

L.N. 1 of 1961

QUARANTINE (SHIPS) REGULATIONS, 1960

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QUARANTINE ORDINANCE (CHAPTER 172)

Quarantine (Ships) Regulations, 1960

Commencement : 1st January, 1961

In exercise of the powers conferred by section 4 of the Quarantine Ordinance, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

PART I—PRELIMINARY

Citation,
commence-
ment and
application.
Interpre-
tation.

1. (1) These regulations may be cited as the Quarantine (Ships) Regulations, 1960.

(2) These regulations shall have effect throughout the Federation.

2. (1) In these regulations, unless the context otherwise requires—

“additional measures” means (such of the additional) measures specified in the Fifth Schedule to these regulations (with respect to the quarantinable diseases as are appropriate);

“approved port” means a port approved by the Governor-General in accordance with paragraph 1 of Article 17 of the International Sanitary Regulations for the issue of Deratting Exemption Certificates only;

“authorised officer” means a port health officer, or any other officer appointed by the health administration of a Region and of the Southern Cameroons under regulation 7 to enforce and execute any of these regulations;

“day” means any period of twenty-four hours;

“Deratting Certificate” means a certificate issued in accordance with sub-paragraph (a) of paragraph 4 of Article 52 of the International Sanitary Regulations;

“Deratting Exemption Certificate” means a certificate issued in accordance with sub-paragraph (b) of paragraph 4 of Article 52 of the International Sanitary Regulations;

“designated approved port” means an approved port designated by the Governor-General in accordance with paragraph 2 of Article 17 of the International Sanitary Regulations;

“infected local area” means a port or other area included in the list kept by the port health officer pursuant to regulation 8, and reference to a local area infected with a specified disease shall be construed accordingly;

“infected person” means a person who is suffering from a quarantinable disease, or is considered by the port health officer to be infected with such a disease;

“infected ship” means—

(a) a ship which has on board on arrival a case of human cholera, plague, smallpox or yellow fever;

(b) a ship on which a plague-infected rodent is found on arrival; or

(c) a ship which has had on board during its voyage—

(i) a case of cholera within five days before arrival; or

(ii) a case of human plague developed by the person more than six days after his embarkation; or

(iii) a case of yellow fever or smallpox; and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided for in these regulations;

"infectious disease" means a quarantinable disease or any other infectious or contagious disease other than venereal disease or tuberculosis;

"International Sanitary Regulations" means the International Sanitary Regulations (World Health Organisation Regulations No. 2) adopted by the Fourth World Health Assembly on 25th May, 1951, and as subsequently amended by any World Health Assembly;

"Master" means the person for the time being in charge of or in command of a ship;

"Mooring station" means a place, situated within the waters of a port which is specified by the port health officer, with the consent of the Collector of Customs for the area in which the port is situated and the harbour master, for the mooring of ships for medical inspection so that they do not come into contact with other ships or the shore;

"Port Health Officer" means the registered medical practitioner authorised by the approved authority pursuant to Regulation 7;

"quarantinable disease" means cholera, plague, relapsing fever, smallpox, typhus or yellow fever;

"relapsing fever" means louse-borne relapsing fever;

"Ship" means a sea-going or an inland navigation vessel making an international voyage;

"Surveillance" means that persons are not isolated, that they may move about freely, but that the health authorities of the place or places to which they are proceeding are notified of their coming. They may be subjected, in the places of arrival, to a medical examination and such enquiries as are necessary with a view to ascertaining their state of health, and may be required to report on arrival and afterwards at such intervals during continuance of surveillance as may be specified to the health officer of the city, town, district or place to which they proceed;

"Suspect" means a person (not being an infected person) who is considered by the port health officer to have been exposed to infection by a quarantinable disease and to be capable of spreading the disease;

"Suspected ship" means—

(a) a ship which has had on board during the voyage a case of cholera more than five days before arrival; or

(b) a ship which, not having on board on arrival a case of human plague, has had on board during the voyage a case of that disease developed by the person within six days of his embarkation; or

(c) a ship on which there is evidence of abnormal mortality among rodents, the cause of which is unknown on arrival; or

(d) a ship which left within six days before arrival an area infected with yellow fever;

Provided that a ship to which the foregoing paragraph (a) or (b) applies shall not be deemed to be a suspected ship if in respect of such case of human cholera or plague, as the case may be, the ship has before arrival been subjected to appropriate measures equivalent to those provided for in these regulations;

"typhus" means louse-borne typhus;

"valid" in relation to a Deratting Certificate or Deratting Exemption Certificate issued for a ship, means issued not more than six months before the production of the Certificate to any port health officer, or, if the ship is proceeding to an approved port or a designated approved port, not more than seven months before such production.

(2) A ship shall not be deemed to have been in an infected area if, without having itself been in contact with the shore, it has landed there only mail, passengers and baggage, or has taken on board there only mail, fuel, water or stores or passengers with or without baggage who have not themselves been in contact either with the shore or with any person from the shore.

PART II—GENERAL

Inspection
of ships.

3. (1) The port health officer may, for the purposes of these regulations, inspect any ship already in the port or on arrival.

(2) The port health officer shall inspect on arrival any ship in respect of which the Master has sent to the health authority a message of notification under regulation 11, or any ship already in the district when he has reasonable grounds for believing that there is on board a case or suspected case of quarantinable disease.

(3) Any authorised officer may require a ship on arrival or already in the port to be brought to, and if necessary moored or anchored at, some safe and convenient place for the purpose of medical inspection.

Examination,
etc., of
persons on
ships.

4. (1) The port health officer may, and if so requested by the master shall, examine any person on board a ship already in the port or on arrival, when there are reasonable grounds for suspecting that the person is suffering from a quarantinable disease or has been exposed to infection from a quarantinable disease.

(2) The port health officer may—

(a) detain any such person for such examination either upon the ship or at some place on shore appointed for the purpose ;

(b) require any person so examined to be disinfected, and his clothing and baggage to be disinfected and, where necessary, disinfected ;

(c) except as is hereunder provided, prohibit any person so examined from leaving the ship, or permit him to leave it on such conditions and subject to the taking of such measures, pursuant to these regulations, as the port health officer considers reasonably necessary for preventing the spread of infection ;

(d) require the master to take or assist in taking such steps as, in the opinion of the port health officer, are reasonably necessary for preventing the spread of infection, for the destruction of insects or vermin, and for the removal of conditions on the ship likely to carry infection including conditions the existence of which might facilitate the harbouring of insects or vermin.

(3) Nothing in this regulation shall be deemed to authorise the use of a ship for the isolation of a person who is suffering from, or has been exposed to infection from, a quarantinable disease unless such isolation can be effected without delaying or unduly interfering with the movements of the ship.

Supply of
information,
etc., by
masters.

5. The master of a ship on arrival or already in port shall—

(a) answer all questions as to the health conditions on board which may be put to him by an authorised officer visiting the ship, and furnish any such officer with all such information and assistance as he may reasonably require for the purpose of these regulations ;

(b) notify immediately to the port health officer any circumstances on board which are likely to lead to infection or the spread of quarantinable disease, including in his notification particulars as to the sanitary condition of the ship, the presence of dead rodents on the ship, or mortality or sickness among rodents on the ship ;

(c) comply with these regulations, and with any directions or requirements of an authorised officer given or made for the purpose of these regulations.

6. The health administration of a Region, and of the Southern Cameroons, shall, when so required by the Governor-General in Council, enforce and execute these regulations and shall exercise their functions through the port health officer and such other officers as they may authorise in that behalf, and shall make such enquiries and take such other steps as seem to them necessary for securing the proper exercise of those functions.

Enforcement and execution of regulations.

7. For the purpose of these regulations, a health administration of a Region, and of the Southern Cameroons, shall, if so required by the Governor-General in Council—

Appointment and duties of authorised officers and provision of services.

(a) appoint such registered medical practitioners as may be necessary for the proper enforcement and execution of these Regulations ;

(b) give directions from time to time as to duties which are to be performed by any medical practitioner so appointed or any other officer authorised to enforce and execute these regulations ;

(c) arrange for the provision of—

(i) premises or waiting rooms for the medical inspection and examination of persons ;

(ii) premises for the temporary isolation of persons in accordance with these regulations ;

(iii) apparatus or other means of cleansing, disinfecting or disinsecting ships, persons or clothing and other articles ;

(d) arrange for the reception into hospital of persons requiring to be removed thereto pursuant to these regulations ;

(e) arrange for the provision of means of transport for the conveyance of persons to any such premises as are referred to in paragraph (c) of this regulation, or to a hospital ;

(f) do all such other things as in their opinion or the opinion of the Governor-General, as the case may be, are necessary to enable the provisions of these regulations to be complied with.

8. (1) The port health officer for any port shall from time to time prepare and keep up-to-date a list of ports and other areas which are infected or believed to be infected with a quarantinable disease, or may serve other places or areas so infected or believed to be so infected,

List of infected areas.

(2) The port health officer shall supply copies of any such list and any amendment thereof to the pilots employed in the district.

PART III—INCOMING SHIPS

9. The Governor-General may, by notice in the *Official Gazette* of the Federation of Nigeria, declare any port in Nigeria to be

Declaration of approved and designated ports.

(a) an approved port ;

(b) a designated approved port—for the purposes of Article 17 of the International Sanitary Regulations.

Radio
pratique.

10. The Port health officer may, when he is satisfied by information received by radio from a ship before arrival, or by any other information, that the arrival of the ship will not result in, nor contribute towards, the spread of infectious disease, transmit to the master by radio permission, for the purpose of these regulations, for the ship to proceed direct to its intended place of mooring discharge or loading.

Notifica-
tion of
infectious
disease, etc.,
on board.

11. (1) When there is on board a ship before arrival a person who is suffering from an infectious disease or who has symptoms which may indicate the presence of an infectious disease, or when there are on board a ship before arrival any other similar circumstances requiring the attention of the port health officer, the master shall—

(a) if the ship is equipped with a suitable radio transmitting apparatus and is due to arrive at an approved port or a designated approved port, send before arrival, either directly to the port health authority or through an agent approved by them, a radio message complying with paragraph (2) of this regulation ;

(b) if the ship is not so equipped or is due to arrive elsewhere than at an approved port or a designated approved port, notify the port health authority, whenever practicable before arrival and otherwise immediately on arrival, of the presence on board of such infectious disease, symptoms or other similar circumstances.

(2) Any radio message sent for the purpose of this regulation shall—

(a) embody such of the items of information specified in the First Schedule to these regulations as are applicable ;

(b) be sent so as to reach the port health authority not more than 12 hours, and wherever practicable not less than 4 hours, before the expected time of arrival of the ship ;

(c) if it is in code, conform with the section relating to standard quarantine messages of the 1931 International Code of Signals.

Signals.

12. The master of every ship due to arrive in a port shall, unless he shall have been granted radio pratique under regulation 10, when the ship comes within the port comply with the provisions as to flags and signal lights contained in the Second Schedule to these regulations, provided that this regulation shall not apply to ships normally operating solely within Nigerian waters.

Maritime
declaration
of health.

13. (1) On the arrival of a ship which during its voyage has been in a foreign port, the master shall complete a Maritime Declaration of Health in the form specified in the Third Schedule to these regulations. The Declaration shall be countersigned by the ship's surgeon if one is carried.

(2) The master shall deliver the Declaration to the authorised officer who boards the ship, who shall forward it to the port health authority.

Restrictions
on boarding
or leaving
ships.

14. Until pratique shall have been granted by the port health officer in pursuance of these regulations, no person other than a pilot, or an authorised officer, shall, without the permission of the Port Health Officer, board or leave the ship and the master shall take all steps necessary to secure compliance with this provision.

Deratting
Certificates
and Derat-
ting Exemp-
tion Certi-
ficates.

15. (1) If the master of a ship which during its voyage has been in a foreign port cannot on arrival produce to the port health officer a valid Deratting Certificate or Deratting Exemption Certificate the port health officer shall—

(a) if the port is an approved port or a designated approved port, required the ship to be inspected to ascertain if the number of rodents on board is negligible ; or

(b) if the port is not such a port, direct the ship to proceed at its own risk to the nearest approved port or designated approved port convenient to the ship.

(2) If, after the ship has been inspected, the port health officer for the approved port or designated approved port is satisfied that the number of rodents on board, if any, is negligible he shall issue a Deratting Exemption Certificate duly completed in the form prescribed by the Fourth Schedule to these regulations.

(3) If, after the ship has been inspected, the port health officer is not so satisfied, he shall—

(a) if the port is a designated approved port, require the ship to be deratted in a manner to be determined by him, or

(b) if the port is not a designated approved port, direct the ship to proceed at its own risk to the nearest designated approved port convenient to the ship for deratting.

(4) The master shall forthwith make arrangements for any deratting required by the port health officer for the designated approved port.

(5) When deratting has been completed to the satisfaction of the port health officer of a designated approved port, he shall issue a Deratting Certificate duly completed in the form prescribed by the Fourth Schedule to these regulations.

(6) A copy of every Deratting Certificate or Deratting Exemption Certificate issued shall be retained in the office of the port health officer.

16. (1) Where the port health officer has reason to believe that a ship on arrival may be an infected ship, or a suspected ship, or any other ship in which there has been during the current voyage and within the past four weeks before arrival a case of a quarantinable disease in respect of which pratique has not been granted at another port, he may direct the master to take the ship to a mooring station or such other place as he considers desirable.

(2) A ship which has been directed to a mooring station shall remain there until it has been inspected by the port health officer.

(3) The port health officer shall inspect any ship and the persons on board as soon as possible after it has been directed to a mooring station or after it has been detained under these regulations.

(4) If, after inspection, the port health officer is satisfied that the ship is one to which he is required to apply any of the additional measures specified in the Fifth Schedule to these regulations, he may detain the ship at the mooring station, or such other place as he considers desirable, or continue the detention, as the case may be, for so long as is necessary for the application of such additional measure.

(5) The medical officer may require the master of a ship which has been directed to a mooring station or detained because plague-infected rodents have been discovered or suspected on board to take all practicable measures to prevent escape of rodents from the ship.

17. The port health officer may detain any ship for medical inspection at its mooring (not being a mooring station) or its place of discharge or loading. The detention of a ship under these regulations shall cease as soon as the ship has been inspected by the port health officer or, if such inspection has not commenced within twelve hours after such detention, on the expiration of that period: Provided that nothing in this regulation shall affect the power of the port health officer to continue the detention of a ship in accordance with paragraph (4) of regulation 16.

Detention
and inspection
of ships
at mooring
stations.

Detention
and inspection
of ships
at other
places.

Removal of
infected
persons
from ships.

Persons from
infected
areas.

Additional
measures.

18. The port health officer may, and if required by the master of a ship shall cause any infected person to be removed from a ship and isolated.

19. On the arrival of a ship the port health officer may place under surveillance any person disembarking therefrom coming from an infected local area, other than a local area infected with yellow fever, within the appropriate incubation period specified in paragraph 1 of regulation 23.

20. Without prejudice to any other provision in these regulations the additional measures shall be applicable on the arrival of—

- (a) any infected or suspected ship ;
- (b) any ship on which there is a case of typhus or relapsing fever ;
- (c) any ship which has during its voyage been in a local area infected with cholera, plague or yellow fever ;
- (d) any suspect for smallpox on a ship other than an infected ship ;
- (e) any person on any ship which has come from an area infected with typhus or relapsing fever ;
- (f) any ship or any person on board, when the port health officer is satisfied that, notwithstanding the application of sanitary measures to that ship or person at a previous port, an incident has occurred since such previous application which makes it necessary again to apply additional measures, or when the medical officer has definite evidence that the previous measures applied were not substantially effective.

PART IV.—OUTGOING SHIPS

Examina-
tion, etc., of
persons
proposing
to embark.

21. Where a ship is due to depart for a foreign port the port health officer—

- (a) may examine any person who proposes to embark if he has reasonable grounds for believing him to be suffering from a quarantinable disease, and, if after examination the officer is of the opinion that he shows symptoms of such a disease, shall prohibit his embarkation ;
- (b) shall prohibit any suspect from embarking provided that, in the case of smallpox, a person shall not be prohibited from embarking if he satisfies the medical officer that he is sufficiently protected by vaccination or by a previous attack of smallpox ;
- (c) shall notify the master of any person embarking or proposing to continue his voyage thereupon who in the opinion of the medical officer should be placed under surveillance.

Infected
local areas
in Nigeria.

22. When the Governor-General has in *Official Gazette* of the Federation of Nigeria declared any local area in Nigeria to be infected with a quarantinable disease, the following provisions shall operate in relation to any ship departing from any port specified by the Governor-General to any other port either within or outside Nigeria—

- (a) the port health officer may and if so requested by the master shall examine any person who proposes to embark or is already on board the ship ;
- (b) the medical officer may require any part of a ship which is infected to be disinfected to his satisfaction ;
- (c) an authorised officer shall inspect any clothing, bedding or any other article which is on, or intended to be taken by any person on, the ship and which, in the opinion of the officer, may have been exposed to any infection and may require the disinfection or destruction of any such clothing, bedding or article, and the master shall disclose to the authorised officer any relevant circumstances ;

(d) no person shall take or cause to be taken on board the ship any article which, in the opinion of the authorised officer, is capable of carrying infection, unless that officer is satisfied that that article has been disinfected and, where necessary, disinfected ;

(e) if the port from which the ship is leaving has been declared to be infected with plague, and if there is reason to believe that there are rodents on the ship, the medical officer shall cause the ship to be deratted or direct it to proceed to the nearest designated approved port convenient to the ship for deratting.

PART V—MISCELLANEOUS

23. (1) Where these regulations permit a medical officer to place a person under surveillance, the period of such surveillance shall not exceed such of the following periods as may be appropriate :—

Surveillance.

(a) in respect of cholera—5 days

(b) in respect of plague—6 days

(c) in respect of relapsing fever—8 days

(d) in respect of smallpox—14 days

(e) in respect of typhus—14 days

(f) in respect of yellow fever—6 days

(2) When a person has been placed under surveillance for cholera, plague or smallpox by reason of his having come from an infected area the period shall be reckoned from the date of his leaving the infected area.

(3) When a person has been placed under surveillance pursuant to the additional measures, the period shall be reckoned in the manner therein specified.

(4) Every person who is placed under surveillance pursuant to these regulations shall—

(a) give facilities for any medical examination required by the medical officer or the medical officer of health for any area in which he may be for the period of surveillance ;

(b) furnish all such information as the medical officer or medical officer of health may reasonably require with a view to ascertaining his state of health ;

(c) forthwith upon arrival during the period of surveillance at any address other than the one stated as his intended destination when placed under surveillance send particulars of that address to the medical officer ;

(d) if so instructed by the medical officer, report immediately to the medical officer of health for any area in which he may be during the period of surveillance, and thereafter during that period continue to report to that officer at such interval as he may require.

24. (1) Where the master of a ship in a port is required by these regulations to carry out any measures to reduce the danger or prevent the spread of infection, the port health authority may at the request of the master, and, if they think fit, at his cost, cause any such requirement to be complied with instead of enforcing the requirement against the master.

Charges for services.

(2) Where under this regulation the port health authority cause any requirement to be complied with at the cost of the master, the amount of the charge for any such work will be in accordance with the scale of charges set out in the Sixth Schedule. The port health authority may if they think fit require the amount of the charge for the work or a part thereof to be paid to or be deposited with them before the work is undertaken.

(3) Where, pursuant to these regulations, any measures have been taken with regard to any person or to any article in his possession, the medical officer shall, on request by such person, furnish him free of charge with particulars in writing of those measures, including the date on which they were taken.

(4) Where, pursuant to these regulations, any measures have been taken with regard to a ship, the health authority or the medical officer shall, on request by the master, furnish him free of charge with particulars in writing of those measures and the reasons why they were taken.

Savings
for mails.

25. (1) Nothing in these regulations shall permit the application of any sanitary measure to letters, newspapers, books and other printed matter which are part of any mail.

(2) Postal parcels may only be subjected to sanitary measures if they contain—

(a) any of the goods referred to in the Fifth Schedule which the port health authority have reason to believe come from a cholera infected local area, or

(b) linen, wearing apparel or bedding which has been used or soiled, and to which the provisions of the Fifth Schedule are applicable.

Savings
for ships.

26. (1) The master of a ship in a port, who is unwilling to submit to any sanitary measure required by the medical officer in accordance with these regulations, shall so notify the medical officer who may then require the master to remove the ship immediately from the port.

(2) If before leaving the port the master wishes to discharge cargo or disembark passengers or to take on board, fuel, water, or stores the medical officer shall permit him to do so, but may impose such conditions pursuant to these regulations as he considers necessary.

(3) When the medical officer has required removal of a ship from a port in Nigeria, it shall not during its voyage call at any other port in Nigeria.

27. The Quarantine Regulations are revoked.

Revocation
of Quarantine
Regulations (Vol.
IX p. 2031).
Regulation
11.

FIRST SCHEDULE*

RADIO MESSAGES—ITEMS OF INFORMATION

ITEM I

The following is an International Quarantine Message from (name ship) of (name port) which is expected to arrive (date and time).

ITEM II

My port of departure (first port of loading) and my last port of call were (name ports).

ITEM III

(Number) cases of (name infectious disease(s)) have occurred during the last 15 days.

ITEM IV

I have no other case of sickness on board.

I have (number) other cases of sickness on board.

ITEM V

(Number) deaths from sickness infectious or otherwise have occurred on board during the voyage.

* For notes on the sending of a standard quarantine message see page 229 of Vol. II of the British Edition of the 1931 International Code of Signals.

ITEM VI

I have a ship's surgeon on board.
I have no ship's surgeon on board.

ITEM VII

I do not wish to disembark any sick.
I wish to disembark (number) sick, suffering from (name disease(s)).

ITEM VIII

My crew consists of (number) and I have no passengers on board.
My crew consists of (number) and I have (number) passengers.

ITEM IX

I do not propose to disembark any passengers.
I propose to disembark (number) passengers of (state Class)

ITEM X

My ship is healthy and I request free pratique.

1. SECOND SCHEDULE

FLAGS AND SIGNAL LIGHTS

The following signals are to be shown on arrival within 3 miles of land by vessels requiring or required to show their state of health :— Regulation 12.

(a) In the daytime, *i.e.*, during the whole of the time between sunrise and sunset

(i) 'Q' flag signifying "my ship is 'healthy', and I request free pratique"

(ii) 'Q' flag over first *substitute* (QQ) Signifying "my ship is 'Suspect'."

(iii) 'Q' flag over 'L' flag (QL) Signifying "My ship is 'Infected'."

(b) By night, *i.e.*, during the whole of the time between sunset and sunrise—

Red light over a white light signifying—

"I have not received free pratique". (only to be exhibited within the precincts of a port. The lights should not be more than 6 feet apart).

THIRD SCHEDULE

Copy of Appendix 5 of International Sanitary Regulations 1951.
(*i.e.*, Maritime Declaration of Health)

Regulation 13.

FOURTH SCHEDULE

Copy of Appendix 1 of International Sanitary Regulation 1951.
(*i.e.*, Derat and Derat Exemption Certificate)

Regulation 15.

FIFTH SCHEDULE

ADDITIONAL MEASURES WITH RESPECT TO THE
QUARANTINABLE DISEASES

Regulations 2 and 16.

PART I—CHOLERA

A. *Infected ships and suspected ships*

(1) The port health officer may—

(a) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date of arrival of the ship ;

(b) require the disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the ship which the medical officer considers to be contaminated;

(c) require the disinfection and removal of any water on board which he considers to be contaminated and the disinfection of the containers which have held such water.

(2) The port health officer shall prohibit the discharge or unloading from the ship of human dejecta, bilge water and any other waste matter or water, which may be contaminated and has not been disinfected.

B. Ships which have been in infected areas

(3) The port health officer may place under surveillance any person who disembarks, the period of surveillance being reckoned from the date of the departure of the ship from the infected area.

C. Infected ships, suspected ships, and ships which have been in infected areas

(4) In addition to any measures permitted or required by the preceding provisions in this Part, the port health officer may prohibit the unloading of, or may remove from the ship, any fish, shellfish, fruit or vegetable to be eaten uncooked, or beverages, not forming part of cargo in a hold of the ship, which he considers to be contaminated, and if any such food or beverage is so removed, he shall arrange for its safe disposal.

(5) If any of the said food or beverage forms part of cargo in a hold of the ship and is so contaminated, the port health officer for the port in which such cargo is due to be discharged shall arrange for its safe disposal.

PART II—PLAGUE

A. Infected ships and suspected ships

(1) The port health officer may—

(a) require any suspect on board to be disinfected and place him under surveillance, the period of surveillance being reckoned from the date of arrival of the ship;

(b) require the disinfecting and, if necessary, disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the ship which the medical officer considers to be contaminated.

(2) If there is rodent plague on board, the port health officer shall require the ship to be deratted in a manner to be determined by him, but without prejudice to the generality of this requirement the following special provisions shall apply to any such deratting:—

(a) the deratting shall be carried out as soon as the holds have been emptied;

(b) one or more preliminary derattings of a ship with the cargo *in situ*, or during its unloading, may be carried out to prevent the escape of infected rodents;

(c) if the complete destruction of rodents cannot be secured because only part of the cargo is due to be unloaded, a ship shall not be prevented from unloading that part, but the medical officer may apply any measure which he considers necessary to prevent the escape of infected rodents.

B. Ships which have been in infected areas

(3) The port health officer may—

(a) place under surveillance any suspect who disembarks, the period of surveillance being reckoned from the date of the departure of the ship from the infected area;

(b) require the destruction of rodents on the ship if he considers the circumstances so exceptional as to justify such a requirement, but he shall communicate in writing to the master of the ship his reasons for the requirement.

PART III—SMALLPOX

A. *Infected ships*

(1) The port health officer shall offer vaccination to any person on board who he considers is not sufficiently protected against smallpox.

(2) The port health officer may either—

(a) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date on which the port health officer considers the person was last exposed to infection; or

(b) if he considers any such person not to be sufficiently protected against smallpox, isolate him for a similar period.

(3) The port health officer shall require disinfection of the baggage of any infected person, and of any other article on board and any part of the ship which the port health officer considers to be contaminated.

B. *Suspects on other ships*

(4) The port health officer may also apply the provisions of paragraphs (1) and (2) of this Part to any suspect who disembarks from a ship which is not an infected ship.

PART IV—RELAPSING FEVER AND TYPHUS

A. *Ships with infected persons on board*

(1) The port health officer may require—

(a) any suspect on board to be disinfected;

(b) the disinfecting and, if necessary, disinfection of the accommodation occupied by any infected person or suspect, his clothes and baggage, and any other article which the medical officer considers may spread typhus or relapsing fever.

B.—*Persons coming from infected areas*

(2) The port health officer may require the disinfecting of any person who has left an infected area not more than eight days before arrival in the case of relapsing fever, or fourteen days before arrival in the case of typhus.

(3) If any person so disinfected is placed under surveillance, the period of surveillance, shall be reckoned from the date of disinfecting.

PART V—YELLOW FEVER

Infected ships, suspected ships, and ships which have been in infected areas

The port health officer may require the ship to be disinfected for the destruction of vectors of yellow fever which may be on board.

SIXTH SCHEDULE

TARIFFS OF SANITARY CHARGES

Regulation
24.

A.—Deratting : deratting exception

1. *Inspection.*—The following charges are payable to the Health Authority of an approved or a designated approved port for the inspection of a ship for the purpose of deratting or deratting exemption :—

Net tons					£	s	d
0-300	..	..	..	..	0	16	0
301-1000	..	..	..	..	1	12	0
1001-3000	..	..	..	..	3	3	0
3001-10,000	..	..	..	..	4	15	0
over 10,000	..	..	..	..	6	6	

2. *Deratting.*—Actual cost of labour and of materials used.

B.—Maintenance of persons in isolation

Persons in isolation shall pay charges in respect of maintenance and medical attention in the manner shown below :—

Description	Charges to be borne by	Rate per diem not exceeding		
		£	s	d
Passengers : First Class, Cabin				
Class, Second Class	The Passenger	2	10	0
Deck		1	10	0
Officers and crew	The owner, master or agent of the ship	1	10	0

In the case of children the rates shall be as follows according to class—

Under three years of age—Free

From three years up to eight years of age—quarter rate

Above eight years up to twelve years of age—half rate

DATED at Lagos the 15th December, 1960.

C. O. LAWSON,
Acting Deputy Secretary to the
Council of Ministers

EXPLANATORY NOTE

These regulations replace the Quarantine Regulations in order to conform with the International Sanitary Regulations, 1951 and subsequent additional Regulations made by the World Health Organisation.

MH1135/S.1

L.N. 2 of 1961

PORTS ORDINANCE, (CHAPTER 155)

Nigerian Ports Authority (Pilotage) Regulations, 1961

Commencement : 5th January, 1961

The Nigerian Ports Authority in exercise of the powers and authority vested in them by section 58 of the Ports Ordinance and of every other power in that behalf vested in them do make the following Regulations :—

GENERAL

1. These Regulations may be cited as the Nigerian Ports Authority (Pilotage) Regulations 1961 and shall come into operation on the 5th day of January, 1961.

Citation and
commence-
ment.

2. In these regulations unless the context otherwise requires :—

Interpre-
tation.

“Authority” means the Nigerian Ports Authority established under the provisions of the Ordinance ;

“Ordinance” means the Ports Ordinance ;

“pilot” means a person not belonging to a ship who has the conduct thereof ;

“port” means a port as defined in the Port Ordinance, ;
and in relation to any port—

“Authority pilot” means a pilot appointed by the Authority for that port ;

“harbour master” means the harbour master duly appointed by the Authority for that port under section 40 of the Ordinance ;

“licensed pilot” means a pilot licensed by the Authority for that port ;

“pilotage board” means the board established for the pilotage district of that port by the Authority under section 48 of the Ordinance ;

“pilotage district” means a pilotage district established in that port by the Authority under section 45 of the Ordinance ;

“port regulations” means the regulations for the time being made by the Authority under section 41 of the Ordinance in respect of that port ;

“power-driven vessel” means any ship propelled by machinery ;

“ship” includes any ship, vessel, tug, lighter, canoe or boat of any kind whatsoever whether propelled by steam or otherwise or towed, not being a ship propelled by oars paddles or poles.

AUTHORITY PILOTS

3. (1) Every Authority pilot

(a) on appointment to a port, shall ; and

(b) on resuming his duties after an absence from that port for a period exceeding one month, may

Examina-
tion of
Authority
pilots.

be required to present himself for examination by the pilotage board on all or any of the matters mentioned in regulation 9 as the pilotage board may require and shall obtain from the harbour master a written authority to act as a pilot within the pilotage district.

(2) The harbour master may at any time suspend the written authority referred to in paragraph (1) of this regulation and may require the pilot to re-present himself for examination by the pilotage board in any matter.

Applications for services of Authority pilot.

Trim of ship not to be altered.

Obligation of Authority pilot to produce his licence.

Harbour masters may issue licences.

Applications for examinations.

Matters in which applicant shall be examined.

4. Application for the services of an Authority pilot shall be made to the harbour master in such form as he may prescribe.

5. The trim of a ship under the charge of an Authority pilot shall not be altered by pumping out tanks or otherwise except on the instructions of the pilot.

6. (1) Every Authority pilot when acting as such shall, if required, produce his written authority to act to any person by whom he is employed or to whom he offers his services as a pilot.

(2) If an Authority pilot refuses to produce his written authority in accordance with this regulation he shall be guilty of an offence and liable on conviction to a fine not exceeding ten pounds.

LICENSED PILOTS

7. The harbour master may issue licences in the Form A in the First Schedule to these regulations authorising the person named therein to be a licensed pilot for the pilotage district of that port;

Provided that the harbour master shall not issue a licence to any person unless that person—

(a) holds a Master certificate granted by a competent authority recognised by the harbour master, or in the case of persons operating vessels in and out of a port but not proceeding to or from any other port, such qualifications as the harbour master may consider necessary;

(b) is not less than 24 years of age and not more than 65 years of age;

(c) produces to the pilotage board a certificate of good conduct and sobriety and a medical certificate of fitness for the performance of his duties as a pilot;

(d) passes a satisfactory examination before the pilotage board and obtains a certificate in the Form B in the said First Schedule;

(e) gives a bond with one surety approved by the harbour master in a sum of £100 in favour of the Authority in the Form C in the said First Schedule;

8. (1) Application for examination by a pilotage board shall be made in writing in the Form D in the said First Schedule and shall be addressed to the harbour master.

(2) The particulars required by the said form shall be filled in and signed by the applicant.

(3) If any such particulars shall be false in any respect the applicant shall be guilty of an offence and liable on conviction to a fine not exceeding twenty pounds and any licence which may have been granted to him under these regulations may be revoked by the pilotage board.

9. An applicant for a licence shall be examined by the pilotage board in the following matters:—

(a) as to his knowledge of the port regulations, the regulations for preventing collisions at sea, the international code of signals, the quarantine regulations, light, fog and distress signals and the working of power-driven vessels in narrow waters or amongst shipping.

(b) as to his first duty when going on board and before taking charge in light and strong winds, or in a tide-way.

(c) as to his knowledge of the port, its approaches, depths of water rise and fall of the tide and set of the currents at various times or states of the tide; the lines of soundings, banks and other dangers with directions for clearing the same; the description and position of lights, buoys and beacons; the proper time of tide to get under way; and any other nautical matter the pilotage board may think fit and proper.

10. (1) Every licence shall subject to the provisions of these regulations remain in force for a period of twelve months from the date thereof and may on application by the pilot be renewed by the harbour master from year to year by endorsement on the licence.

Duration
and renewal
of licence.

(2) The harbour master may before renewing a licence require the pilot to produce a medical certificate that he is physically fit to perform his duties as a pilot and is of sound vision.

(3) In any case in which the harbour master refuses to renew a licence the applicant may appeal to the pilotage board and the pilotage board may refuse or authorise the renewal of the licence as it may seem proper.

11. If a licensed pilot shall have been absent from a port for more than one month his licence shall be automatically suspended and he shall not be entitled to act as a pilot in that port until he shall have satisfied the harbour master that he is again fully conversant with the navigation of that port and the approaches thereto and shall have obtained the written authority of the harbour master to act as a pilot.

Suspension
of licence.

12. The fees set out in the Second Schedule to these regulations shall be paid in respect of the matters therein specified.

Fees payable.

13. The harbour master shall keep a register of licensed pilots.

Register of
pilots.

COMPULSORY PILOTAGE

14. A ship shall only be piloted within a pilotage district within which pilotage is compulsory by an Authority pilot unless the master of the ship is also a licensed pilot, and,

Who may
pilot a ship.

(a) if the ship is not registered in Nigeria it does not exceed 1,000 tons net registered tonnage; or

(b) if the ship is registered in Nigeria it does not exceed 1,100 tons net registered tonnage.

15. Within the pilotage district of the port of Lagos but not on entering that port from or leaving that port for the open sea the holder of a Certificate as a River Master granted under the Shipping and Navigation Ordinance may pilot any ship which is either used exclusively in inland waters navigation or has arrived in that port from or is leaving that port for a voyage on inland waters and the holder of a Certificate as a Quartermaster granted under the said Ordinance may pilot any such ship which does not exceed 150 tons displacement when loaded.

Pilotage not
seawards of
the port of
Lagos.

PILOTAGE FLAGS AND OFFENCES

16. When a ship is navigating in a pilotage district;

(a) if it has on board an Authority pilot the master of the ship shall cause a flag (upper half white lower half red) to be flown from the triatic stay or foremast head of the ship; or

Pilot flag.

(b) if it is in charge of a licensed pilot the licensed pilot shall cause a flag (upper half white lower half red) to be flown at the stern flag staff of the ship and underneath the ensign, when the ensign is flown; or

(c) if it is in charge of the holder of one of the certificates referred to in Regulation 15, the holder of the Certificate shall cause a flag (upper half white lower half blue) to be flown at the stern flag staff of the ship and underneath the ensign, when the ensign is flown:

Unauthorised use of pilots flag.

17. Any person who shall on any ship fly and any Master who shall permit to be flown any of the flags mentioned in the last preceding regulation except in the circumstances in which any such flag is required by the regulations to be flown shall be guilty of an offence and liable on conviction to a fine not exceeding twenty pounds.

Penalty for illegal piloting.

18. Any person who shall hold himself out as a pilot authorised to pilot any ship and is not so authorised or shall pilot any ship which he is not authorised to pilot under these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding twenty pounds.

FIRST SCHEDULE

FORM A

Pilot's Licence

A.B. is hereby authorised, subject to the provisions of the Ports Ordinance 1954 and of the regulations for the time being in force made under section 58 thereof, to pilot any ship of which he is then the Master on entering, leaving or changing its berth in the Port of

This licence will expire on the _____ day of _____ 19
DATED this _____ day of _____ 19 .

Harbour Master

FORM B

Pilotage Board Certificate

This is to certify that _____
has been examined by the Board and has satisfied the Board that he is a fit and proper person to hold a licence as a pilot for the Port of

DATED this _____ day of _____ 19 .

Harbour Master

FORM C

Pilot's Bond

KNOW ALL MEN by these presents that we

*

on behalf of _____
are held and firmly bound unto the Nigerian Ports Authority in the sum of one hundred pounds of good and lawful money to be paid to the said Authority, to which payment well and truly to be made we bind ourselves and each and every of us jointly and severally for and in the whole, our heirs, executors and administrators and every of them, firmly by these presents.

The conditions of this obligation is such, that if the above-named _____
do in all things conform to all the provisions of Part X of the Ports Ordinance and of the regulations for the time being in force under section 58 of that Ordinance applying to the Port of _____
then this obligation shall be void, otherwise the same shall be and remain in full force and virtue.

Signed sealed and delivered in the presence of }

*Bonded Master of Vessel

FORM D
Application for a Pilot's Licence

To The Harbour Master,

I hereby apply to be examined by the Pilotage Board as to my fitness to be granted a pilot's licence and I certify that the following particulars have been fully and truly set out:—

1. Full name of Applicant :
2. Date and Place of Birth :
3. Nationality :
4. Master's Certificate Date Number and Port of Issue :
5. Name of ship (if any) on which applicant is serving :
6. Details of previous experience of pilotage in the area for which a licence is sought, giving dates :

.....
Signature of Applicant

Date

SECOND SCHEDULE

FEES

	£	s	d
On application for examination as to fitness to be granted a pilot's licence	1	0	0
For a pilot's licence	2	0	0
For renewal of a pilot's licence	1	0	0

Notes. 1. These regulations supersede the Lagos Pilotage Regulations, the Port Harcourt Pilotage Regulations, the Calabar Pilotage Regulations and the Victoria Pilotage Regulations made under section 3 of the Pilotage Ordinance.

2. Attention is drawn to the following provisions of the Ports Ordinance:—

SECTION 46. OBLIGATIONS WHERE PILOTAGE COMPULSORY

(1) Every ship, other than any excepted ship, while navigating in a pilotage district in which pilotage is compulsory for the purpose of entering, leaving or making use of the port in the district shall be under the pilotage of—

- (a) an Authority pilot; or
- (b) a licensed pilot of the district.

(2) For the purposes of this section the following ships are excepted ships—

- (a) ships belonging to Her Majesty;
- (b) ships owned or operated by the Authority;
- (c) pleasure yachts;
- (d) ferry boats plying as such exclusively within the limits of a port;
- (e) ships not exceeding ten tons gross tonnage;
- (f) tugs, dredgers, barges, or similar vessels whose ordinary course of navigation does not extend beyond the limits of a port;
- (g) ships exempted from compulsory pilotage by regulations as hereinafter provided in this Part.

(3) A ship while being moved within a port which is or forms part of a pilotage district shall be deemed to be a ship navigating in a pilotage district, except so far as may be provided by regulations made as hereinafter provided by this Part.

SECTION 55. PUNISHMENT OF PILOT BY PILOTAGE BOARD

(1) Where a pilotage board after due inquiry in accordance with the provisions of this Part finds that a pilot has—

- (a) been guilty of misconduct affecting his capability as a pilot ;
 - (b) failed in or neglected his duty as a pilot ; or
 - (c) become incompetent to act as a pilot ;
- the pilotage board may, in a case under paragraph (a) paragraph (b) of this subsection, impose a fine not exceeding ten pounds or severally reprimand or reprimand the pilot and may, in any case, whether in addition to any such fine or reprimand or not, suspend the pilot from duty.

(2) Where a pilot is suspended from duty by a pilotage board under subsection (1) the board shall make such recommendations to the Authority concerning the future exercise of the pilot's duties in the pilotage district, as they consider appropriate in the circumstances of the particular case.

(3) Copies of the record of an inquiry held under section 52 or a recommendation made under subsection (2) of this section shall be supplied by the pilotage board to the Authority, the Minister and the pilot concerned.

SECTION 56. APPEAL TO MINISTER AGAINST DECISION OF PILOTAGE BOARD

(1) If a pilot is aggrieved by a decision or recommendation of a pilotage board he may within thirty days from the date of the decision or recommendation appeal to the Minister.

(2) The Minister after considering the appeal may—

- (a) confirm or reverse the finding of the board ; or
 - (b) subject to the provisions of section 55, alter the nature of the punishment ; or
 - (c) in the case of a recommendation to the Authority under subsection (2) of section 55, support, comment on or oppose the recommendation ;
- and the decision of the Minister shall be final.

SECTION 57. REVOCATION OF PILOT'S LICENCE BY AUTHORITY

(1) The Authority shall consider any recommendation made by a pilotage board concerning any pilot who has been suspended by the Board under section 55, and having considered the recommendation and the record of the inquiry may—

- (a) suspend or revoke the pilot's licence ; or
- (b) inform the pilot and the pilotage board that the pilot may resume his duties as a pilot in the pilotage district.

(2) No pilot's licence shall be suspended or revoked under subsection (1), or action taken by the Authority in relation to any pilot as a result of a recommendation made by a pilotage board unless—

- (a) no appeal has been made by the Authority pilot or licensed pilot to the Minister within the time prescribed by section 56 ;

or

- (b) in the case of an Authority pilot he has informed the Authority in writing that he does not intend to exercise his right of appeal ; or

- (c) an appeal has been made to and determined by the Minister in accordance with the provisions of section 56.

SECTION 59. LIABILITY OF THE MASTER OR OWNER IN THE CASE OF A SHIP UNDER PILOTAGE

The master or owner of a ship navigating in circumstances in which pilotage is compulsory shall be answerable for any loss or damage caused by the ship or by any fault of the navigation of the ship in the same manner as he would if pilotage were not compulsory.

The Common Seal of the Nigerian Ports Authority was hereunto affixed the 21st day of March, one thousand nine hundred and sixty in the presence of :—

C. A. DOVE
Chairman

A. R. CORDON
Secretary

L.N. 3 of 1961

**MINISTERS' STATUTORY POWERS AND DUTIES
(MISCELLANEOUS PROVISIONS) ORDINANCE
(CHAPTER 122)**

Transfer of Functions (Firearms) Order, 1960

Commencement : 5th January, 1961

In exercise of the powers conferred by section 2 of the Ministers' Statutory Powers and Duties (Miscellaneous Provisions) Ordinance, the Governor-General, acting in accordance with the advice of the Council of Ministers, has made the following Order—

1. This Order may be cited as the Transfer of Functions (Firearms) Order, 1960, and shall be of Federal application.

Citation and application.

2. The Firearms Ordinance is modified by—

Modification
Cap. 69

(a) the insertion in section 2 after the definition of "firearm" of the following definition—

"Minister" means the Minister of the Federation charged with responsibility for matters relating to the Nigeria Police Force ;

(b) the deletion from sections 3, 7 (1) and 23 of the words "Governor-General acting in his discretion" and the substitution therefor of the following—

"Minister" ;

(c) the deletion from sections 4, 7 (1), 10 (4), 14 and 19 and the marginal note to section 36 of the words "Governor-General" and "Governor-General in Council" wherever they appear and the substitution therefor of the following—

"Minister" ;

(d) the deletion from sections 33 (1) and 34 of the words "Governor-General, after consultation with the Council of Ministers," and the substitution therefor of the following—

"Minister" ;

(e) the deletion from section 36 (1) of the words "The Governor-General if he thinks fit may at any time by proclamation" and the substitution therefor of the following—

"The Minister may by order" ;

(f) the deletion from section 36 (2) of the word "proclamation" wherever it appears and the substitution therefor of the following—

"Order"

3. Sections 5 and 6 of the Transfer of Functions (Federation) Order, 1959, shall apply in respect of the modifications effected hereby.

MADE at Lagos this 22nd day of December, 1960.

Application
of sections
5 and 6 of
L.N. 258 of
1959.

C. O. LAWSON,
*Acting Deputy Secretary to the
Council of Ministers*

EXPLANATORY NOTE

The effect of this order is to transfer the functions of the Governor-General under the Firearms Ordinance to the Minister responsible for matters relating to the Police.

NP/91/S. 1