

CHAPTER 53

QUARANTINE

1947-38

This Act came into operation on 5th April, 1950.

Amended by:

1953-32

1960-29

1979-25

1955-4

1965-25

1956-57

1967/168

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1985

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 53

**QUARANTINE
1947-38**

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**BARBADOS****QUARANTINE
1947-38**

An Act relating to Quarantine and similar matters.

[Commencement: 5th April, 1950]

Short title

1. This Act may be cited as the *Quarantine Act*.

PART I**PRELIMINARY****Interpretation**

- 2.(1) For the purposes of this Act, the expression
“aerodrome” includes both land and water aerodromes;
“aircraft” includes any machine which can derive support in the atmosphere from
the reactions of the air and is intended for aerial navigation;
“commander” includes any person for the time being in charge or command of
an aircraft;

“master” includes any person for the time being in charge or command of a ship;

“port” includes any place at which ships arrive or from which they depart;

“ship” includes a vessel or boat.

(2) References hereinafter made to “this Act” shall be deemed to include a reference to any regulations, rules or orders in force by virtue of this Act.

PART II

ADMINISTRATION

Chief Medical Officer to be Quarantine Authority

- 3.**(1) For the purposes of this Act there shall be a Quarantine Authority.
- (2) The person for the time being holding the office of Chief Medical Officer shall be the Quarantine Authority.
- (3) The Governor-General may appoint
- (a) such medical officers in the public service, as may from time to time be necessary, to be Health Officers for the purposes of this Act;
 - (b) such other Health Officers and such Visiting Officers, as may from time to time be necessary for the purposes of this Act, who shall receive from moneys voted for the purpose by Parliament for the duties performed by them fees or allowances in accordance with a scale to be fixed by the Minister and approved by resolution of Parliament;
 - (c) such quarantine guards and other employees and servants, as may from time to time be necessary for the purposes of this Act who shall be remunerated from moneys voted from time to time by Parliament for the purpose.

Staff under control of Quarantine Authority

4. All officers, guards, employees and servants appointed under section 3, in the exercise of their powers and the performance of their duties under this Act, shall act under the general or special direction and control of the Quarantine Authority.

Quarantine station

5.(1) Such land as the Minister may designate by notice in the *Official Gazette* and the buildings from time to time erected thereon for use as a station shall be used as a station in connection with this Act:

Provided that, with the consent of the Quarantine Authority, cases or suspected cases of any specified infectious disease occurring in Barbados may be sent to such station for isolation, observation or other treatment.

(2) All buildings from time to time erected on the land designated under subsection (1) and the charge of such land shall be or, as the case may be, continue to be vested in the Crown and the Crown shall be responsible for the proper upkeep thereof as a station to be used in connection with this Act.

(3) For the purposes of this section, the expression—

“specified infectious disease” means plague, cholera, yellow-fever, typhus, relapsing fever and smallpox; and “smallpox” includes alastrim, variola minor and varioloid;

[1953-32]

“infectious disease” means any epidemic or acute infectious disease and includes open pulmonary tuberculosis but does not include venereal disease.

[1965-25]

PART III
CONTROL OF INFECTION

Minister to make regulations in relation to quarantine

6.(1) The Minister may make regulations,* with respect to the whole or any part of this Island, including the port and coastal waters thereof, for preventing—

**[The regulations originally contained in the First and Second Schedules to the Quarantine Act, 1947-38, have not been reprinted with this Act.]*

- (a) danger to public health from ships or aircraft or persons or things therein, arriving at any place; and
 - (b) the spread of infection by means of any ship or aircraft about to leave any place or by means of any person or thing about to leave any place in any ship or aircraft.
- (2) Regulations made under subsection (1) may, for the purposes therein set forth, make provision for all or any of the following matters, that is to say—
- (a) the collection and transmission of epidemiological and sanitary information;
 - (b) the signals to be displayed by ships or aircraft;
 - (c) the questions to be answered and information (whether oral or documentary) to be supplied by masters, commanders and other persons who are or have been on board any ship or aircraft or are desirous of boarding any ship or aircraft;
 - (d) the detention of ships or aircraft and of persons who, and of things which, are or have been on board them or any of them;
 - (e) the destruction of things which are or have been on board any ship or aircraft;

- (f) the duties to be performed by masters, commanders and other persons who are or have been on board any ship or aircraft or who are desirous of boarding any ship or aircraft;
 - (g) authorising the making of charges and providing for the recovery of charges and expenses;
 - (h) the enforcement of the regulations;
 - (i) the conferring on appropriate officers of powers to board ships and aircraft and to enter premises.
- (3) Regulations made under subsection (1) shall not have any force or effect until confirmed by resolution of Parliament.

Quarantine Authority to make rules to implement regulations

7.(1) Subject to the provisions hereinafter contained, the Quarantine Authority may make rules for implementing or carrying into effect any regulations in force by virtue of section 6 and for supplementing any such regulations as regards any matters for which the Quarantine Authority may deem it expedient to provide, with a view to carrying into effect the purposes set forth in subsection (1) of section 6.

(2) Rules made under subsection (1) may, for the purposes therein set forth, make provision for all or any of the following matters, that is to say—

- (a) regulating the granting or withdrawal of *pratique*;
- (b) regulating the issuing of bills of health, certificates, and other documents;
- (c) the governance of quarantine mooring stations, anchorages and berthing places and of places where persons or things are detained or taken for examination and of places used for the observation or isolation of persons;

- (d) the sanitation of ports and aerodromes and their surroundings, including measures for keeping them free from rodents, mosquitoes and other vectors of disease;
 - (e) fixing the charges sanctioned by regulations in force by virtue of section 6 and providing for their incidence.
- (3) The power to make rules under this section shall be without prejudice to any power to make regulations under section 6 and *vice versa*:

Provided that rules shall not have any force or effect if and to the extent that they are at any time inconsistent with any regulations in force by virtue of section 6.

- (4) Rules made by the Quarantine Authority under this section shall not have any force or effect unless approved by the Minister.

Power of Quarantine Authority to direct special measures in emergency

8.(1) When in the opinion of the Quarantine Authority an emergency exists, the Quarantine Authority may by order direct special measures to be taken during the continuance of that emergency for any of the purposes specified in sections 6 and 7, and any such order shall have effect notwithstanding anything to the contrary in any regulations or rules in force by virtue of those sections.

- (2) An order made under subsection (1) may be varied or rescinded by order of the Minister.

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Police to report arrival of ships

9. The Police shall every morning between the hours of 6 a.m. and 6.30 a.m. leave notice at the office of the Quarantine Authority of every ship anchoring in Carlisle Bay within the preceding twelve hours.

[1979-25]

Visits of Health Officer to ships at night

10. A Health Officer shall not be bound to visit any ship between the hours of 7 p.m. in any day and 6 a.m. of the succeeding day unless required so to do by the Quarantine Authority.

Special provisions in relation to citizens of Barbados and other West Indians

11.(1) This section shall, notwithstanding anything to the contrary in this Act, apply to the following persons who come to Barbados in steamships as third class passengers or in sailing ships, that is to say

- (a) citizens of Barbados returning thereto;
- (b) citizens of Guyana, Jamaica and Trinidad or other Commonwealth citizens being natives of any other part of the Commonwealth in the West Indies who are in transit via Barbados to the country of which they are citizens or natives, as the case may be:

Provided that the Government of that country has given an undertaking to pay to the Crown all the expenses incurred in isolating and maintaining or keeping under observation such natives and conveying them to that country.

(2) The persons specified in paragraphs (a) and (b) of subsection (1) may, if the Quarantine Authority so directs, be isolated or be kept under observation, in the case of citizens of Barbados, at the expense of Barbados and, in the case of the persons specified in paragraph (b) of subsection (1), at the expense of the country of which they are citizens or natives, as the case may be.

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(3) The persons specified in paragraph (b) of subsection (1) shall be sent away from Barbados by the Quarantine Authority as soon as he can make arrangements for their conveyance at the expense of the country of which they are citizens or natives, as the case may be, and shall, until they are sent away, be kept under observation at the expense of that country.

(4) For the purposes of this section, the expression

“isolating” means removing to a hospital or other suitable place, approved by the Health Officer, of a person suffering or suspected to be suffering from an infectious disease and his detention therein, until in the opinion of the Health Officer

(a) he is free from infection; or

(b) if not so free, he may be discharged without undue danger to public health;

“observation” means the detention under medical supervision of persons in such places and for such periods as may be directed by a Health Officer;

and for the purposes of this subsection the expression “Health Officer” means the appropriate officer appointed as such under section 3, and includes a medical practitioner acting under the direction of the Quarantine Authority or a Health Officer for the purpose of executing any regulations.

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PART IV

OFFENCES AND PROCEEDINGS

Offences

12.(1) Any person who—

(a) refuses to answer or knowingly gives an untrue answer to any enquiry made under the authority of this Act or intentionally withholds any information reasonably required of him by any officer or other person acting under the authority of this Act or knowingly furnishes to any such officer or other person any information which is false; or

(b) refuses or wilfully omits to do any act which he is required to do by this Act or refuses or wilfully omits to carry out any lawful order,

instruction or condition made, given or imposed by any officer or other person acting under the authority of this Act; or

- (c) assaults, resists, wilfully obstructs or intimidates any officer or other person acting under the authority of this Act or offers or gives a bribe to any officer or person in connection with his powers or duties under this Act or, being such officer or person, demands, solicits or takes a bribe in connection with his powers or duties under this Act or otherwise obstructs the execution of this Act,

shall be guilty of an offence and shall be liable on conviction to a fine of nine hundred and sixty dollars or to imprisonment for a term of six months or to both such fine and imprisonment.

(2) Any person who is guilty of any other offence against this Act shall be liable on conviction to a fine of nine hundred and sixty dollars or to imprisonment for a term of six months or to both such fine and imprisonment.

(3) All offences against this Act shall be prosecuted summarily before a magistrate.

Reward to informer

13. The Governor-General may direct that any part of any fine recovered in respect of any offence against this Act shall be paid to any person who has given information leading to the conviction of the offender.

Recovery of expenses

14.(1) All expenses and charges payable to the Quarantine Authority under this Act may be sued for and recovered by him before any court and a certificate purporting to be under the hand of the Quarantine Authority to the effect that the expenses or charges sued for are due and payable shall be received in evidence and shall be sufficient evidence of the facts therein stated unless the contrary is shown.

(2) Any sum received or recovered by the Quarantine Authority in payment of expenses or charges payable to him under this Act shall be forthwith paid by him into the Consolidated Fund.

PART V
MISCELLANEOUS

Duty and powers of Police

15.(1) It shall be the duty of every member of the Police Force to enforce (using force if necessary) compliance with this Act and with any order, instruction or condition lawfully made, given or imposed by any officer or other person under the authority of this Act; and for such purpose any member of the Police Force may board any ship or aircraft and may enter any premises without a warrant.

(2) Any member of the Police Force may arrest without a warrant any person whom he has reasonable cause to believe to have committed any offence against this Act.

(3) In this section the expression “member of the Police Force” includes a member of any police organisation constituted by law who has the general powers of a member of the Police Force.

Expenses of Act to be paid from moneys voted by Parliament

16. There shall be paid from moneys voted from time to time by Parliament for such purposes all expenses in connection with—

- (a) the provision of printed forms and stationery required by the Quarantine Authority or any Health Officer in the discharge of his duties under this Act;
- (b) providing and maintaining in proper order all hospitals and other buildings and all equipment required to carry out this Act.

[1967/168]