shall, inform the next known port of call or destination airport of the information collected under this regulation or of the diversion order issued under paragraph (2).

**7 Conveyances at point of entry**

- (1) A Health Officer may order the actions provided for in paragraph (2)(a) through (e) if he has been informed that on board the conveyance exists—
  - (a) a case of a traveller or crew member having or suspected of having an infectious disease;
  - (b) a case where there has been a death on board; or
  - (c) a case of a conveyance arriving from an affected area.
- (2) A Health Officer, in relation to a conveyance arriving at a port or airport in Montserrat, before a traveller is landed, where it is suspected that a public health risk outlined in paragraph (1) is present on the conveyance, may—
  - (a) prevent the disembarkation of—
    - (i) travellers;
    - (ii) goods, stores, baggage, personal effects or other articles;
  - (b) require that records associated with the conveyance be provided by a conveyance operator for the Health Officer to review;
  - (c) require a conveyance operator to take measures reasonably necessary for the prevention of the spread of an infection and vectors and the destruction of contaminated baggage, cargo or containers on board the conveyance as directed by a Health Officer;

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- (d)* disinfect, decontaminate or destroy cargo, containers, postal parcels, other articles and parts of the conveyance which the Health Officer may consider affected;
  - (e)* perform an examination of food and water if considered sources of infection and the application of appropriate measures, including disinfection, destruction and other measures for eliminating risk of infection;
  - (f)* provide for the destruction of animals, birds and insects which may be considered as potential vectors of the disease; or
  - (g)* follow guidelines issued by the WHO that may be in effect.
- (3)** No traveller, good, stores, baggage, personal effect or other article shall, without the general or special permission of a Health Officer, be taken off or put on board a conveyance referred to in paragraph (1); and a person who contravenes this regulation commits an offence.
- (4)** A conveyance shall be considered to be affected until a Health Officer or qualified person authorised by the Quarantine Authority is satisfied that—
- (a)* the measures provided for in paragraph (2) have been effectively carried out; and
  - (b)* there are no remaining conditions on the conveyance that would constitute a public health risk.

**8. Conveyances in transit**

- (1)** A conveyance operator approaching a port or the airport in Montserrat who does not desire to submit to any of the requirements of these Regulations which may be applicable shall be at liberty to put to sea or continue his flight without being subjected to control under these Regulations if he notifies a Health Officer of his intention.
- (2)** The conveyance operator shall not land goods (including goods transmitted by post) or disembark travellers but may, upon approval of a Health Officer, take on fuel, food, water and supplies.
- (3)** The conveyance operator shall proceed accordingly and put to sea or air immediately after notifying the Health Officer under paragraph (1), and if he fails to do so, he will be subjected to the requirements of these Regulations.

**9. Notifying the next port of call or flight destination of risk of infection or contamination**

- (1) Where a conveyance has departed and a Health Officer is reasonably of the view that the conveyance or a traveller on board presents a risk of spreading an infectious disease, paragraph (2) shall apply.
- (2) The Health Officer shall notify the appropriate authority at the conveyance's next known port of call or destination airport of—
  - (a) the Health Officer's view that the conveyance (or a traveller or thing on board) presents a risk of spreading an infectious disease;
  - (b) the reason or reasons for the Health Officer's view; and
  - (c) the steps that the Health Officer considers should be taken in relation to the conveyance (or to a traveller or thing on board).

**PART 3 – TRAVELLERS**

**10. Duty to provide information**

- (1) A traveller shall answer all relevant questions asked by a Health Officer and provide to the officer with information or records as required under regulation 4(2) in his possession that the officer may reasonably require in the performance of a duty under these Regulations.
- (2) A traveller who has reasonable grounds to suspect that he has or might have an infectious disease or is infected with vectors, or that he has recently been in close proximity to a person who has, or is reasonably likely to have, an infectious disease or is infected with vectors, shall disclose that fact to a Health Officer.
- (3) A traveller shall comply with any reasonable measure ordered by a Health Officer for the purpose of preventing the introduction and spread of an infectious disease.

**11. Traveller to be informed**

A Health Officer who takes a health measure in respect of a traveller under these Regulations shall, if reasonably possible, inform the traveller of the measure before it is taken.

**12. Quarantine**

A Health Officer may quarantine a traveller individually or within a group where he reasonably suspects the traveller to be suffering from an infectious disease or infected by vectors.

**13. Interpreter**

A Health Officer shall, if reasonably possible, cause a traveller to be provided with an interpreter if the traveller does not have an adequate understanding of what has been said or has a speech or hearing disability.

**14. Health assessment requirement**

- (1) A Health Officer may require a traveller on arrival or departure to undergo a health assessment if—
  - (a) the officer has reasonable grounds to suspect that the traveller has or might have an infectious disease or is infected with vectors, or has recently been in close proximity to a person who has or might have an infectious disease or is infected with vectors;
  - (b) the traveller has refused to be screened under regulation 15; or
  - (c) the traveller has contravened regulation 16(1) or (3).
- (2) The health assessment shall be undertaken as soon as reasonably practicable but in any case within eight hours after the Health Officer requires the traveller to undergo it.

**15. Screening technology**

- (1) A qualified person authorised by the Quarantine Authority may, to determine whether a traveller has an infectious disease or the symptoms of one, use any screening technology authorised by the Quarantine Authority that does not involve an invasive procedure.
- (2) If a traveller refuses to be screened with the screening technology and the person using the technology is not a qualified person for the purposes of paragraph (1) or a Health Officer, the person using the technology shall immediately inform the qualified person or Health Officer of the refusal.

**16. Vaccination or other prophylaxis certificates**

- (1) Health Officer may require proof of vaccination from a traveller who has been to, or arrived from, an affected area.

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- (2) Proof of vaccination of a traveller shall meet the guidelines set out in Form 4 of Schedule 3 and shall be made in a certificate set out in Form 4 of Schedule 3.
- (3) The Health Officer may, in the case of a traveller who is unable to produce a certificate of vaccination, require that the traveller undergo a health assessment or other health measures as required.
- (4) Where a traveller fails to produce a certificate of vaccination which is required under paragraph (1), or refuses to comply with a health assessment requirement under paragraph (3), a Health Officer may deny the traveller permission to land in Montserrat.

**17. Disinfestation of traveller and baggage**

A Health Officer may require a traveller, his clothing and his personal belongings to be disinfested if, after a health assessment of the traveller, the Health Officer has reasonable grounds to believe that the traveller is infested with vectors.

**18. Compulsory medical examination**

- (1) If a Health Officer has reasonable grounds to believe that a traveller has or might have an infectious disease or is infected with vectors, or has recently been in close proximity to a person who has or might have had an infectious disease or is infested with vectors, the Health Officer may require the traveller to undergo a medical examination.
- (2) The medical examination shall be conducted by a medical practitioner and undertaken as soon as reasonably practicable but in any case within eight hours after the Health Officer requires the traveller to undergo the examination.

**19. Detention by a Health Officer**

- (1) A Health Officer with the assistance of a police officer may detain a traveller who—
  - (a) has refused to undergo a health assessment;
  - (b) has refused as required to undergo a medical examination under regulation 18;
  - (c) has failed to comply with an order made under regulation 27; or

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- (d)* the Health Officer has reasonable grounds to believe—
  - (i)* has or might have an infectious disease or is infected with vectors, or has recently been in close proximity to a person who has or might have an infectious disease or is infected with vectors; and
  - (ii)* is capable of infecting other people.
- (2)** A police officer may, at the request of a Health Officer, arrest without a warrant and bring to the Health Officer a traveller referred to in paragraph (1) who resists detention.

**20. Confirmation of detention**

A Health Officer who has requested a police officer to arrest a traveller under regulation 19(2) shall provide the traveller with reasons in writing for his arrest and detention.

**21. Arrest without warrant**

A police officer may, at the request of a Health Officer, arrest without a warrant and bring to a Health Officer a traveller—

- (a)* who resists detention;
- (b)* who refuses to be quarantined or isolated; or
- (c)* who refuses to comply with any order of the Health Officer.

**22. Right to review**

- (1)** The Health Officer shall immediately inform a traveller detained under regulation 19 of his right to review the confirmation of detention.
- (2)** The Health Officer shall provide the opportunity for a medical examination by a medical practitioner within eight hours of the time in which the traveller is detained.
- (3)** The Health Officer may transfer the traveller to a hospital, isolation hospital or clinic within eight hours of the time in which the traveller is detained for the medical examination under paragraph (2).
- (4)** The Health Officer shall give the traveller a copy of the determination to transfer the traveller to a hospital, isolation hospital or clinic and such determinations shall include the reasons for the continued detention.
- (5)** A traveller who has received a confirmation of detention under regulation 20 or of transfer to a hospital, isolation hospital or clinic under paragraph

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(4) may request a review of the confirmation by making a written request to that effect to the Quarantine Authority.

- (6) The Quarantine Authority shall, within 48 hours after receiving the request, conduct a review of the confirmation of detention or transfer to a hospital, and either reconfirm the detention or order the release of the traveller if he has reasonable grounds to believe that the traveller does not pose a risk of significant harm to public health.

**23. Appeal to court**

A traveller whose request to the Quarantine Authority for review of the confirmation of detention under regulation 22(5) or confirmation of transfer to a hospital under regulation 22(4) has been refused by the Quarantine Authority, may file an appeal to the Supreme Court within 48 hours of receiving the Quarantine Authority's decision.

**24. Technological means of appearance**

The traveller may appear before the court by technological means satisfactory to the court that permits the court and the traveller to communicate simultaneously if the court is satisfied that the use of technology is necessary or prudent to prevent the spread of an infectious disease.

**25. Release**

A Health Officer shall not detain a traveller referred to in regulation 19(1) or who was placed in quarantine under regulation 12 if—

- (a) the Health Officer has reasonable grounds to believe that the traveller does not pose a risk of significant harm to public health;
- (b) the traveller is transferred to a hospital or isolation hospital or clinic under;
- (c) the release of the traveller is ordered under regulation 22 (6) or regulation 23; or
- (d) the Health Officer has reasonable grounds to believe that other reasonable means are available to prevent or control a risk of significant harm to public health.

**26. Request for specific medical practitioner**

- (1) At any time, a traveller may request an examination by a medical practitioner of his choice in addition to a medical examination conducted under regulation 18.
- (2) A Health Officer shall inform the traveller of the right referred to in subparagraph (1).
- (3) The Health Officer shall accept the request if, in the opinion of the Health Officer, the examination would not unduly delay measures taken in the administration of the Act or these Regulations.
- (4) Costs associated with a request for an examination by a medical practitioner under paragraph (1) shall be the responsibility of the traveller.

**27. Order to comply with treatment or measure**

- (1) If a Health Officer, after the medical examination of a traveller, has reasonable grounds to believe that the traveller has or might have an infectious disease or is infected with vectors, or has recently been in close proximity to a person who has or might have an infectious disease or is infected with vectors, the Health Officer may order the traveller to comply with treatment or other measures for preventing the spread of the infectious disease.
- (2) Subject to section 9 of the Immigration Act (13.01), if a Health Officer, after a medical examination, believes that a traveller does not pose an imminent public health risk, the Health Officer may allow the person to be landed.
- (3) A Health Officer shall notify the Chief Medical Officer of a traveller who is not an imminent public health risk or of an order he may have given to a traveller under this regulation.

**PART 4 – SHIP SANITATION CONTROL CERTIFICATES AND SHIP  
SANITATION CONTROL EXEMPTION CERTIFICATES**

**28. Ship Sanitation Control Certificates or Sanitation Control Exemption  
Certificates**

- (1) On arrival of a ship at a port in Montserrat the Health Officer may request the Ship Sanitation Control Certificate or the Ship Sanitation Control Exemption Certificate and if the certificate is not forthcoming or is no longer valid the Health Officer may inform the Quarantine Authority accordingly.

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- (2) A Health Officer shall arrange for the conveyance to be inspected if there is no Ship Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate.
- (3) A Ship Sanitation Control Exemption Certificate shall be issued when no evidence of a public health risk is found on board and the Health Officer is satisfied that the conveyance is free from infection and contamination, including vectors and reservoirs.
- (4) If, after the conveyance has been inspected, the Health Officer is of the opinion that it is in such a condition as to pose a public health risk, or if vectors or some source of infection and contamination is found on board the conveyance, the Health Officer shall consider the conveyance affected and shall order control measures that include the disinsection, deratting or decontamination of the ship.
- (5) After the health measures have been completed to the Health Officer's satisfaction, the conveyance shall be entitled to receive a Ship Sanitation Control Certificate as signed and issued by the Health Officer.
- (6) When, in the opinion of the Health Officer, it is not possible to efficiently carry out health measures on board the conveyance, because of the cargo or for other reasons, he may cause the conveyance to berth at a specific port or area or a port to reduce the spread of contamination or disease and this would be reported to the Chief Medical Officer and he shall make an entry in the Ship Sanitation Control Certificate to be issued to the conveyance before it leaves port, to the effect that the conveyance was inspected and found to require health measures but that it was impracticable to carry out the health measures.
- (7) If the conveyance operator was unable to perform the required health measures, the Health Officer shall inform the next port of call and shall make an entry in the Ship Sanitation Control Certificate.

**29. Application for a Ship Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate**

- (1) On receipt of an application in writing for a Ship Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate sent to a Health Officer at least one week in advance of the arrival of the ship in Montserrat by—
  - (a) the owner or agent of a ship; or

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(b) the master of the ship acting for and on behalf of the owner;  
a Health Officer shall take such steps as he may consider necessary to satisfy himself that the ship is maintained as provided in paragraph (2).

- (2) A Health Officer shall ensure that a ship referred to in paragraph (1) does not pose a public health risk.
- (3) A Health Officer may give directions for the control of a public health risk.
- (4) Upon a Health Officer being satisfied that the condition of the ship is not a public health risk or that the control measures necessary for the control of public health risks or the spread of infection have been properly carried out by the owner or on the owner's behalf, he may issue the appropriate certificate.

**30. Ship Sanitation Control Certificates: charging**

The Quarantine Authority may charge the conveyance operator a fee for the issuance of a Ship Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate.

**31. Form of Certificate**

- (1) The Ship Sanitation Control Certificate, Ship Sanitation Control Exemption Certificate and the Extension to either certificate shall be in the form set out in Form 5 of Schedule 3.
- (2) An extension to the certificates referred to in subparagraph (1) shall be made in a form as determined by the Quarantine Authority shall.

**PART 5 – CADAVERS, BODY PARTS AND OTHER HUMAN REMAINS**

**32. Obligation of conveyance operator**

- (1) Every conveyance operator carrying a cadaver, a body part or other human remains into Montserrat shall provide a copy of the death certificate, burial permit and either an embalmer's certificate or other documentation to the Health Officer at the entry point as he may require.
- (2) If the conveyance operator does not provide a death certificate or the Health Officer has reasonable grounds to suspect that the cadaver, body part or other human remains have or might have an infectious disease or are infested

with vectors, the Health Officer shall immediately inform the Quarantine Authority and follow any directive issued respecting the matter.

- (3) The conveyance operator shall comply with any directive of the Health Officer respecting the cadaver, body part or other human remains.

**33. Prohibition on exporting cadavers**

No person shall export a cadaver, a body part or other human remains that have or might have an infectious disease listed in Schedule 1 unless the exportation is authorised by the Quarantine Authority.

**34. Import and export of human cells, tissues or organs**

The import or export of cells, tissues or organs for transplantation must, for the purposes of preventing the spread of infectious diseases, be in accordance with the Organ Procurement Transplantation Network (OPTN) or other entity as approved by the Quarantine Authority.

**PART 6 – CHARGES FOR SERVICES**

**35. Conveyances**

- (1) When the Quarantine Authority decides that a requirement under regulation 7 is to be complied with at the cost of the conveyance operator, the Quarantine Authority may require the amount of the charge for the work or part of the work to be paid to or deposited with the Quarantine Authority before the work is undertaken.
- (2) The amount of the charge for any work undertaken or to be undertaken by the Quarantine Authority shall be such reasonable sum as, to the exclusion of any charge or claim in respect of profit, represents the actual or estimated cost incurred or to be incurred by the Quarantine Authority in undertaking the work, unless notice thereof in writing has been given to the master before the work is undertaken.
- (3) A charge may be recovered against the conveyance operator or his agent.
- (4) A charge or fee under these Regulations shall be in accordance with Schedule 4.

**36. Refusal to clear conveyance where charges unpaid**

- (1) A charge or fee referred to in these Regulations is payable to the Quarantine Authority or the Health Officer acting on behalf of the Quarantine Authority.
- (2) If a charge or fee is payable by a conveyance operator, the Comptroller of Customs and Excise may refuse to clear the conveyance until all liability in respect of the expenses has been discharged.

**PART 7 – MISCELLANEOUS PROVISIONS**

**37. Duty to comply with directions**

- (1) Subject to these Regulations, the Quarantine Authority or a Health Officer, may give such orders and instructions and impose such conditions and take such action as he may deem desirable for the purpose of carrying these Regulations into effect.
- (2) A traveller, crew member or conveyance operator to whom these Regulations apply shall comply with all such orders, instructions and conditions, and shall furnish all such information as the Quarantine Authority or Health Officer, may reasonably require (including information as to his name, destination and address).
- (3) A traveller, crew member or conveyance operator who has for the time being the custody or charge of a child or other person who is under disability shall comply with any orders, instructions or conditions so given made or imposed and shall furnish all such information as aforesaid in respect of the child or other traveller.

**38. Notification of health measures**

- (1) A Health Officer applying health measures under these Regulations shall, whenever requested, furnish free of charge to a conveyance operator, the shipowner or ship's agent, notification specifying the nature of such health measures, the methods employed, the parts of the conveyance treated and the reasons for the application of such measures.
- (2) A Health Officer shall also furnish, on demand and without charge, to travellers or crew where a case of an infectious disease has occurred, a

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notification giving particulars of the date of their arrival and of the measures to which they and their personal effects have been subjected.

**39. Permission required for traveller with an infectious disease to land**

A traveller, conveyance operator or crew member at a port or the airport in Montserrat who knows or has reason to suspect that he is suffering from an infectious disease shall in no case land without the permission of a Health Officer, which permission may be subject to general or special directions given by the Quarantine Authority

**40. Matters not to be discharged from conveyance**

No traveller, conveyance operator or crew member shall knowingly discharge goods or containers from the conveyance that are capable of producing a public health risk.

**41. Departing conveyances**

- (1) A traveller, conveyance operator or crew member who, knowing or having reason to suspect that he is suffering from an infectious disease, embarks in or is conveyed in a conveyance leaving Montserrat without the permission of a Health Officer may be arrested and detained as provided under regulation 21.
- (2) A conveyance operator who knowingly conveys or permits the departure of a conveyance with a traveller or thing on board contrary to a prohibition or restriction imposed under these regulations, commits an offence.

**42. Offences against Regulations**

A traveller, conveyance operator or crew member who contravenes the provisions of these Regulations commits an offence, may be arrested as provided under regulation 21 and is liable on summary conviction to fine of \$2000 or to six months' imprisonment or to both a fine and imprisonment.

**43. Revocation of Regulations**

- (1) The Quarantine (Air) Regulations (Cap 14.09) are revoked.
- (2) The Quarantine (Maritime) Regulations (Cap 14.09) are revoked.

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**SCHEDULE 1**

*(Regulation 3(1))*

**LIST OF INFECTIOUS DISEASES**

Cholera  
SARS-CoV-2  
Dengue fever  
Human influenza caused by a new sub-type  
Meningococcal diseases  
Pneumonic plague  
Polio myelitis due to wild type poliovirus  
Rift valley fever  
Severe acute respiratory syndrome (SARS)  
Smallpox  
West Nile fever  
Viral haemorrhagic fevers (Ebola, Lassa and Marburg)  
Yellow fever  
Zika

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**SCHEDULE 2**

*(Regulation 3(3))*

**GUIDANCE FOR IDENTIFYING AN INFECTIOUS DISEASE**

- (1) A traveller or crew member of a ship may be suffering from an infectious disease for the purposes of regulation 3 if—
- (a) that person has a fever with a temperature of 38 degree Celsius or higher which has lasted for over 48 hours;
  - (b) that person has a fever with a temperature of 38 degrees Celsius or higher which is accompanied by one or more of the following signs or symptoms—
    - (i) prostration;
    - (ii) decreased consciousness;
    - (iii) glandular swelling;
    - (iv) jaundice;
    - (v) cough or shortness of breath;
    - (vi) bruising or bleeding without previous injury;
    - (vii) paralysis.
  - (c) that person is suffering from any one or more of the following signs and symptoms—
    - (i) acute skin rash or eruption;
    - (ii) severe vomiting, other than sea sickness;
    - (iii) severe diarrhoea;
    - (iv) recurrent convulsions.
- (2) A traveller or crew member of an aircraft may be suffering from an infectious disease for the purposes of regulation 3 if that person has a fever with a temperature of 38 degrees Celsius or higher and one or more of the following signs or symptoms—
- (a) appearing obviously unwell;
  - (b) persistent coughing;
  - (c) impaired breathing;
  - (d) persistent diarrhoea;
  - (e) persistent vomiting;
  - (f) skin rash;
  - (g) bruising or bleeding without previous injury;
  - (h) confusion of recent onset.

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**SCHEDULE 3**  
*(Regulations 3(4) and 33(1))*  
**FORM 1**  
**MARITIME DECLARATION OF HEALTH**

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

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

Name of ship or inland navigation vessel      Registration/IMO No..... arriving from..... sailing to.....

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

Gross tonnage (ship).....

Tonnage (inland navigation vessel).....

Valid Sanitation Control Exemption/Control Certificate carried on board?      Yes...      No....      Issued at...      Date.....

Re-inspection required?      Yes...      No....

Has ship/vessel visited an affected area identified by the World Health Organization?      Yes...      No....

Port and date of visit .....

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

.....

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

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- (1) Name..... joined from: (1) ..... (2) ..... (3) .....
- (2) Name..... joined from: (1) ..... (2) ..... (3) .....
- (3) Name..... joined from: (1) ..... (2) ..... (3) .....
- Number of crew members on board .....
- Number of passengers on board .....

**Health Questions**

- (1) Has any person died on board during the journey otherwise than as a result of accident? Yes..... No.....  
 If yes, state particulars in attached schedule. Total no. of deaths .....
- (2) Is there on board or has there been during the international journey any case of disease which you suspect to be of an infectious nature? Yes..... No.....  
 If yes, state particulars in attached schedule.
- (3) Has the total number of ill passengers during the journey been greater than normal/expected? Yes..... No.....  
 How many ill persons? .....
- (4) Is there any ill person on board now? Yes..... No.....  
 If yes, state particulars in attached schedule.
- (5) Was a medical practitioner consulted? Yes..... No.....  
 If yes, state particulars of medical treatment or advice provided in attached schedule.
- (6) Are you aware of any condition on board which may lead to infection or spread of disease? Yes..... No.....  
 If yes, state particulars in attached schedule.
- (7) Has any sanitary measure (e.g. quarantine, isolation, disinfection or decontamination) been on board? Yes..... No.....  
 If yes, specify type, place and date .....
- (8) Have any stowaways been found on board? Yes..... No.....  
 If yes, where did they join the ship (if known)? .....

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

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

- (a) fever, persisting for several days or accompanied by (i) prostration; (ii) decreased consciousness; (iii) glandular sv (iv) jaundice; (v) cough or shortness of breath; (vi) unusual bleeding; or (vii) paralysis.
- (b) with or without fever: (i) any acute skin rash or eruption; (ii) severe vomiting (other than sea sickness); (iii) severe diarrh (iv) recurrent convulsions.

I hereby declare that the particulars and answers to the questions given in this Declaration of Health (including the schedule) are ti correct to the best of my knowledge and belief.

Signed .....

Master

Countersigned .....

Ship's Surgeon (if carried)

Date .....

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**ATTACHMENT TO MARITIME DECLARATION OF HEALTH**

Name	Class or rating	Age	Sex	Nationality	Port, date joined ship/vessel <sup>1</sup>	Nature of illness	Date of onset of symptoms	Reported to a port medical officer?	Disposal of case <sup>1</sup>	Drugs, medicines or other treatment given to patient	Comments

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

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**FORM 2**  
*(Regulation 3(4))*

**AIRCRAFT DECLARATION OF HEALTH**

GENERAL DECLARATION (Outward/Inward)		
Operator.....		
Marks of Nationality and Registration..... Flight No. .... Date .....		
Departure from ..... Arrival at ..... (Place) <span style="float: right;">(Place)</span>		
FLIGHT ROUTING (“Place” Column always to list origin, every en-route stop and destination)		
PLACE	NAMES OF CREW*	NUMBER OF PASSENGERS ON THIS STAGE**
		<i>Departure Place:</i>
		Embarking ..... Through on same flight .....
		<i>Arrival Place:</i>
		Disembarking ..... Through on same flight .....
<p><i>Declaration of Health</i></p> <p>Name and seat number or function of persons on board with illnesses other than airsickness or the effects of accidents, who may be suffering from an infectious disease (a fever — temperature 38°C/100°F or greater — associated with one or more of the following signs or symptoms, e.g. appearing obviously unwell; persistent coughing; impaired breathing; persistent diarrhoea; persistent vomiting; skin rash; bruising or bleeding without previous injury; or confusion of recent onset, increases the likelihood that the person is suffering an infectious disease) as well as such cases of illness disembarked during a previous stop.....</p> <p>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 .....</p> <p>Signed, if required, with time and date _____  <div style="text-align: right;">Crew member concerned</div></p>		<p>For official use only</p>
<p>I declare that all statements and particulars contained in this General Declaration, and in any supplementary forms required to be presented with this General Declaration, are complete, exact and true to the best of my knowledge and that all through passengers will continue/have continued on the flight.</p> <p style="text-align: right;">SIGNATURE _____            Authorised Agent or Pilot-in-command</p>		





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**FORM 4**  
*(Regulation 16(2))*

**GUIDELINES - VACCINATION, PROPHYLAXIS**

- (1) Vaccines or other prophylaxis recommended under these Regulations shall be of suitable quality; those vaccines and prophylaxis designated by the WHO shall be subject to its approval. Upon request, Montserrat shall provide to the WHO appropriate evidence of the suitability of vaccines and prophylaxis administered within its territory under these Regulations.
- (2) Persons undergoing vaccination or other prophylaxis under these Regulations shall be provided with an international certificate of vaccination or prophylaxis (hereinafter the "certificate") as set out in this form. No departure shall be made from the certificate specified below.
- (3) Certificates under this Form are valid only if the vaccine or prophylaxis used has been approved by the WHO.
- (4) Certificates must be signed in the hand of the clinician, who shall be a medical practitioner or other authorised health worker, supervising the administration of the vaccine or prophylaxis. The certificate must also bear the official stamp of the administering centre; however, this shall not be an accepted substitute for the signature.
- (5) Certificates shall be fully completed in English. They may also be completed in another language, in addition to either English.
- (6) Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.
- (7) Certificates are individual and shall in no circumstances be used collectively. Separate certificates shall be issued for children.
- (8) A parent or guardian shall sign the certificate when the child is unable to write. The signature of an illiterate shall be indicated in the usual manner by the person's mark and the indication by another that this is the mark of the person concerned.
- (9) If the supervising clinician is of the opinion that the vaccination or prophylaxis is contraindicated on medical grounds, the supervising clinician shall provide the person with reasons, written in English, and where appropriate in another language in addition to English, underlying that opinion, which the competent authorities on arrival should take into account. The supervising clinician and competent authorities shall inform such persons of any risk associated with non-vaccination and with the non-use of prophylaxis.
- (10) An equivalent document issued by the Armed Forces to an active member of those Forces shall be accepted in lieu of an international certificate if:
  - (a) it embodies medical information substantially the same as that required by such form; and
  - (b) it contains a statement in English and where appropriate in another language in addition to English recording the nature and date of the vaccination or prophylaxis and to the effect that it is issued in accordance with this paragraph.

**CERTIFICATE OF VACCINATION OR PROPHYLAXIS**

This is to certify that [name] ....., date of birth ....., sex ....., nationality ....., national identification document, if applicable ..... whose signature follows ..... has on the date indicated been vaccinated or received prophylaxis against: (name of disease or condition) ..... in accordance with the International Health Regulations 2005.

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

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

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

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

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



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Medical facilities			
Other areas specified - see attached			
Note areas not applicable by marking N/A			
No evidence found. Ship/vessel is exempted from control measures.			

Control measures indicated were applied on the date below.		

Name and designation of issuing officer..... Signature and seal..... Date .....

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

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

Sanitation Control Exemption Certificates and Sanitation Control Certificates are valid for a maximum of six months, but the validity period may be extended by one month if inspection cannot be carried out at the port and there is no evidence of infection or contamination

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**ATTACHMENT SHIP SANITATION CONTROL EXEMPTION  
 CERTIFICATE/ SHIP SANITATION CONTROL CERTIFICATE**

Areas/facilities/systems inspected <sup>1</sup>	Evidence found	Sample results	Documents reviewed	Control measures applied	Re-inspection date	Comments regarding conditions found
<b>Food</b>						
Source						
Storage						
Preparation						
Service						
<b>Water</b>						
Source						
Storage						
Distribution						
<b>Waste</b>						
Holding						
Treatment						
Disposal						
<b>Swimming pools/spas</b>						
Equipment						
Operation						
<b>Medical facilities</b>						
Equipment and medical devices						
Operation						
Medicines						

