

Reprint
as at 1 October 2018



Health (Quarantine) Regulations 1983 (SR 1983/52)

David Beattie, Governor-General

Order in Council

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

Present:

The Right Hon D MacIntyre presiding in Council

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

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Health.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Health (Quarantine) Regulations 1983.
- (2) These regulations shall come into force on 1 April 1983.

2 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Health Act 1956

airline's agent, in relation to an aircraft, means—

- (a) the agent of the owner of the aircraft; or
- (b) where some person other than the owner is operating the aircraft under any charter, lease, or other arrangement, the agent of that person

authorised officer means any person authorised by the medical officer of health to carry out duties under these regulations

baggage means the personal effects of a passenger or a member of the crew of a craft

captain, in relation to any craft, means the person who is for the time being in command of the craft

craft means an aircraft or a ship

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

Customs airport means an aerodrome specified in Schedule 1

Customs officer means any person employed in the service of the Customs

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

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

foreign place means any place outside New Zealand

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

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

medical practitioner means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine

port means—

- (a) a port designated as a Customs port under section 55 of the Customs and Excise Act 2018; and
- (b) any other harbour or place in New Zealand at which a ship arrives for the first time on any occasion from a foreign place

suspect means a person who is considered by the medical officer of health or a health protection officer as having been exposed to infection by a quarantinable disease, and is considered by him to be capable of spreading that disease.

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

Regulation 2 **medical practitioner**: inserted, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Regulation 2 **port** paragraph (a): replaced, on 1 October 2018, by section 443(4) of the Customs and Excise Act 2018 (2018 No 4).

Regulation 2 **quarantinable disease**: revoked, on 19 December 2006, by section 4(4) of the Health Amendment Act 2006 (2006 No 86).

Regulation 2 **suspect**: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Part 1 Aircraft arrivals

3 Responsibilities of captain and airline's agent

- (1) The captain of an aircraft arriving in New Zealand from a foreign place shall—
 - (a) determine, as far as practicable, whether any person who has become ill on board the aircraft—
 - (i) is suffering from diarrhoea or vomiting (not being caused by motion sickness); or
 - (ii) has an abnormal temperature and a skin rash:
 - (b) determine, as far as practicable, whether or not there is on board any other condition that may lead to the spread of disease:
 - (c) notify the airline's agent at the intended aerodrome of arrival, at least 15 minutes before the expected landing time, or if that is not practicable, as soon as practicable thereafter, whether or not there is on board any person to whom subparagraph (i) or subparagraph (ii) of paragraph (a) applies, and whether or not there is on board any other condition to which paragraph (b) applies, and, if there is on board such a person or condition, give details of that person's illness or that condition.
- (2) On being notified under paragraph (c) of subclause (1) that there is on board an aircraft a person or condition to which paragraph (a) or paragraph (b) of that subclause applies, the airline's agent shall immediately notify the medical officer of health or a health protection officer.

Regulation 3(2): substituted, on 1 January 1988, by regulation 2 of the Health (Quarantine) Regulations 1983, Amendment No 1 (SR 1987/346).

4 Arrival otherwise than at Customs airport

- (1) If an aircraft arrives in New Zealand from a foreign place at any place (whether or not an aerodrome) that is not a Customs airport, the captain shall—
 - (a) take all reasonable steps to inform the medical officer of health of his arrival; and
 - (b) prohibit the passengers and crew from leaving the vicinity of the aircraft (except for the purposes of paragraph (a)) until permitted to do so by the medical officer of health.
- (2) If—
 - (a) an aircraft arrives in New Zealand from a foreign place at an aerodrome that is not a Customs airport; and
 - (b) the medical officer of health or a health protection officer considers that—
 - (i) certain sanitary measures are required in respect of the aircraft or any persons on board; and
 - (ii) those measures can be carried out adequately only at a Customs airport,—

the medical officer of health or health protection officer may direct the captain, in writing, to take the aircraft to the nearest Customs airport, and shall state in the written direction the reasons for it.

- (3) In any such case, the medical officer of health or health protection officer shall forthwith inform the senior Customs officer at the Customs airport to which the captain is directed of the direction and the reasons for it.

Regulation 4(2): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Regulation 4(2)(b): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Regulation 4(3): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

5 Spraying of aircraft

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

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

6 Persons and things to remain on board until after spraying is completed

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

7 Exemptions from spraying

- (1) The Director-General may from time to time, at his discretion, exempt any aircraft or any specified class of aircraft from all or any of the requirements of regulations 5(1) and 6.
- (2) Any such exemption may apply generally or only in specified circumstances, and may be granted unconditionally or subject to such conditions as may be specified.
- (3) The Director-General may at any time vary or revoke any exemption granted under this regulation.

8 Register of aircraft

- (1) The person in charge of the aerodrome at which any aircraft arrives in New Zealand from a foreign place shall record in respect of every such aircraft—
 - (a) its name or identification mark or identification marks;
 - (b) the exact time of its arrival at the aerodrome.
- (2) Every record kept for the purposes of this regulation shall be made available for inspection on request by any officer of the Ministry of Health.

Regulation 8(2): amended, on 1 July 1993, pursuant to section 38(3)(a) of the Health Amendment Act 1993 (1993 No 24).

9 Certificate of pratique

The certificate of pratique to be given by the medical officer of health to the captain of an aircraft in accordance with section 107(2) of the Act shall be in form 2 of Schedule 2.

Part 2

Ship arrivals

10 Notification of health on ship

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

Regulation 10: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

11 Quarantine signal

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

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

12 Maritime declaration of health

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

13 Radio pratique

- (1) On receipt by the medical officer of health or a health protection officer of a radio message, in accordance with regulation 10, to the effect that no infectious disease exists on board, or that an infectious disease that is not a quarantinable disease exists on board, he may grant pratique, and, before the arrival of the ship, inform the captain by radio message to that effect.
- (2) In every case where the health protection officer grants radio pratique, he shall immediately inform the harbourmaster, and shall supply to the medical officer of health a copy of the radio message.
- (3) In any case where the medical officer of health or a health protection officer is not satisfied that the state of health on the ship is such that radio pratique should be granted, he may withhold radio pratique, and the provisions of sections 99 to 101 of the Act shall apply.

Regulation 13(1): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Regulation 13(2): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Regulation 13(3): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

14 Certificate of pratique

The certificate of pratique to be given by the medical officer of health or a health protection officer to the captain of a ship in accordance with section 107(1) of the Act shall be in form 3 of Schedule 2.

Regulation 14(1): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

15 Deratting certificates and deratting exemption certificates

- (1) Every deratting certificate, and every deratting exemption certificate, shall be in the form in Appendix 1 of the International Health Regulations 1969.
- (2) Every deratting certificate, and every deratting exemption certificate, shall remain valid for a period of 6 months from the date on which the ship was fumigated or was inspected and exempted.
- (3) The fee for a deratting certificate or a deratting exemption certificate shall be such as may be fixed from time to time by the Director-General.

16 Approved ports

- (1) The Director-General may from time to time, by notice in the *Gazette*, declare any ports in New Zealand to be approved ports for the purpose of fumigating ships under these regulations.
- (2) Notwithstanding subclause (1), the medical officer of health may, where in his opinion the circumstances require it, permit the fumigation of a ship at any port other than one approved under that subclause.

17 Foreign-going ships

If the captain of any foreign-going ship, arriving at a port of call in New Zealand for the first time on any occasion, is unable to produce to a health protection officer a valid deratting certificate or deratting exemption certificate, the health protection officer may—

- (a) if the port is one approved under regulation 16, order the ship to be fumigated, and may thereafter issue a deratting certificate; or
- (b) if the port has been declared by the Director-General to be an approved port for the purpose of inspecting ships, and the ship is in such a condition that a thorough inspection is possible to determine the number of rodents on board, inspect the ship, and, if the number of rodents on board is negligible, issue a deratting exemption certificate; or
- (c) if neither paragraph (a) nor paragraph (b) can be complied with, extend by 1 month the existing deratting certificate or deratting exemption certificate to enable the ship to proceed to a port where fumigation may be

carried out or where the ship may be inspected for the presence of rodents; or

- (d) if the conditions under which fumigation is carried out are such that, in the opinion of the health protection officer, a satisfactory result cannot be obtained, make a note to that effect on the existing deratting certificate.

Regulation 17: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Regulation 17(d): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

18 Disinfection and fumigation of ships

Every order issued by the medical officer of health or a health protection officer under section 110(1) of the Act directing that a ship be cleansed, fumigated, disinfected, or treated shall be in form 4 of Schedule 2.

Regulation 18: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

19 Fumigation

- (1) Fumigation shall be carried out by means of hydrogen cyanide in quantity equal to 120 g of gas per 30 m³ of space requiring fumigation.
- (2) The duration of exposure to the gas shall be 2 hours and the fumigation shall be carried out in accordance with the Fumigation Regulations 1967 (SR 1967/219).
- (3) Fumigation for the purposes of obtaining a deratting certificate shall be carried out under the supervision and to the satisfaction of a health protection officer.

Regulation 19(3): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

20 Infected rodents on board ship

If, in the opinion of a health protection officer, a ship has infected rodents on board, the health protection officer may require the captain of the ship to carry out all practicable measures to prevent the migration of rodents from the ship.

Regulation 20: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

21 Exemptions for ships

- (1) The Director-General may from time to time, in his discretion, exempt any ship, or ships of any specified class, from any of the provisions of paragraphs (a) and (b) of section 96(1), and sections 99 to 102, 105, and 107 of the Act, or any provision of these regulations.
- (2) Any such exemption may apply generally or only in specified circumstances, and may be granted unconditionally or subject to such conditions as may be specified.

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

Part 3

Control and detention of craft

22 Detention of craft and persons

- (1) *[Revoked]*
- (2) In any case to which section 97B(1) of the Act applies, the medical officer of health or health protection officer may take the measures specified in Schedule 3.

- (3) *[Revoked]*

Regulation 22(1): revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

Regulation 22(2): amended, on 19 December 2006, by section 10(2)(a) of the Health Amendment Act 2006 (2006 No 86).

Regulation 22(2): amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Regulation 22(3): revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

23 Lifting of detention of craft

[Revoked]

Regulation 23: revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

Part 4

Miscellaneous provisions

24 Powers and duties of medical officer of health

[Revoked]

Regulation 24: revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

25 Removal of person to hospital

[Revoked]

Regulation 25: revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

26 Duties of crew and passengers

[Revoked]

Regulation 26: revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

27 Immigration procedures unaffected

Nothing in these regulations shall limit or affect any of the provisions of the Immigration Act 2009 or any regulations made under that Act.

Regulation 27: amended, at 2 am on 29 November 2010, by section 406(2) of the Immigration Act 2009 (2009 No 51).

28 Revocations

The regulations specified in Schedule 4 are hereby revoked.

Schedule 1
Customs airports

r 2

Auckland International Airport
Christchurch International Airport
Ohakea Airport
Wellington International Airport
Whenuapai Airport

Schedule 2
Prescribed forms

Form 1
Aircraft declaration

[Revoked]

Schedule 2 form 1: revoked, on 1 January 1988, by regulation 3 of the Health (Quarantine) Regulations 1983, Amendment No 1 (SR 1987/346).

Form 2
Certificate of pratique for aircraft

r 9

Section 107(2), Health Act 1956

[*Specify*] airport

I hereby certify that the aircraft named or identified as “[*specify*]” ([*specify*] captain), which arrived at [*time, date*], has been granted pratique.

Signature:
(Medical officer of health)

Form 3
Certificate of pratique for ships

r 14

Section 107(1), Health Act 1956

Port of [*specify*]

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

Given under my hand, at [*time, date*].

Signature:

(Medical officer of health or health protection officer)

Schedule 2 form 3: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Form 4
Order to captain to cleanse, fumigate, disinfect, or treat ship

r 18

Section 110, Health Act 1956

To [*specify*], captain of [*name of ship*]

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

Date:

Signature:

(Health protection officer)

Schedule 2 form 4: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Form 5
Medical officer of health

r 26(4)

Health protection officer
Undertaking of person released under medical surveillance

[Revoked]

Schedule 2 form 5: revoked, on 19 December 2006, by section 10(2)(b) of the Health Amendment Act 2006 (2006 No 86).

Schedule 3
**Measures to be carried out in respect of an infected craft in respect
of passengers who have been exposed to infection with a
quarantinable disease**

r 22(2)

Part A
Plague

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

Part B
Cholera

1. The craft shall be inspected and the passengers and crew shall be medically examined.
2. The sick shall be removed and isolated.
3. All other persons shall be placed under surveillance, or in exceptional circumstances isolated, for a period of not more than 5 days reckoned from the date of disembarkation.
4. The baggage of any infected person or suspect and any other article such as used bedding or linen and any part of the craft which is considered to be contaminated may be disinfected.
5. If the drinking water stored on board is considered by the medical officer of health or a health protection officer to be contaminated it shall be disinfected and removed and the containers shall be disinfected.
6. Human dejecta and waste water shall not be discharged without previous disinfection.

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

Schedule 3 Part B clause 5: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Schedule 3 Part B clause 7: amended, on 26 July 1988, pursuant to section 2(5) of the Health Amendment Act 1988 (1988 No 99).

Schedule 4
Regulations revoked

r 28

Quarantine (Air) Regulations 1952 (SR 1952/192)

Quarantine (Air) Regulations 1952, Amendment No 1 (SR 1962/112)

Quarantine (Air) Regulations 1952, Amendment No 2 (SR 1963/184)

Quarantine (Air) Regulations 1952, Amendment No 3 (SR 1966/11)

Quarantine (Air) Regulations 1952, Amendment No 4 (SR 1968/26)

Quarantine (Ship) Regulations 1957 (SR 1957/15)

Quarantine (Ship) Regulations 1957, Amendment No 1 (SR 1962/113)

Quarantine (Ship) Regulations 1957, Amendment No 2 (SR 1963/185)

Quarantine (Ship) Regulations 1957, Amendment No 3 (SR 1969/51)

Quarantine (Ship) Regulations 1957, Amendment No 4 (SR 1975/26)

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 30 March 1983.

Reprints notes

1 *General*

This is a reprint of the Health (Quarantine) Regulations 1983 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Customs and Excise Act 2018 (2018 No 4): section 443(4)

Immigration Act 2009 (2009 No 51): section 406(2)

Health Amendment Act 2006 (2006 No 86): sections 4(4), 10(2)

Health Practitioners Competence Assurance Act 2003 (2003 No 48): section 175(3)

Health Amendment Act 1993 (1993 No 24): section 38(3)(a)

Health Amendment Act 1988 (1988 No 99): section 2(5)

Health (Quarantine) Regulations 1983, Amendment No 1 (SR 1987/346)