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CHAPTER 1

QUARANTINE

JR 4 of 1909
JR 1 of 1919
JR 3 of 1919
JR 4 of 1920
JR 1 of 1926
JR 4 of 1949
JR 2 of 1961

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SCHEDULE

QUARANTINE

To prevent the introduction of communicable disease into Vanuatu and to make provision for the enforcement of quarantine in Vanuatu.

1. Interpretation

In this Act unless the subject or context otherwise requires –

"cattle" means horned cattle, sheep, goats, swine, horses, asses, mules, and any other animals that serve for domestic purposes or as food for man;

"communicable disease" means and includes cholera, smallpox, scarlet fever (scarlatina), oriental plague, enteric or typhoid fever, yellow fever, fever, measles, whooping cough, and any disease of such a nature as to make it uncertain whether it is one of the aforesaid diseases or not;

"health officer" means any person appointed by the Director of Health to act as health officer under this Act;

"infected port" means any place at which a vessel has touched or from which a vessel has cleared where communicable disease is known or has been declared to exist;

"Minister" means the Minister responsible for health;

“pratique" means permission to a vessel to hold direct communication and intercourse with the inhabitants of the place at which such vessel is lying;

“vessel in quarantine" means any vessel which has not been admitted to pratique or which has been placed in quarantine under the provisions of this Act.

2. Bills of health

A bill of health shall declare the sanitary condition of the port and the neighbourhood of the port in respect of which it is issued, and especially the existence or otherwise of infectious or contagious disease. It should set forth clearly the name of the vessel, of the master and medical officer (if any), the nature of the cargo, the number of the crew and passengers, and the state of health of those on board at the time of the departure of such vessel.

3. Bill of health to be visaed

The bill of health of a vessel bound for Vanuatu should bear the visa of the health authorities of the port of departure, and the same endorsement from the competent authorities at each port at which such vessel may have touched on the voyage.

4. Clean and foul bills of health

A bill of health shall be considered as "clean" when it declares the non-existence of any infectious or contagious disease in the district in which is situate the port of departure of the vessel in respect of which it is issued, and as "foul" when the contrary is declared.

5. Bill of health to be produced

The master or medical officer of every vessel arriving in Vanuatu shall produce the bill of health furnished to such vessel, and any failure to produce such bill of health or any irregularity therein shall be considered as an infraction of this Act.

6. Vessels to report at Port Vila

Every vessel arriving in Vanuatu shall make herself known at Port Vila before having any communication with the shore or with any coasting vessels or boats in the vicinity of the islands of Vanuatu.

7. Quarantine signals

To make herself known every vessel shall on arriving within a distance of 3 miles of the coast exhibit a yellow flag at the fore by day and a globular red light by night until such time as pratique shall have been given.

8. Vessels showing quarantine signals to be considered in quarantine

Every vessel exhibiting a yellow flag or a red light as described in section 7 shall be considered as in quarantine as hereinafter defined, and during such state of quarantine shall have no communication except by signal with the shore or with any boat or vessel save that of the health officer, whose boats shall when bringing a health officer on board bear a yellow flag by day and a red light by night.

9. Unlawful for other boats to exhibit quarantine signals

It shall be unlawful for any other boats to exhibit quarantine signals within the waters of Vanuatu.

10. Communications with vessel by health officer

The health officer shall approach the vessel on the windward side within speaking distance, but he shall not go on board to receive the bill of health until replies shall have been given by the master or the medical officer to the questions set forth in the Schedule.

11. Measures to be taken on "foul" bill of health

In the event of a vessel presenting a "foul" bill of health such vessel may –

(a) be declared "clean" and admitted to free pratique after disinfection provided that there are no sick on board and that sufficient time, that is to say, 7 days for cholera; 9 days for yellow fever and for plague; 10 days for smallpox, diphtheria and measles; 14 days for whooping cough; 7 days for Spanish influenza; and for other infectious or contagious diseases 6 days or such periods as may have been notified by notice published in the Gazette by the Minister, shall have elapsed from the date of her departure from the port where such bill of health was issued to prove that no persons have embarked suffering from any infectious or contagious diseases;

(b) be considered as "subject" and put in quarantine as defined in section 12 if, though having no sick on board, such vessel shall have left an infected port within any of the periods allowed for incubation of disease as specified in paragraph (a); such quarantine may however be modified in any degree that the health officer may see fit as provided in section 17 if it shall be proved to the satisfaction of the health officer that the vessel has been disinfected and all necessary sanitary precautions taken under competent supervision, that the vessel has been isolated as far as possible from the infected parts of the port and that no passengers or goods capable of transmitting contagion or infection have been taken on board;

(c) be considered as "infected" and put in strict quarantine, if either before or after departure from an infected port such vessel shall have taken on board any person suffering from an infectious or contagious disease.

12. Vessels in quarantine

Every vessel in quarantine shall anchor at such place as the health officer may direct. No communication shall be made with the shore except by signal and no person or goods shall be admitted on board without the permission of the health officer. Any person so admitted on board such quarantined ship shall be subject to the same regulations as regards quarantine as the passengers and crew, provided that the health officer or any of his duly appointed agents may in case of necessity hold communication with ship and shore, in which case due precaution shall be taken to prevent the propagation of disease, and the crew of the boat

making such communication shall be placed under observation. No boat not being under the authority of the health officer shall approach within 100 metres of a vessel in quarantine.

13. Provisioning

The supply of provisions and drinking water to a vessel in quarantine, and the discharge of bilge and waste water, shall be carried out under the supervision of the health officer and under conditions to be determined by him.

14. Land quarantine

The Minister may by reason of the proximity of an infected or suspected vessel quarantined under this Act or in consequence of an outbreak of epidemic disease, and on the recommendation of the Director of Health, declare that any island or area on any island shall be in quarantine. Any buildings and enclosures provided for the reception of sick or suspected persons landed from infected vessels shall be included in the area declared to be in quarantine under this section.

15. Duration of quarantine

The period of quarantine to be undergone by passengers landed from any infected or suspected ships shall be 7 days for cholera, 9 days for bubonic plague or yellow fever, 10 days for smallpox, diphtheria, and measles, 14 days for whooping cough, 7 days for Spanish influenza, and 6 days, or such periods as may have been notified by notice published in the Gazette by the Minister, for other contagious and infectious diseases commencing from the date of the disembarkation of the passengers into the quarantine station or from that of the last case (of contagious or infectious disease) that has happened on board.

16. Disinfection

The health officer may before giving free pratique to any vessel order such measures of disinfection to be carried out as to him may appear to be necessary, and the cost of such disinfection shall be borne by the owner or consignee of such vessel.

17. Modification of quarantine for "suspected" vessels

The health officer may order the disembarkation of the passengers and cargo of a suspected vessel as described in paragraph (b) of section 11 provided that such passengers shall remain in such place and for such time as may be specified by the health officer and shall be subject to his orders during such detention.

18. Destruction of contaminated articles

All articles found on board a ship that may be considered capable of transmitting contagious or infectious disease and which it may be impossible to disinfect and dangerous to allow to be landed shall be destroyed on the order of the health officer, and the cost of the destruction of such articles shall be borne by the owners or consignees.

19. Precautions in regard to cattle

The health officer shall not permit the landing of any cattle from a vessel unless the bill of health of such vessel shows that no epizootic disease exists in the neighbourhood of the place of origin of such cattle, and such place of origin shall be attested by a certificate of origin.

20. Destruction of animal showing signs of rabies

On the appearance of symptoms of rabies in any animal undergoing quarantine under this section such animal shall be immediately destroyed.

21. Vessels may leave under certain circumstances

Nothing in this Act shall be held to prevent the master of a vessel arriving in Vanuatu and being unwilling to submit to the measures of quarantine herein prescribed from putting to sea again unhindered. In such a case the bill of health of the vessel shall be returned with an

endorsement setting forth the circumstances under which the vessel has taken her departure.

22. Bills of health for coasting vessels
Vessels engaged in inter-island and coastal trade and boats engaged in fishing shall not under ordinary circumstances be required to be furnished with bills of health, but should an outbreak of contagious or infectious disease occur on any island of Vanuatu the Minister may order the provision of a bill of health obligatory in respect of all coasting and inter-island vessels that may touch at such infected island.

23. Land quarantine
In the event of the outbreak of disease of an epidemic nature in any island of Vanuatu the Minister shall on the advice of the Director of Health declare such island to be in quarantine and such quarantine shall continue until the island is declared free from disease. The Minister shall take the measures necessary to make such quarantine effective.

24. Powers of health officers
Health officers shall be empowered to requisition lighters, boats, horses, carts, carriages, and any other means of transport that may be required for the due fulfilment of the provisions of this Act. They shall be supplied with the force necessary for the due supervision of the quarantine, and shall issue the necessary orders to the persons employed on such supervision.

25. Medical men to notify outbreak of epidemics
Every surgeon or physician in Vanuatu whether practising his profession or not, who shall have cognisance of an outbreak of contagious or infectious disease in any island in Vanuatu, shall report such fact to the Director of Health.

26. Quarantine stations
The Minister shall set apart such place or places as he may see fit as quarantine stations at which may be landed and detained any person, cargo or baggage from any vessel in quarantine and near which if possible any vessel in quarantine may be anchored for the purpose of such quarantine.

27. Notification of stations
Any station or anchorage so set apart and the boundaries thereof shall be duly announced by the Minister by notice published in the Gazette.

28. Appointment of officers
The Minister may appoint any fit person to be Superintendent of such quarantine stations or anchorages and may appoint such other officers as may be deemed requisite to ensure the due observance of the provisions of this Act.

29. Persons in quarantine to obey all lawful orders
Every person in any quarantine station and every person on board any vessel in quarantine shall be bound to obey all lawful orders issued by the Superintendent aforesaid or by any officer charged with the execution of this Act in any quarantine station or on board any vessel in quarantine.

30. Persons on board quarantined vessels may be removed to quarantine station
When a vessel in quarantine has been anchored as provided in section 12 any person on board such vessel may if so ordered by a health officer of the port be landed at a quarantine station as aforesaid as well as any baggage as may be directed or allowed by such health officer but no person shall leave such vessel while in quarantine nor transmit any article therefrom except to proceed to or be taken to a quarantine station at the time and in the manner directed by the health officer.

31. Provisions of quarantined passengers to be supplied by ship

(1) During the detention in quarantine of the crew or passengers landed from any vessel the master or owner of such vessel shall provide and supply for the crew and passengers provisions on the same scale as during the voyage and shall be liable for any neglect to supply the same to a fine not exceeding VT 30,000.

(2) Should such provisions not be supplied forthwith they may be procured and supplied by the Superintendent of Quarantine and the cost may be recovered from the master and owner of the vessel and the said debt shall be a charge on the ship.

32. Signs of quarantine stations and ship

(1) When any place set apart and notified as a quarantine station is used as such a yellow flag shall be kept constantly flying at some conspicuous place in such station from sunrise to sunset and from sunset to sunrise shall exhibit a green light and the display of such flag or such light shall be deemed sufficient notice that such station and the land or sea surrounding it to the distance of 100 metres are in quarantine.

(2) Any vessel while in quarantine shall exhibit a yellow flag at the fore by day and a globular red light by night.

33. Escapes and attempts to escape

Any person detained in any quarantine station or on board any vessel or boat in quarantine or in any place in quarantine who may escape or attempt to escape from such quarantine station, vessel, boat or place may be brought back by the use of reasonable force.

34. Penalty for leaving quarantine station

Any person who being subjected to quarantine shall on any pretext whatever leave any quarantine station, vessel, boat or place in quarantine before he shall have been admitted to pratique or unless he shall have been permitted by a health officer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding VT 30,000.

35. Quarantine fees

Persons detained in quarantine in a quarantine station shall pay such charges or other fees as the Minister may fix by notice published in the Gazette.

36. Certain expenditure recoverable

Any expenditure incurred by the Government in carrying out the provisions of this Act in connection with the detention in quarantine of any vessel or vessels under sections 11, 12, 26, 29 and 30 shall be recoverable from the master or owner of such vessel or vessels.

37. No claim against Government

No owner nor any person whatsoever on board of or connected with any vessel put in quarantine nor any person importing or exporting or intending to export any goods or cargo in any such vessel and no person detained in any quarantine station under the provisions of this Act shall have any claim against the Government for detention or any other loss or expense incurred in connection with such quarantine.

38. Reports of breaches of Act

Breaches of the provisions of this Act shall be reported by the Director of Health or by a health officer of the port and shall be justiciable by the Magistrates' Court.

39. Sanitary Council

The Minister on his own motion or on the advice of the Director of Health, may summon a Sanitary Council to be composed of such members as the Minister may direct. The Sanitary Council shall decide on any doubtful point that may arise in carrying out the provisions of this Act.

40. Penalties

Any person omitting to do anything required by this Act, or doing, or aiding, abetting, or advising the doing of anything prohibited by this Act, or knowingly giving or attempting to give any false information under this Act, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding VT 30,000 or to imprisonment not exceeding 1 month, or to both.

SCHEDULE

(section 10)

Questions	***Answers***
What is the name of the vessel?	
To what port does she belong?	
Whence do you come?	
When did you quit your port of lading?	
To what places are you bound?	
At what ports or places have you touched on your voyage since you left the port of lading, and on what dates did you quit each of those places?	
What vessels have you had intercourse or communication with on your passage, and on what dates, and whence did they come, and what was the nature of the communication?	
Did any infectious or contagious diseases exist at the places from which such vessels came?	
Did any infectious or contagious disease exist at or in the vicinity of the place whence you sailed, or on board any vessel with which you had personal intercourse or communication on your passage, or at any of the places at which you have touched?	
Are there any persons on board your ship affected with any infectious or contagious disease, or has any person died or been ill of a disease of that nature during the voyage?	
And (if any) what number? And if any have died or been ill of a disease were their bedding and clothes destroyed?	
What number of officers, mariners and passengers have you on board?	
Have you any, and what Bill of Health?	

Date:

Signature of Master,
Signature of Medical Officer