

LAWS OF BRUNEI

CHAPTER 47

QUARANTINE AND PREVENTION OF DISEASE

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LAWS OF BRUNEI

CHAPTER 47

**QUARANTINE AND PREVENTION OF
DISEASE**

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QUARANTINE AND PREVENTION OF DISEASE ACT

An Act to prevent the introduction and spread in Brunei Darussalam, and the transmission from Brunei Darussalam, of infectious diseases

Commencement: 9th August 1934

PART I

PRELIMINARY

1. This Act may be cited as the Quarantine and Prevention of Disease Act. Short title.

2. In this Act, unless there is something repugnant in the subject or context — Interpretation.

“animals” includes horses, asses, mules, cattle, dogs, sheep, goats and swine and any kind of four-footed beast;

“building” means any house, hut, shed or roofed enclosure, whether intended for the purpose of human habitation or otherwise, and any wall, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty, landing-stage, or bridge;

“carcase” means the carcass of an animal, and includes part of a carcass and the meat, bones, hide, skin, hoofs, horns, offal or other part of an animal separately or otherwise or any portion thereof;

“cattle” means bulls, cows, oxen, buffaloes, heifers and calves;

“contact” means a person who has been in the company of an infected person, or who has been on a

ship or in the room or house in which a case of infectious disease existed;

“crew” includes any person who is not on board for the sole purpose of travelling from one country to another but who is employed in some way in the ship’s service or in connection with the cargo;

“dairy” means any farm, farm-house, cowshed, milk-store, milk-shop or other place from which milk is supplied or in which milk is kept for the purposes of sale;

“dangerous infectious disease” means and includes small-pox, cholera, para-cholera, plague, yellow fever, typhus and any other disease which the Minister by notification in the *Gazette* declares to be included within the said expression;

“day” means an interval of 24 hours;

“disease” means any disease of an infectious or contagious nature dangerous to mankind or animals;

“diseased” means affected with disease;

“disinfection” means the destruction or removal of the cause of an infectious disease and includes the taking of any reasonable and appropriate measures to render a germ carrier free from infection;

“district” means the district of any local authority under this Act;

“fodder” means grass or other substance commonly used for food for animals;

“foyer” means the condition which exists when the occurrence of new cases outside the immediate surroundings of the first cases proves that the spread of

the disease has not been limited to the place where it began;

“health officer” means the officer for the time being performing the duties of health officer or assistant health officer to a Municipal Board or of health officer in charge of a quarantine station, and includes any person authorised in writing by such officer to act as his deputy or assistant;

“immigrant” means —

(a) any person arriving in the waters of Brunei Darussalam in a ship, with the intention of landing in Brunei Darussalam;

(b) any person arriving at any local area in Brunei Darussalam;

(c) if the health officer or port health officer so directs, any person who arrives from an infected or suspected local area;

“infected” means affected with an infectious disease;

“infected local area” means any local area which has been declared by public notification to be an infected local area from the date of such declaration until the date of the withdrawal of such public declaration or until the date it is declared to be a suspected local area;

“infectious disease” means anthrax, cerebrospinal fever, chickenpox, cholera, diphtheria, enteric fever, erysipelas, leprosy, plague, puerperal fever, scarlet fever, smallpox, tuberculosis, typhus, yellow fever and any other disease that the Minister, by notification in the *Gazette*, declares to be included within the expression; [S 11/87]

“local area” means any territory or territorial division the limits of which are capable of accurate definition;

“local authority” means in the case of a town area the Municipal Board and in all other cases the Minister or any person authorised by him in writing to act as his deputy;

“litter” means straw or other substance commonly used for bedding or otherwise for or about animals;

“master” means the master, officer or other person for the time being in charge of any ship;

“observation” means the isolation of a person at a quarantine station or at such other place as the health officer or port health officer may direct, before such person receives free pratique;

“parent” includes the father and mother of a legitimate child and the mother of an illegitimate child;

“pilgrim” means a Muslim passenger of any age or of either sex, journeying or about to journey from any port in Brunei Darussalam to any port in the Red Sea, or in the Gulf of Aden or in the Arabian Sea, except ports in India, with a view to the pilgrimage to the Hedjaz, or returning from such journey;

“port” means any town built by the sea or having water access to the sea, and includes any district surrounding such town;

“port health officer” means any person so appointed by His Majesty the Sultan and Yang Di-Pertuan, either by name or office, and includes all his deputies or assistants;

“pratique” means, in the case of a ship, the permission or licence granted to that ship to hold intercourse with a port; and, in the case of a person, the permission or licence granted to that person conferring upon him freedom from observation;

“prescribed case” means —

(a) a case of a dangerous infectious disease originating in a quarantine station or a close public institution;

(b) an imported case which has been immediately isolated in a quarantine station; or

(c) a case occurring in a new arrival during the period of his quarantine surveillance;

“quarantine” means the compulsory detention in isolation for the purpose and under the provisions of this Act or of the regulations made thereunder of any ship, person, animal or thing, so that there shall be no communication or traffic with any other ship, person, animal or thing, or with any building or place except in accordance with this Act or the regulations made thereunder;

“quarantine anchorage” includes any anchorage or moorings or landing place for a ship;

“quarantine station” means any island, building or place where quarantine is carried out, and includes an examination station, a hulk and an infectious diseases hospital;

“rat” means any rodent and includes any animal or insect known to be a means of spreading plague;

“ship” includes any vessel or craft which may be used in navigation by water;

“surveillance” means that persons are not isolated, that they receive free pratique immediately, but the authorities at the several places whither they are bound are informed of their coming, and they are subjected to a medical examination with a view to ascertaining their state of health;

“suspected local area” means any local area which has been by notification published in the *Gazette* to be a suspected local area from the date of such declaration until the date of the withdrawal of such declaration;

“veterinary officer” means a Government veterinary surgeon, or an officer appointed by office or name to be a veterinary officer or deputy veterinary officer for the purpose of this Act.

PART II

NOTIFICATION OF INFECTIOUS DISEASE

Information to be given of existence of infectious disease.

3. (1) Every adult occupant of any dwelling in which any infectious disease or suspected infectious disease appears, and every person in charge of or in the company of, and every person not being a medical practitioner attending on, a person suffering from or who has died of an infectious disease or suspected infectious disease shall, with the least practicable delay, give information thereof to the health officer or at the nearest police station or, if neither is accessible, to the penghulu.

(2) The officer in charge of the police station or penghulu receiving such information shall with the least practicable delay, communicate the same to the health officer.

Particulars of the information.

(3) The information above required shall include the name, residence, sex and occupation of the sufferer or dead person, the nature of the disease and the date of onset thereof, and any other matter necessary for ascertaining the source and origin of such disease so far as such information is within the knowledge of the informant.

(4) Every police officer or penghulu becoming aware of the occurrence of any infectious disease or suspected infectious disease shall immediately give information regarding such disease to the health officer and to the officer in charge of the nearest police station.

(5) Any medical practitioner who treats or becomes cognisant of the existence of any infectious disease or suspected infectious disease, the existence of which has not already been reported by a medical practitioner, in any private or public dwelling or any place in the district other than a Government hospital shall give notice of the same in writing to the health officer of the district with the least practicable delay.

Medical practitioners to give notice.

(6) Every notice given under subsection (5) shall be in the form in the First Schedule and shall contain the particulars therein set out.

(7) Whenever the notice refers to a dangerous infectious disease, the health officer shall immediately notify the Director of Medical Services or an officer appointed by him in writing.

(8) A medical practitioner shall notify to the health officer the death of any person suffering from infectious disease or suspected infectious disease on whom he has been in attendance at the time of the death.

Notice in case of death.

(9) Any person who is required under this section to give information of any infectious disease or suspected infectious disease or any death from any infectious or suspected infectious disease, neglecting without reasonable excuse, proof of which shall lie on him, to give such information with the least practicable delay, shall be guilty of an offence: Penalty, a fine of \$200, and for a second or subsequent offence a fine of \$400 and imprisonment for 3 months.

Penalty for neglecting to give information with the least practicable delay.

(10) Any person who knowingly omits or refuses to give any information which he is required to give under this section, or furnishes as true information which he knows or has reason to believe to be false, shall be guilty of an offence: Penalty, a fine

Penalty for refusing to give information or for giving false information.

of \$500, and in the case of any medical practitioner a fine of \$1,000.

Presumption.

(11) When any person is charged with neglecting to give information of any infectious disease or suspected infectious disease or any death from any infectious or suspected infectious disease, he shall be presumed to have known of the existence of such disease, unless he shows to the satisfaction of the court before which he is charged that he had no such knowledge and could not with reasonable diligence have obtained such knowledge.

Notice of recovery to health officer.

(12) When any medical practitioner in attendance on any person suffering from infectious disease is satisfied that such person has so far recovered as, in the opinion of such medical practitioner, to be no longer a source of infection to others, such medical practitioner shall notify the same in writing to the health officer.

PART III

PREVENTION OF THE SPREAD OF INFECTIOUS DISEASE

Examination of rats and fleas.

4. (1) Every local authority shall —

(a) use all means to prevent the spread of plague by rats or fleas;

(b) keep itself regularly informed of the condition of rats and fleas in its ports, as regards plague infection, by frequent and systematic examinations;

(c) carry out systematically the bacteriological examination of rats and fleas in every plague-infected area, during a period of not less than 6 months from the discovery of a plague-infected rat or flea.

(2) The methods and results of such examinations shall be communicated to the Director of Medical Services once in every month:

Provided that on the discovery of a plague-infected rat or flea such communication shall be made immediately by the most rapid method.

5. (1) The health officer or any person or persons appointed for the purpose by the local authority may enter at any time without previous notice and, if need be, by force into any place in which any infectious disease is reputed or suspected to exist or to have existed within 21 days prior thereto for the purpose of preventing the spread of the same.

Health officer to have power of entry for purpose of preventing spread of disease.

(2) The health officer may examine any person found in such place with a view to ascertaining whether such person is suffering or has recently suffered from any infectious disease.

6. (1) The local authority shall provide and maintain a suitable vehicle or vehicles for the free conveyance of persons suffering from any infectious disease.

Provision for conveyance of patients.

(2) For carrying out the provisions of this Act and the regulations made thereunder, the health officer may requisition any motor or other vehicle.

(3) The owner of any vehicle so requisitioned shall not be entitled to claim more than a reasonable sum for the use and detention of such vehicle.

7. (1) When a hospital or place for the reception of persons suffering from any infectious disease is provided within the district of a local authority, the health officer may, of his own motion or on a certificate signed by a medical practitioner, direct the removal to such hospital or place of any person suffering from an infectious disease, the treatment of which is provided for in such hospital or place, who is in his opinion or in the opinion of such medical practitioner without proper lodging or accommodation, or who is living under conditions which, in his opinion or in the opinion of such medical practitioner, are likely to cause the spread of the infectious disease to other persons.

Health officer may order removal of patients to hospital.

(2) Any such person removed to such hospital or place shall be detained therein until discharged by the medical or health officer in charge thereof.

(3) Any place which in the opinion of the health officer is suitable and required for the purpose of isolating and treating persons who are suffering from, or are suspected to be suffering from, infectious disease, or are contacts, and of detaining such person until they have been certified free from such disease, may, with the written approval of the Minister, be entered upon and occupied, if untenanted, without notice, and, if tenanted after written notice has been posted in a conspicuous position in such place.

(4) The owner or person entitled to the use of such place shall not be entitled to claim more than a reasonable sum as rent for the occupation of such place.

(5) The health officer, immediately upon vacating such place, shall, at the cost of the local authority, thoroughly cleanse and disinfect and, if necessary, whitewash such place.

Attendance in his own dwelling-place of person suffering from infectious disease.

8. (1) If in the opinion of the health officer any person suffering from an infectious disease can be properly attended to in his own dwelling-place without danger to others, the health officer may order that such person shall be detained and treated there and his dwelling-place isolated.

(2) Every such order shall be in writing and signed by the health officer.

(3) A copy of such order shall forthwith be posted up in a conspicuous position on or near the patient's dwelling-place, and a copy shall also be sent to the nearest police station.

(4) After the posting up of any such order and so long as the same remains in force no person, except the medical attendant of the patient and the health officer or any person authorised by the health officer in that behalf, shall enter or leave the isolated dwelling-place or remove any furniture, bedding, clothing or other articles therefrom.

(5) Any person may approach the isolated dwelling-place for the purpose of delivering food or medicine to the persons confined therein or of removing their excreta, but may not enter such dwelling-place.

(6) The health officer may in his discretion disinfect any person, furniture, bedding, clothing or other articles in the isolated dwelling-place and may thereupon permit such person or thing to leave or be removed from the dwelling-place.

(7) When satisfied that the need for isolation no longer exists the health officer shall remove the order posted up as aforesaid and thereupon such order shall be deemed to be cancelled.

(8) Notice of such cancellation shall be sent to the nearest police station.

(9) Upon receipt of the order mentioned in subsection (3) the officer in charge of the police station shall send as many constables as are necessary to the isolated dwelling-place and such constables shall enforce the isolation of the dwelling-place and repel any attempt by the persons confined therein to breakout therefrom or by any others to enter therein.

Police
assistance.

(10) Upon the receipt at the police station of the notice mentioned in subsection (8) the constables shall be removed from the dwelling-place.

9. (1) If in the opinion of the health officer it is necessary that all or any of the inmates, not themselves sick, of any house or building or part thereof, in which a case or suspected case of infectious disease exists or has recently existed or in which an unusual or excessive mortality among rats has occurred, should be isolated or put under medical surveillance or that any such house or building or part thereof should be temporarily closed, such health officer may direct that —

Power to close
and disinfect
buildings, and
to isolate and
detain inmates
or subject to
surveillance.

(a) such house or building or part thereof shall be temporarily closed for such time as is necessary to secure its thorough disinfection and deratting, and the

disinfection or destruction of all infected articles contained therein;

(b) all or any of the inmates, not being themselves sick, shall be isolated to the satisfaction of the health officer or removed to a Government or local authority quarantine station and detained there for such period as is necessary to ensure that such inmates are themselves free from disease; or

(c) all or any of such inmates, who enter into a written undertaking according to the form in the Second Schedule to present themselves daily for examination and who deposit, if required to do so, such sum of money as is fixed by the health officer, shall present themselves daily to the health officer or to a medical practitioner appointed by the health officer for examination for such period and at such place and time as the health officer or the medical practitioner appoints. Such health officer or medical practitioner is the examining officer mentioned in the Second Schedule.

(2) It shall be lawful for a health officer to order any person brought into contact with a person suffering or suspected to be suffering from an infectious disease to undergo surveillance until he may be discharged without danger to the public and every person authorised by the health officer to carry out such order may use such force as is necessary to compel obedience to such order. Any person who is to undergo surveillance shall be required to give the undertaking according to the Form in the Second Schedule.

(3) For the enforcement of any order made under this section the health officer may cause any person to be forcibly removed from any building and may cause any building or enclosure to be forcibly broken open and any articles found therein to be disinfected or destroyed. The health officer may, subject to the sanction of the local authority, give compensation out of the funds of the local authority for the articles destroyed

where in his opinion the owners thereof are unable through poverty to bear the loss.

10. Every police officer or penghulu becoming aware of the occurrence of any infectious disease shall immediately take precautions to prevent any person not authorised in writing by the health officer from leaving or entering any building in which such disease has occurred or from removing any furniture, bedding, clothing or other articles therefrom.

Infected buildings.

11. (1) Any person, who is authorised to be detained under the provisions of this Act or of the regulations made thereunder may, in case of escape, be arrested by the person in charge of the hospital, reception place, isolated house or quarantine station in which he is authorised to be detained or by any officer or servant belonging thereto or by any police officer, and may be again conveyed to and detained in the hospital, reception place, isolated house or quarantine station from which he has escaped.

Power to recapture escaped persons.

(2) Any person who, having been authorised to be detained under any of the provisions of this Act or of the regulations made thereunder, escapes or attempts to escape from the hospital reception place, isolated house or quarantine station in which he has been detained, shall be guilty of an offence: Penalty, a fine of \$500.

Penalty for escape.

(3) Any person who, being subjected to medical surveillance under the provisions of this Act or of the regulations made thereunder fails to present himself for examination, may be arrested without warrant, isolated to the satisfaction of the health officer, and shall be guilty of an offence: Penalty, a fine of \$500.

Penalty for not submitting to examination.

(4) In addition to the punishment prescribed by subsection (3) any sum deposited shall be forfeited.

12. (1) If in the opinion of the health officer a building is so overcrowded as to expose the occupants thereof to the risk of infectious disease when such disease exists in the neighbourhood, such health officer may in writing direct the

Abatement of overcrowding.

owner or occupier of such building to abate the overcrowding to the extent and within the time specified in such writing.

(2) If such direction is not obeyed, such health officer may order such building to be closed.

(3) When a house or building has been closed under subsection (2) of this section or under paragraph (a) of section 9 (1), no person shall enter such house or building without the written permission of a health officer.

Burial of bodies of persons dying in hospital of quarantine station of infectious disease.

13. (1) If a person dies in a hospital, reception place or quarantine station from any infectious disease, and if in the opinion of the medical or health officer in charge of such hospital, place or station it is desirable in order to prevent the risk of spreading infection that the body shall not be removed therefrom, except for the purpose of being forthwith buried or burnt, no person shall remove the body except for such purpose.

(2) The body when taken out from such hospital, place or station shall be forthwith taken direct to the place where it is to be buried or burnt and there buried or burnt.

(3) Any person who wilfully offends against this section shall be guilty of an offence: Penalty, a fine of \$200.

(4) Nothing in this section shall prevent the removal of a dead body from a hospital, reception place, or quarantine station to a mortuary, and such mortuary shall for the purposes of this section be deemed part of such hospital, place or station.

Post mortem examination in cases where infectious disease is suspected.

14. (1) Whenever the health officer or port health officer suspects that a person has died of an infectious disease it shall be lawful for the health officer or port health officer to order that the body of such person shall be conveyed to such place as the health officer or port health officer shall appoint for such examinations as he may consider necessary.

(2) Any person who obstructs the removal of such body for such purpose shall be guilty of an offence: Penalty, a fine of \$200.

15. (1) Any person who allows the body of any person who has died whilst suffering from any infectious disease to remain unburied for more than 24 hours shall be guilty of an offence: Penalty, a fine of \$500, unless he has obtained the permission of the health officer to do so and has complied with the conditions subject to which such permission has been granted.

Penalty on allowing body of person who has died of infectious disease to remain unburied for more than 24 hours.

(2) Such permission shall be in writing and shall contain such conditions as the health officer considers necessary to prevent the spread of the infectious disease.

(3) Every person employed in the disposal of the dead body of a person who has died from an infectious disease shall be disinfected, and shall have his clothing disinfected to the satisfaction of the health officer or port health officer, and, if the health officer or port health officer so directs shall be protected by vaccination against such infectious disease.

16. (1) If the health officer is of opinion that the cleansing or disinfecting or deratting of a building or of a part of a building or of any articles therein likely to retain infection would tend to prevent or check the spread of any infectious disease or tuberculosis, he may, by notice in writing, require the owner or occupier to cleanse or disinfect or derat the same in manner therein specified.

Disinfection of buildings, etc.

(2) The health officer if in his opinion it is necessary as a precaution against the introduction or spread of an infectious disease that any well should be filled up; cleaned, disinfected or protected, may by notice in writing require the owner or occupier of the place wherein such well is situated to fill up, cleanse, disinfect or protect such well within a reasonable time to be specified in such notice.

(3) The health officer if in his opinion it is necessary as a precaution against the introduction or spread of an infectious disease that any latrine, dustbin, dumping ground or any other place should be cleaned, disinfected or deratted may by notice in writing require the owner or lessee of such latrine, dustbin, dumping ground or other place to clean, disinfect or derat it within a reasonable time to be specified in such notice.

(4) Any such owner or occupier who fails within the time specified in such notice to comply with the same shall be guilty of an offence: Penalty, a fine of \$100 and a further fine of \$20 for every day of continuing default.

(5) When in the opinion of the health officer the owner or occupier is from poverty or otherwise unable effectually to carry out the said requirements the health officer may carry out any of the said requirements at the expense of the local authority.

(6) After the removal from any place of any person suffering from an infectious disease, such place shall be disinfected as the health officer directs, and may be closed for such period as the health officer directs except to persons authorised by the health officer in writing.

Place of
disinfection
may be
provided.

17. (1) Every local authority may provide a proper place or places with all necessary apparatus and attendance for the disinfection, for a reasonable fee to be fixed by the local authority in that behalf, of clothing, bedding or other articles which have become infected, and the health officer may in his discretion cause articles brought for disinfection to be disinfected free of charge.

Infected
articles may
be destroyed.

(2) The health officer may direct the disinfection, disinsectisation or destruction of bedding, clothing or other articles likely to retain infection, and may, subject to the sanction of the local authority, give compensation out of the funds of the local authority for the articles destroyed where in his opinion the owners thereof are unable through poverty to bear the loss.

Infected
houses may be
destroyed.

(3) The local authority may, if the health officer certifies in writing that any building is infected, and is of such construction or material as to be incapable of disinfection except by destruction, destroy such building, but such local authority shall pay the owner of the building compensation for the destruction.

Offences and
penalties.

18. (1) Any person who —

(a) while suffering from any infectious disease, wilfully quits, without the written consent of the health officer, any premises in which he is and enters any other premises or causes himself to be taken from any premises in which he is to any premises;

(b) without the written consent of the health officer, knowingly removes or aids in removing any person whilst suffering from any infectious disease from the premises in which such person is to any other premises;

(c) while suffering from any infectious disease, wilfully exposes himself in any street, public place, shop, inn, theatre, hotel, church, mosque, temple, or any other place used in common by persons other than members of the family or household to which such infected person belongs;

(d) being in charge of any person so suffering, so exposes such sufferer; or

(e) knowingly gives, lends, sells, pawns, transmits, removes or exposes or permits to be washed or exposed in any wash-house or public place, which is used in common by persons other than the family or household to which the infected person belongs, without previous disinfection to the satisfaction of the health officer, any bedding, clothing or other articles which have been exposed to infection from any such disease,

shall be guilty of an offence: Penalty, a fine of \$400.

(2) Proceedings under this section shall not be taken against persons transmitting with proper precautions any bedding, clothing or other articles for the purpose of having the same disinfected, or escorting to hospital persons suffering from infectious disease.

Apprehension of persons suffering from infectious disease.

19. Any health officer may apprehend and take or cause to be apprehended and taken to a place selected by him any person whom he shall find in any public building, street, place or conveyance or in a shop suffering from or suspected by him to be suffering from an infectious disease. Such person may be detained in such a place until he is no longer in an infectious state.

Penalty for depositing corpse in public or private place.

20. Any person who deposits or causes to be deposited the corpse of any person who has died whilst suffering from any infectious disease, in any public or private place other than a grave in which it may be lawfully buried or a crematorium in which it may be lawfully burned, shall be guilty of an offence: Penalty, a fine of \$1,000 and imprisonment for 12 months.

Precautions with regard to children suffering from infectious disease.

21. (1) Any parent or person having care of a child who is or has been suffering from an infectious disease, or who resides in a house where such disease exists or has existed within a period of 3 months, who knowingly or negligently permits such child to attend school without procuring or producing to the teacher or other person in charge of such school a certificate from the health officer, which he shall grant free of charge, that such child has become free from disease or infection and that the house and everything therein exposed to infection has been disinfected to the satisfaction of the health officer, shall be guilty of an offence: Penalty, a fine of \$50.

(2) Any teacher or person in charge of any school who knowingly permits any child to attend such school in contravention of this section shall be guilty of an offence: Penalty, a fine of \$50.

Throwing infected articles into drains or streets, etc.

22. (1) Any person, who knowingly casts or causes or permits to be cast into any drain, ditch, water channel, street or open space or otherwise exposes any matter or article infected or which may have been infected by infectious disease, shall be guilty of an offence: Penalty, a fine of \$100.

(2) The local authority shall cause its officers to serve notices of the provision of this section on the occupier of any house or part of a house in which it is aware that there is a person suffering from an infectious disease.

23. (1) No owner or person in charge of a public conveyance nor any other person shall knowingly convey or place therein a person suffering from any infectious disease or the corpse of a person who has died whilst suffering from any such disease.

Prohibition of the conveyance of persons suffering from infectious disease or corpses of persons who have died from such disease.

(2) No person suffering from any such disease shall enter any public conveyance.

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence: Penalty, a fine of \$200.

(4) If any person so suffering, or any such corpse, is conveyed in any public or private conveyance, the owner or person in charge thereof so soon as it comes to his knowledge shall give notice to the health officer, and if he fails so to do he shall be guilty of an offence: Penalty, a fine not exceeding \$100, and such owner or person in charge shall be entitled to recover in a summary manner before a Court of a Magistrate from the person so conveyed by him, or from the person causing that person or corpse to be so conveyed, a sum sufficient to cover any loss and expense incurred by him in connection with the disinfection of the conveyance.

(5) The health officer when so notified by such owner or person in charge shall provide for the disinfection of such conveyance and may do so free of charge.

(6) Nothing in this section shall prevent the removal by an ambulance or other proper vehicle provided by the local authority of persons suffering from infectious disease or the bodies of those who have died whilst suffering from such disease.

24. (1) Any person who knowingly lets a house or other building, or part of a house or building, in which any person has been suffering from an infectious disease, without having such house or other building or part thereof and all articles therein liable to retain infection disinfected to the satisfaction of the health officer, as testified by such officer's certificate, shall be guilty of an offence: Penalty, a fine of \$400.

Letting infected houses.

(2) For the purpose of this section a hotel, boarding-house or lodging-house keeper shall be deemed to let part of his house to any person admitted as a guest into his hotel, boarding-house or lodging-house.

Duty of person letting house lately infected.

25. Any person letting for hire, or showing for the purpose of letting for hire, any house or part of a house who fails to inform any person negotiating for the hire as to the fact of there being or within 6 weeks previously having been therein any person suffering from any infectious disease such fact being known to him, or who knowingly makes a false answer when questioned by such person as to such fact, shall be guilty of an offence: Penalty, a fine of \$400.

Duty of person ceasing to occupy house lately infected and penalty for failure to perform.

26. (1) Any person who ceases to occupy any house or building, or part of a house or building, in which any person has within 6 weeks previously been suffering from any infectious disease, and —

(a) fails to have such house or building or part of a house or building and all articles therein liable to retain infection disinfected to the satisfaction of the health officer, as testified by a certificate signed by him, or to have such articles destroyed;

(b) fails to give to the owner or occupier of such house or building, or part of a house or building, notice of the previous existence of such disease; or

(c) on being questioned by the owner or occupier of or any person negotiating for the hire of such house or building or part of a house or building as to the fact of there having within 6 weeks previously been therein any person suffering from any infectious disease, knowingly makes a false statement to such question,

shall be guilty of an offence: Penalty, a fine of \$400.

(2) The local authority shall cause its officers to serve notice of the provisions of this section on the occupier of any house or part of a house in which it is aware that there is a person suffering from an infectious disease.

27. Any person who knows himself to be suffering from an infectious disease, or tuberculosis, or to be living in a house in which there is any infectious disease, and who milks any animal or picks fruit or engages in any occupation connected with food or carries on any trade or business in such a manner as to be likely to spread such disease, shall be guilty of an offence: Penalty, a fine of \$200.

No infected person to milk any animal or pick fruit, etc.

28. (1) If the health officer of any district has evidence that any person is suffering from infectious disease attributable to milk supplied within the district from any dairy situate within or without the district, or that the milk from any such dairy is likely to cause any such disease to any person residing within the district, such health officer shall visit such dairy and shall examine such dairy and every person engaged in the service thereof or resident upon the premises or who is resident in any of the premises where any person employed in such dairy may reside, and shall require a veterinary officer to examine the animals therein and shall forthwith report the results of his examination and that of the veterinary officer to the local authority.

Powers with regard to dairies where infectious disease is attributable to milk.

(2) The local authority may require the dairyman not to supply milk, and may order the removal of all milch cows or buffaloes from such premises to a Government or municipal quarantine station for animals for such period as the health officer considers necessary in order to check the spread of such infectious disease.

(3) No order shall be made for removal of any milch cows or buffaloes unless a veterinary officer certifies that such removal is necessary.

(4) Any dairyman aggrieved by any such requisition or order may appeal to the Minister whose decision shall be final, but pending the disposal of any such appeal the order shall remain in force.

(5) Any person who refuses to permit the health officer or veterinary officer to make any examination necessary for the purposes of this section or, after any order has been made under

this section, supplies milk in contravention of the order, shall be guilty of an offence: Penalty, a fine of \$200 and, if the offence continues, a further fine of \$100 for every day during which the offence continues.

(6) A dairyman shall not be liable to an action for breach of contract if the breach is due to an order under this section.

When local authority may require dairyman to furnish list of his customers, etc.

29. (1) When it is certified to the local authority by the health officer or other medical practitioner that an outbreak or spread of infectious disease, in the opinion of the health officer or medical practitioner, attributable to milk supplied by any dairyman, whether wholesale or retail, or to milk supplied by one or other of several such dairymen, whether whole sale or retail —

(a) the local authority may require such dairy man or dairymen, whether within or without the district, to furnish within 24 hours a full and complete list of the names and addresses of all his or their customers, so far as known to him, and such dairyman or dairymen shall furnish such list accordingly;

(b) the local authority may require such dairyman or dairymen to furnish within 24 hours a full and complete list of the persons from whom, during a period to be specified the milk or any part of the milk which he or they sell or distribute was obtained, and, if required, to produce and exhibit to the health officer or to any person deputed by him all accounts, contracts or books connected with the consignment or purchase of milk during such period, and such dairyman or dairymen shall furnish such lists and produce and exhibit such accounts, contract or books accordingly.

(2) Any person who wilfully or knowingly omits to furnish such list or to produce and exhibit such accounts, contracts or books shall, for every such offence, be guilty of an offence: Penalty, a fine of \$100 and a further fine of \$40 for every day during which such omission continues.

30. (1) When it is certified to the local authority by the health officer that it is desirable, with the view to prevent the spread of infectious disease, that should it be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing, cleaning or ironing of clothes, the local authority may require such person or company to furnish within 24 hours a full and complete list of the names and addresses of the owners of clothes, for whom such person or company washes or has washed or cleans or has cleaned or irons or has ironed during the past 6 weeks, and such person or company shall furnish such list accordingly.

Persons engaged in washing clothes to furnish list of owners of clothes in certain cases.

(2) Any person who wilfully or knowingly omits to furnish such list shall be guilty of an offence: Penalty, a fine of \$100 and a further fine of \$20 for every day during which such omission continues.

31. Any person who takes or sends to any public washhouse or to any laundry or cleaner, for the purpose of being washed or cleaned, any bedding, clothes or other things which he knows to have been exposed to infection from any infectious disease, unless they have been disinfected by or to the satisfaction of the health officer, shall be guilty of an offence: Penalty, a fine of \$200.

Infected clothes not to be sent to laundry.

32. (1) When any local area appears to be threatened with or is affected by any infectious disease the local authority, if it thinks that the ordinary precautions are insufficient to prevent the introduction or check the spread of such disease, may, with the sanction of the Minister, take such special measures as it thinks necessary or proper to prevent the introduction or check the spread of such disease, and the expenses of any such measures shall be paid by the local authority.

Extraordinary powers.

(2) Such measures and any regulations made to give effect thereto shall be published in the *Gazette*.

(3) Any person residing in such local area shall undergo such medical examination, vaccination, and disinfection as the health officer may direct. The health officer may place any person in such local area under observation in a place decided upon by him or under surveillance as he may think necessary.

(4) Any person who wilfully neglects or refuses to carry out or obstructs the execution of any regulation or order made under this section shall be guilty of an offence: Penalty, a fine of \$1,000.

Persons leaving infected area under-surveillance.

33. Every person permitted to leave an infected area under surveillance shall comply with the following conditions, that is to say —

- (i) he shall satisfy the health officer as to his name, intended destination and his place of residence thereat, and that such place is conveniently situated for medical supervision;
- (ii) he shall furnish the undertaking as set forth in the Second Schedule; and
- (iii) he shall present himself for medical supervision during the prescribed period and he may be required by the health officer to deposit such sum of money as is fixed by the health officer which may be forfeited if he fail to present himself.

Power to prohibit public meeting or entertainment.

34. Whenever it appears to the health officer that the holding of any public meeting or any public entertainment is likely to tend to the spread of any infectious disease the local authority may, if requested by the health officer, prohibit such meeting or entertainment in any place and any person who is present at or takes part in any such prohibited meeting or entertainment shall be guilty of an offence against this Act.

Measures against rats.

35. (1) For the purpose of minimising the danger of the spread of infectious disease by rats or their parasites, the local authority, on the advice of the health officer or port health officer, may by order in writing require the owner or occupier (at his own expense and without compensation for any loss or damage that may result) of any dock, godown, shophouse or other place used for the storage or sale of rice, grain, or any other article likely to attract or harbour rats or their parasites, to take such measures as may be specified in such notice.

(a) for the prevention of access by rats or their parasites both to the dock, godown, shophouse or other place, and to such articles stored therein; or

(b) for the deratting or disinfection of the dock, godown, shophouse or other place.

(2) Any person who fails to take such measures shall be guilty of an offence: Penalty, a fine of \$200 and a further fine of \$100 for every day during which such failure continues.

36. It shall be lawful for any health officer to order the destruction of any animal except a milch cow or a buffalo which he has reason to believe is likely to be an agent in the transmission of an infectious disease and to dispose of the carcass of any animal so destroyed in such manner as he may think proper. The local authority may pay the owner of the animal compensation for the destruction.

Power to order destruction of animal.

PART IV

VACCINATION

37. (1) His Majesty may —

Officers appointed.

(a) appoint the Director of Medical Services to be Superintendent of Vaccination for Brunei Darussalam with such other Deputy Superintendents and such public vaccinators and subordinate officers as are required for performing the duties prescribed by this Act with such salaries or payments by fees as seem to be required; and

(b) appoint the districts and places within which the several vaccinators and subordinate officers shall carry on their duties; and

(c) make rules and orders for the proper conduct of the duties of the several officers so appointed.

(2) Vaccination by any person other than a public vaccinator or a medical practitioner is prohibited.

Supply of
vaccine virus.

38. The Superintendent and Deputy Superintendents of Vaccination shall take measures subject to the orders of the Minister for the regular supply of vaccine virus to the several district and subordinate officers, and superintend the distribution of the same.

Vaccination
of infants.

39. (1) The parents of every child born in Brunei Darussalam shall within 6 months after its birth and the parent of every child not born in Brunei Darussalam, but residing therein, shall within 6 months after its arrival in Brunei Darussalam, if evidence of successful vaccination cannot be produced and any other person who has the custody of any such child by reason of the death, illness, absence or inability of the parent or other cause shall, if evidence of successful vaccination cannot be produced, within 6 months after receiving the custody of such child take or cause it to be taken to the public vaccinator of the vaccination district in which it is then resident or to a medical practitioner.

(2) The public vaccinator or medical practitioner to whom the child is brought shall with all reasonable despatch vaccinate it.

Vaccination
at the age of
7 years.

(3) (a) The parent or any person having the custody of any child in Brunei Darussalam who has attained the age of 7 years shall within 6 months after such child has attained the said age, take such child to a public vaccinator or medical practitioner for examination.

(b) If the public vaccinator or medical practitioner is of opinion that such child —

- (i) has not been successfully vaccinated within the previous 12 months he shall forthwith vaccinate the child;
- (ii) has been successfully vaccinated within the previous 12 months he shall direct when such child shall be brought for vaccination:

Provided that no child who has been twice successfully vaccinated before the age of 10 years shall be required to submit to further vaccination except as hereinafter enacted.

40. (1) Upon the same day in the following week when the operation has been performed by the public vaccinator or such other person as aforesaid, such parent or other person, as the case may be, shall again take the child or cause it to be taken to such place as is directed by the public vaccinator there to be inspected by the Deputy Superintendent of Vaccination or such other person as aforesaid to ascertain the result of the operation.

Inspection
after
vaccination.

(2) In the event of the vaccination being unsuccessful such parent or other person shall, if the public vaccinator or such other person as aforesaid so directs, cause the child to be forthwith again vaccinated and inspected as on the previous occasion.

41. (1) If any Deputy Superintendent of Vaccination or public vaccinator or such other person as aforesaid is of opinion that any child is not in a fit and proper state to be successfully vaccinated, he shall forthwith deliver to the parent or other person having the custody of such child a certificate under his hand according to Form II in the Third Schedule that the child is then in a state unfit for successful vaccination.

Certificate of
unfitness for
vaccination.

(2) The certificate shall remain in force for 2 months and shall be renewable for successive periods of 2 months.

(3) At or before the end of each successive period the parent or such person as aforesaid shall take or cause the child to be taken to the Deputy Superintendent of Vaccination or such other person as aforesaid who shall then examine the child and vaccinate it or give a certificate according to the said Form II.

(4) If the certificate is not under the hand of the Deputy Superintendent of Vaccination, the person who gives the certificate shall within 7 days after the delivery thereof to the parent of such person as aforesaid transmit a copy of the same by post or otherwise to the Deputy Superintendent.

Certificate of insusceptibility of vaccination.

42. If any such Deputy Superintendent of Vaccination or such other person as aforesaid finds that a child who has been 3 times unsuccessfully vaccinated is insusceptible of successful vaccination or that a child brought to him for vaccination has already had small-pox, he shall deliver to the parent or other person as aforesaid a certificate under his hand according to Form III in the Third Schedule, and shall also, if the certificate is not under the hand of the Deputy Superintendent of Vaccination, transmit within 7 days thereafter a copy of the same by post or otherwise to the Deputy Superintendent of Vaccination, and the child shall thenceforth not be required to be vaccinated.

Certificate of vaccination to be sent to Superintendent.

43. Every Deputy Superintendent or such other person as aforesaid, who has inspected the vaccination of any child and has ascertained that the same has been successful, shall, within 7 days after the performance of the operation, transmit by post or otherwise to the Superintendent, if the certificate is not under the hand of the Superintendent, a certificate according to Form IV in the Third Schedule certifying that such child has been successfully vaccinated, and upon request shall deliver a duplicate thereof to the parent or other person as aforesaid.

Registrar to give notice to vaccinate.

44. The Registrar of Births and Deaths shall, immediately after the registration with him of the birth of any child, give a notice in Form I in the Third Schedule to the parent, or, in the event of the death, illness, absence or inability of the parent, to the person having the custody of such child, requiring such child to be duly vaccinated.

Books of notices to vaccinate and of certificates.

45. (1) Every Registrar of Births and Deaths shall keep a book in which he shall enter, in such form and manner as the Minister directs, minutes of the notices of vaccination given by him, and every Deputy Superintendent shall keep a book in which he shall register the certificates transmitted to him.

(2) Searches may be made at all reasonable times in such books, and a copy of any entry in the same shall be given upon demand under the hand of the Registrar of Births and Deaths or of the Deputy Superintendent, on payment of a fee of \$5.00.

46. (1) Every medical practitioner who vaccinates a child shall perform all the duties in connection with such vaccination as are required by this Act to be performed by a Deputy Superintendent of Vaccination, and shall have the powers and authority of a Deputy Superintendent of Vaccination in respect to such vaccination.

Private
vaccination.

(2) The parent or person taking any child to a medical practitioner for vaccination shall be subject to the provisions of this Act for vaccination by a public vaccinator as to the time and manner of such vaccination, subsequent inspection and certificates.

47. (1) Every parent or person having the custody of a child, who neglects to take such child or to cause it to be taken to be vaccinated or after vaccination to be inspected and does not render a reasonable excuse for his neglect, shall be guilty of an offence: Penalty, a fine of \$50, and upon conviction the court shall make an order directing such child to be vaccinated within a certain time.

Penalty for not
vaccinating.

(2) If at the expiration of such time the child has not been so vaccinated or is not shown to be then unfit to be vaccinated, the person so ordered, unless he can show some reasonable ground for his omission to carry the order into effect, shall be guilty of an offence: Penalty, a fine of \$100, and for every day he has omitted to carry the order into effect a fine of \$10.

48. Any public vaccinator, medical practitioner, parent or person, who neglects or omits to perform any duty imposed by this Act, shall be guilty of an offence: Penalty, where not otherwise specially provided for, a fine of \$100.

Offences and
general
penalty.

49. Any person, who produces or attempts to produce in any child or person by inoculation with variolous matter or by wilful exposure to variolous matter or to any matter, article or thing impregnated with variolous matter, or wilfully by any other means whatsoever produces or attempts to produce the disease of small-pox in any such child or person, shall be guilty of an

Inoculation.

offence: Penalty, a fine of \$1,000, and imprisonment for 6 months.

Vaccination of persons to the risk of infection.

50. (1) If the health officer or port health officer considers that it is desirable that any person who in his opinion might have been subjected to the risk of infection from any infectious disease, should be vaccinated, such health officer or port health officer may direct such person to be forthwith vaccinated, and the health officer or port health officer shall, if required by such person, either by himself or by some other qualified person perform such vaccination free of charge.

(2) Upon the occurrence of any outbreak of an infectious disease in any district or local area in Brunei Darussalam, the Minister may on the recommendation of the Director of Medical Services declare that an epidemic exists, and may thereupon order that every person in such district or local area who has not had an attack of such infectious disease or has not been protected by recent vaccination shall forthwith be vaccinated and the health officer shall either himself or by some other qualified person perform such vaccination free of charge.

(3) If any person who has been directed or ordered under subsection (1) or (2) to be vaccinated refuses to be vaccinated, the health officer or port health officer may direct that such person shall be removed to a Government or local authority quarantine station and there detained for such person as is necessary to ensure that such person is not infected with an infectious disease.

(4) Any person who, having been directed to be removed to a quarantine station, escapes from such station —

(a) may be arrested without warrant by the person in charge of such station or by any officer or servant belonging thereto or by any police officer, and may be again conveyed to and detained in such station; and

(b) shall be guilty of an offence: Penalty, a fine of \$500.

(5) Any person who refuses to be vaccinated as above required, shall be guilty of an offence: Penalty, a fine of \$50.

(6) If any case of infectious disease has occurred on any ship during her current voyage or after arrival in the waters of Brunei Darussalam, the port health officer by order on the agents or master of the ship may require the vaccination of so many of the crew and passengers as he deems to have been exposed to infection.

(7) Any member of the crew or any passenger required to be vaccinated under subsection (6), who refuses to be vaccinated, shall not be permitted to land in Brunei Darussalam.

(8) When in the opinion of the health officer, port health officer or of any medical practitioner, who shall certify the same in writing, any person is not in a fit or proper state to be vaccinated or has already suffered from an attack of such infectious disease or has already been protected by recent vaccination no further vaccination shall be compulsory.

(9) The master shall detain on the ship any member of the crew and any passenger who is not permitted to land in Brunei Darussalam, and may use any means reasonably necessary for that purpose.

(10) Any person landing in Brunei Darussalam, who has refused to submit to vaccination, shall be guilty of an offence: Penalty, a fine of \$1,000, and the master, owners or agents of the ship shall also be guilty of an offence: Penalty, a fine of \$1,000.

51. (1) No pilgrim, and no immigrant, who in the opinion of the port health officer or health officer has not suffered from small-pox or has not been successfully vaccinated within 5 years immediately preceding, shall enter or land in Brunei Darussalam until he has been vaccinated.

Vaccination of pilgrims and immigrants.

(2) If the port health officer or health officer so directs, no immigrant or pilgrim from an infected or suspected local area shall be permitted to enter or land in Brunei Darussalam, unless the port health officer or health officer is satisfied that he has

been protected by recent vaccination against the infectious disease in respect of which such local area was declared to be infected or suspected at the time of his embarkation.

(3) Whenever the port health officer notifies the agents or master of any ship that he requires immigrants or pilgrims in such ship to be vaccinated, such ship shall anchor at a quarantine anchorage, and the immigrants or pilgrims therein shall not be permitted to land in Brunei Darussalam until they have been vaccinated: provided that, if in the opinion of the port health officer it is not desirable or necessary to vaccinate any of such immigrants or pilgrims, any such immigrants or pilgrims may land without being vaccinated.

(4) The master shall detain on the ship every immigrant or pilgrim until such immigrant or pilgrim has been permitted by the port health officer to land, and may use any means reasonably necessary for that purpose.

Penalties.

(5) Whenever any immigrant or pilgrim enters or lands contrary to this section —

(a) he shall be guilty of an offence: Penalty, a fine of \$400;

(b) the master, owner or agent of the ship by which he was brought to Brunei Darussalam shall be liable to the like penalty; and

(c) the court imposing the fine may make an order directing that such immigrant or pilgrim shall be vaccinated within a certain time, and that in default of the order being complied with such immigrant or pilgrim shall be returned as soon as possible to his place of embarkation by or at the expense of the agents of the ship by which he was brought to Brunei Darussalam; or if he has come otherwise than by sea, to his country of origin or to the place from which he entered Brunei Darussalam, in either case at his own expense.

52. (1) As soon as practicable after any person is received as an inmate of any place of detention, refuge, industrial school, charitable institution, lunatic asylum or other establishment for the poor or any prison, the master or other person in charge of such establishment, or the Superintendent or officer in charge of such prison, shall, at the expense of such establishment or prison, cause such inmate to be vaccinated by a public vaccinator.

Vaccination of inmates of certain institutions.

(2) Vaccination under this section shall not be compulsory in any of the following cases —

(a) in the case of an inmate who produces satisfactory evidence that he has recently been successfully vaccinated or that he is not susceptible of successful vaccination;

(b) in the case of an inmate who, in the opinion of a medical practitioner, cannot be submitted to the operation without danger to the inmate;

(c) in the case of the inmate of a lunatic asylum, where the medical officer of the institution is of opinion that for any reason the operation would be inexpedient.

(3) The Minister may by notification declare an age after which vaccination under this section shall not be compulsory.

53. (1) The parent, or person who has the custody of any unvaccinated pupils attending a Government school, shall cause such pupil to be vaccinated as hereinbefore provided by this Act.

Vaccination of pupils attending Government school.

(2) For the purposes of this section “Government school” includes every school that is maintained in whole or in part out of public or local grants, rates, funds or endowments.

(3) For all the purposes of this section the provisions of this Act relating to certificates of unfitness, insusceptibility and vaccination shall apply.

(4) Any parent or person having the custody of such pupils, who fails or neglects, after having been served with a notice from the public vaccinator or Deputy Superintendent requiring such pupil to be vaccinated, to cause such pupil to be vaccinated, shall be guilty of an offence: Penalty, a fine of \$100, and such pupil shall not be admitted to any Government school until he has been vaccinated.

Prosecutions. **54.** In any prosecution for failing to procure the vaccination of a child —

(a) it shall not be necessary to prove that the accused had received any notice of the requirements of this Act;

(b) the production of a certificate according to either Form III or IV in the Third Schedule or the register of vaccinations containing an entry of the successful vaccination of such child shall be a good defence;

(c) the production of a certificate according to Form II in the Third Schedule shall be a good defence where the time therein specified for postponement of vaccination has not expired before the information is laid.

Prosecutions how instituted. **55.** No prosecution for any offence under this Act relating to vaccination shall be instituted except by the authority of the Superintendent of Vaccination or a Deputy Superintendent of Vaccination.

PART V

PREVENTION OF THE INTRODUCTION OR TRANSMISSION OF INFECTIOUS DISEASE

Entering Brunei Darussalam. **56.** For the purposes of this Act and the regulations made thereunder, landing at or entering a quarantine station under the instructions of a port health officer or health officer shall not be deemed to be landing in or entering Brunei Darussalam.

57. (1) Where it is provided by this Act or any regulation made thereunder that a person may be subjected to surveillance, the port health officer or health officer may direct that any person who fails to give a guarantee required by this Act or any regulation made thereunder shall be subjected to observation.

Surveillance
and
observation.

(2) Every person who is subjected to surveillance or observation shall give facilities for such clinical or bacteriological investigations and shall submit to such medical examination, disinfection, disinsectisation, vaccination or treatment, as is considered necessary by the port health officer or health officer.

(3) Every person arriving or residing in Brunei Darussalam who is a germ-carrier of an infectious disease may be subjected to any of the measures which may be imposed under the provisions of this Act or regulations made thereunder in respect of any disease of which such person is a germ-carrier.

58. Whenever the Minister has reason to believe that a dangerous infectious disease may be introduced into Brunei Darussalam from or through any local area within or without Brunei Darussalam, such local area may, on account of the occurrence of a single non-imported case of either plaque or yellow fever or on account of the existence of a foyer of cholera or of an epidemic of typhus or small-pox, by notification in the *Gazette* be declared by the Minister to be a suspected or infected local area.

Declaration of
suspected or
infected local
area.

59. When a local area within or without Brunei Darussalam has been declared to be an infected local area, the Minister may issue an order prohibiting the landing in Brunei Darussalam of passengers brought from such local area, except under conditions prescribed by him.

Prohibition of
landing of
passengers
from infected
local area.

60. (1) Any ship which arrives at any local area of Brunei Darussalam from a local area which has been declared by notification in the *Gazette* to be an infected or suspected local area shall show the appropriate signal prescribed by the regulations made under this Act, and anchor at the appointed quarantine anchorage, and shall forthwith be inspected by a port

Obligation of
ships from
infected or
suspected
local area.

health officer, except that the requirement to anchor at the quarantine anchorage shall not extend to —

(a) Such mail-ships as are exempted by the Minister:

Provided that —

- (i) Such mail-ships carry no deck-passengers; and
- (ii) The master of any such mail-ship has notified the port health officer by wireless message or signal, not less than 12 hours prior to the arrival of such ship, that there is no case or suspected case of infectious disease on board; and
- (iii) The master of any such mail-ship produces on arrival in port a signal declaration in the Form in the Fourth Schedule.

(b) Ships arriving at a local area in Brunei Darussalam directly from a previous port of call in Brunei Darussalam where exemption has been granted by the port health officer in writing in the form in the Tenth Schedule.

(2) Any master or other person who contravenes the provisions of section 60(1)(a) shall be liable on conviction before a Court of a Magistrate to a fine of \$10,000 and imprisonment for one year.

(3) The port health officer shall go on board such ship and put to the master, surgeon, chinchew, supercargo or any other person on board the ship such questions as he deems necessary in order to ascertain the state of health of persons on board, the number of or mortality among the rats on board, the sanitary condition of the ship and cargo and the sanitary conditions of the local area of departure or of intermediate ports

touched at, and may require the presence for inspection and examination of all persons on board, and may inspect every part of the ship and shall be entitled to inspect the journal or log book and all ship's papers.

(4) The port health officer, after making such inquiry, inspection or examination, shall deal with the ship, persons and things on board such ship in the manner provided by this Act and by the regulations made thereunder.

61. Any ship arriving in the waters of Brunei Darussalam may be visited by the port health officer, who may exercise all or any of the powers vested in him by section 60(3) and (4) and shall deal with the ship in the manner provided by this Act or by the regulations made thereunder.

All ships may be visited by port health officer.

62. The Commissioner of Police shall furnish such police assistance as the port health officer requires for the purpose of enabling him to exercise the powers vested in him by this Act and to deal with ships, persons and things on board thereof in the prescribed manner.

Police assistance to be rendered to port health officer.

63. Any master or other person who —

(a) prevents or attempts to prevent the port health officer from going on board any ship;

(b) conceals from that officer the true state of the health of the crew or passengers or other persons on board any ship or any increase in the number of or mortality amongst the rats on board;

(c) refuses to answer or gives an untrue answer to any inquiry made by the said officer under this Act;

(d) fails to produce the journal or log and ship's papers of any ship or any of them on demand to the said officer;

(e) fails to present all persons on board for inspection and examination when required to do so by the said officer; or

Penalty for preventing port health officer inspecting ship.

(f) prevents or attempts to prevent that officer from inspecting any part of the ship,

shall be guilty of an offence: Penalty, a fine of \$1,000.

Duty
of master
or surgeon.

64. (1) On the arrival at any local area of Brunei Darussalam of a ship —

(a) which has come from any local area in which at the time of its departure an infectious disease existed; or

(b) in which a case of infectious disease occurred before its departure from another local area or during the voyage; or

(c) in which a person apparently suffering from an infectious disease is travelling,

the master, surgeon, chinchew or supercargo of such ship shall truly declare the same in writing to the pilot or port officer or port health officer who comes alongside or on board such ship.

(2) Such ship shall be anchored at a quarantine anchorage if the pilot or port officer or port health officer shall so direct, and shall remain there until the port health officer has granted pratique in writing in the prescribed form:

Provided that this subsection shall not apply to a mail-ship exempted under section 60(1)(a) to which neither paragraph (b) nor paragraph (c) of subsection (1) of this section applies.

Precautions
against rats.

65. (1) The master or agents of any ship lying in the waters of Brunei Darussalam shall take such precautions as may be directed by a port health officer to prevent rats from leaving or entering such ship.

(2) If a ship has called during the current voyage at a port declared by notification in the *Gazette* to be infected in respect of plague, such ship shall, if so directed by a port health officer, anchor at a quarantine anchorage during its stay in port

or until it has been deratted to the satisfaction of the port health officer.

(3) The master, owner or agent of every ship shall, if so required by the port health officer, remove any partition which is not required for the safety of the ship or for the accommodation of the crew, passengers or cargo but is likely to harbour rats or to prevent the destruction of rats by fumigation.

66. (1) The master of any ship which has sailed from any local area on or after the date of notification in the *Gazette* that the local area is infected or suspected; or in which there is any case of dangerous infectious disease, or in which there has been such a case since the ship left its last port while such ship is lying within the waters of Brunei Darussalam but outside port limits, shall —

(a) prevent and if necessary detain any person from disembarking from such ship; and

(b) detain any person from Brunei Darussalam who, without permission from the port health officer, boards such ship; and

(c) deliver any person detained to the port health officer; and

(d) prevent any baggage or cargo from being discharged from such ship; and

(e) prevent any rats from leaving or entering such ship.

(2) Every such ship lying within the waters of Brunei Darussalam shall show the appropriate signal prescribed by the regulations made under this Act.

(3) No person shall, without the permission of the port health officer, disembark from such ship.

(4) No person shall, without the permission of the port health officer, board such ship or approach within 200 yards

Unauthorised boarding or disembarking from infected ship or ship coming from infected or suspected local area, while limits, is outside port limits, prohibited.

thereof for the purpose of communicating with any person thereon.

(5) Any person from Brunei Darussalam boarding such ship, without the permission of the port health officer, shall be subject to the provisions of this Act and the regulations made thereunder as if he were a passenger on such ship and such ship has come within the limits of a port.

(6) The master or any other person who fails to comply with any of the provisions of this section, and any person aiding or abetting such master or other person as aforesaid, shall be liable on conviction before a Court of a Magistrate to a fine of \$1,000, and imprisonment for one year.

Declaration
by master,
surgeon and
chinchew.

67. (1) The master, surgeon and chinchew or supercargo of any vessel arriving in Brunei Darussalam shall make and sign a true declaration according to the Form in the Fourth Schedule as to the number of crew and passengers, the presence or prevalence of infectious disease on board during the voyage, the number of deaths and such other particulars as are set out in such declaration.

(2) Such declaration purporting to be signed by the master, surgeon and chinchew or supercargo shall be deemed to have been so signed.

(3) Any information contained in such declaration, which is subsequently found to be untrue, shall render such master, surgeon and chinchew or supercargo guilty of an offence: Penalty, a fine of \$2,000 each, and imprisonment for 6 months.

(4) Any master, surgeon, chinchew or supercargo who fails to make and sign a declaration as herein required, shall be guilty of an offence: Penalty, a fine of \$1,000.

Passenger lists
to be delivered
to port health
officer.

68. (1) A copy of the passenger lists shall be lodged with the port health officer if he shall so direct as soon as possible after the arrival of any ship in the waters of Brunei Darussalam.

Inspection of
manifest.

(2) The port health officer also be entitled to inspect the manifest of any ship's cargo upon the arrival of such ship in waters of Brunei Darussalam.

69. (1) The port health officer may detain at a quarantine station any passenger who is found on arrival in Brunei Darussalam to be suffering from an infectious disease, dysentery, measles, mumps, contagious ophthalmia, malaria, pulmonary tuberculosis, syphilis, or trachoma until such time as the disease is no longer communicable to other people.

Detention of passengers at quarantine station.

(2) If the disease is pulmonary tuberculosis, leprosy, syphilis or trachoma, and the diseased person is not a citizen of Brunei Darussalam, such person shall, unless specially exempted by the Minister, be returned to his place of origin or embarkation by or at the expense of the agents of the ship by which he arrived in Brunei Darussalam.

(3) Any person refusing prophylactic vaccination against any dangerous infectious disease may be detained for observation by the port health officer for a period not exceeding the quarantine period for such disease.

70. The port health officer may limit to 250 the number of persons to be detained at a quarantine station in Brunei Darussalam from any one ship under the provisions of this Act or of the regulations made thereunder. The remaining persons, if any, in such ships may be detained for observation in the ship or in a hulk at a quarantine anchorage or elsewhere as the port health officer shall direct.

Power to limit number of persons detained at quarantine station.

71. (1) No person shall knowingly import into Brunei Darussalam any living noxious insect, or any living pest, or any living disease germ or microbe or any active bacterial culture without the written permission of a health or port health officer according to the Form in the Fifth Schedule.

Importation of noxious insects, etc.

(2) Any person who imports anything contrary to this section shall be guilty of an offence: Penalty, a fine of \$1,000.

72. (1) No person shall import into Brunei Darussalam or abet the importation into Brunei Darussalam of, the virus of yellow fever or any substance infected with the causative agent of yellow fever or shall be in possession of such virus or substance.

Prohibition of importation and possession of the virus of yellow fever.

(2) Any person who commits a breach of the provisions of this section shall be liable, on conviction before a Court of a Magistrate to a fine of \$10,000 and imprisonment for 2 years.

Examination and seizure of imported goods.

73. (1) A health or port health officer may examine and seize any imported articles or goods which are or likely to be in his opinion infected with a disease affecting human beings or animals or which contain or appear to contain any noxious insect or disease agent or to be unfit for human consumption.

(2) All infected or suspected goods or articles seized under this section shall be dealt with in such manner as the health or port health officer directs, and if found to be infected or to be unfit for human consumption or likely to create a nuisance or likely to be a danger to health may forthwith be destroyed by the written orders of the health or port health officer according to the Form in the Sixth Schedule, a copy of which shall be given to the importers, if known.

Exemption of postal articles.

74. (1) Letters and correspondence, printed matter, books, newspapers, business documents and similar documents shall not be subjected to any sanitary measure.

(2) Parcels conveyed by post shall be subjected to restriction only if their contents include articles to which the restrictions set out in section 76 are applicable.

Ships leaving infected or suspected local area.

75. All ships, persons, animals, rats and things leaving or being exported from any infected or suspected local area in Brunei Darussalam, shall be subjected to such measures as are specified by this Act and the regulations made thereunder.

Measures in respect of merchandise or baggage.

76. (1) Subject to the provisions of subsection (2), or of any other written law, merchandise or baggage shall not be detained or prevented from entering Brunei Darussalam.

(2) When a local area, whether within or without Brunei Darussalam, has been declared under section 58 by notification in the *Gazette* to be infected, the port health officer may take or order to be taken the following measures in respect of merchandise or baggage which it is desired to import from

such local area without Brunei Darussalam or to export from such local area within Brunei Darussalam —

- (a) When the infectious disease is plague —
 - (i) body linen or wearing apparel recently worn or bedding which has been in recent use may be subjected to disinsectisation, and, if such officer considers it necessary, to disinfection;
 - (ii) merchandise likely to harbour plague-infected rats may be prohibited from being unloaded unless the precautions necessary to prevent the escape of rats and to ensure their destruction are taken as far as practicable.
- (b) When the infectious disease is cholera —
 - (i) body linen or wearing apparel recently worn, or bedding which has been in recent use may be subjected to disinfection;
 - (ii) fresh fish, shell-fish, vegetables, fruit or water may be prohibited from being imported, unless they have undergone a treatment calculated to destroy cholera vibrios.
- (c) When the infectious disease is typhus —
 - (i) body linen or wearing apparel recently worn, bedding which has been in recent use, or rags not carried as merchandise in bulk, may be subjected to disinsectisation.
- (d) When the infectious disease is small-pox —
 - (i) body linen or wearing apparel recently worn, bedding which has been in recent

use, or rags not carried as merchandise in bulk, may be subjected to disinfection.

(3) When the port health officer or health officer has ordered to be taken any of the measures set out in subsection (2), every person who in any way contravenes any order with respect to such merchandise or baggage, and the master or chinchew of any ship, the guard of any railway-train, or the driver of any vehicle, in which such merchandise is imported or exported, and the person importing or exporting such merchandise or baggage, shall be guilty of an offence: Penalty, a fine not exceeding \$200, and such merchandise or baggage may be confiscated, disinfected, disinsectised, derrated, treated or destroyed, at the discretion of the port health officer without compensation.

(4) Whenever the port health officer or health officer is empowered by this Act or any regulation made thereunder to disinfect any article, such officer may destroy by fire any clothes or other articles small value, including rags not carried as merchandise in bulk.

(5) The value of all articles so destroyed shall be assessed by such officer and paid as compensation to the owner of such articles by the local authority.

Corpses.

77. (1) No corpse or human remains or bones other than cremated ashes shall be brought into or exported from any local area in Brunei Darussalam, unless accompanied by a medical certificate or other satisfactory evidence showing the name of the deceased, the date and cause of death and the means adopted to preserve the body, and such corpse or human remains or bones shall not be landed or transhipped or exported without the written permission of a port health officer according to the Form in the Ninth Schedule.

(2) Anyone who commits a breach of this section shall be guilty of an offence: Penalty, a fine of \$1,000.

Water boats.

78. (1) The owner or boatman of any boat or ship employed as a water boat or carrying water or food intended for human consumption or sale shall keep his boat or ship and the water or food receptacles therein in a clean condition, and shall

not carry for sale or distribute any water or food which is liable to be injurious to health.

(2) The port health officer may take samples of any water or food intended for human consumption or for sale.

(3) Any owner or boatman who commits a breach of subsection (1) shall be guilty of an offence: Penalty, arrest without warrant and to a fine of \$100.

79. (1) If the port health officer has reason to believe that any water or food intended for human consumption in a ship is unfit for such use or consumption, it shall be lawful for him to order —

Powers of port health officer in connection with water and food for use in a ship.

(a) that the owner, vendor, carrier, or person in charge or control of such water or food shall forthwith procure an analysis of such water or food to be made to the satisfaction of the port health officer;

(b) that, until the result of such analysis is communicated to the port health officer, such water or food, or water or food from a similar source, shall not be supplied to any ship;

(c) that the portion of any ship which contains or has contained such water or food shall be disinfected to his satisfaction before any other water or food is placed therein.

(2) If the port health officer is not satisfied by the result of the analysis that such water or food is fit for human use or consumption, it shall be lawful for him to order —

(a) that such water or food shall not be supplied for human use or consumption;

(b) that such water or food shall be disinfected or destroyed to his satisfaction.

Prohibition
of use of
contaminated
water.

80. (1) If the port health officer or health officer has reason to believe that any water intended for human use or consumption in any place has been obtained from a source which is in his opinion liable to contamination, it shall be lawful for him to order that water from such source shall not be supplied for such use or consumption.

(2) Any person aggrieved by an order of the port health officer or health officer under this section may appeal to the Minister, whose decision shall be final.

Precautions as
to water, food
or cargo.

81. No master, or chinchew, or supercargo or agent shall embark supplies of water or food, or disembark cargo in any local area of Brunei Darussalam, except under such sanitary precautions as the port health officer may direct.

Nuisances on
board ship.

82. (1) If the port health officer on inspection of any ship within port limits finds any decaying animal or vegetable matter, fruit, water, rubbish, dirt, filth or other matter which in his opinion is likely to be injurious to health or to create a nuisance, he may serve a written notice on the master, agent or owner of the ship according to Form I in the Seventh Schedule to abate the said nuisance within 12 hours.

(2) If such nuisance is not abated within such time, the master, agent or owner shall be guilty of an offence: Penalty, a fine of \$100 and a further fine of \$40 for every day of continuing default.

(3) If the port health officer on inspection of any ship within port limits finds any crew's quarters, living spaces, water tanks, food-lockers, paint-lockers, decks, lavatories, latrines, or bilges to be in a dirty or insanitary state, he may call upon the master of such ship to carry out to his satisfaction such cleansing, disinfection, whitewashing or painting as he directs according to Form II in the Seventh Schedule.

(4) Any master who neglects to comply with such orders within such time as the port health officer directs shall be guilty of an offence: Penalty, a fine of \$100 and a further fine of \$40 for every day of continuing default, and the person whose duty it is to grant a port clearance may, on the certificate of the

port health officer, withhold a port clearance from such ship, until the health officer's directions have been complied with.

(5) At the discretion of the port health officer any offensive articles mentioned in this section may be discharged, and the vessel may, at the owner's or agents' expense, be disinfected under the supervision of the port health officer.

(6) Any article conveyed from any ship or hulk in quarantine or from any place within a quarantine anchorage or quarantine station, to any place outside such ship, hulk, anchorage, or station shall, before being forwarded to its destination, be disinfected, disinfected or deratted, if the port health officer so directs.

(7) The port health officer may require any person liable to be quarantined, to be disinfected, together with his clothing and baggage, before being released.

(8) All expenses incurred by the port health officer in carrying out this section shall be recoverable from the owner or agents of the vessel on the certificate of the port health officer.

83. (1) Whenever it is declared by the Minister by notification in the *Gazette* that a dangerous infectious disease exists in any local area within or without Brunei Darussalam, all persons entering otherwise than by sea the district of any local authority from such local area may be medically examined by the health officer of the district or any one authorised by the health officer.

Examination of persons entering otherwise than by sea from any place where a dangerous infectious disease is declared to exist.

(2) The medical examination shall be conducted at such place as the local authority approves.

(3) All such persons suffering from or being a carrier of or suspected to be suffering from or being a carrier of a dangerous infectious disease shall be removed to hospital and be detained therein until discharged by the medical officer in charge.

(4) All such persons may be required on passing the frontier or boundary to enter into a written undertaking according to the Form in the Eighth Schedule to present themselves for surveillance on arrival at their destination and may be required to deposit such sum of money not exceeding \$50 as may be fixed by the health officer.

(5) Any person who is unwilling to deposit such sum of money may be detained for observation and may be subjected to disinfection or disinsectisation of himself and his effects and to vaccination.

(6) The period of observation or surveillance reckoned from the day of arrival shall not exceed —

in the case of cholera, 5 days,

in the case of plague or yellow fever, 6 days,

in the case of pneumonic plague, 7 days,

in the case of typhus fever, 12 days,

in the case of small-pox, 14 days.

(7) The health officer may, at his discretion, order the disinfection or destruction of the clothes and personal effects of any person entering the district of any local authority from such local area, and the disinfection or disinsectisation and the vaccination of any such person.

(8) The value of such clothes and personal effects as are destroyed shall be assessed by the health officer, and shall be paid out of the funds of the local authority as compensation to the owner thereof.

(9) Any such person who —

(a) refuses to submit to medical examination and refuses to leave Brunei Darussalam or district; or

(b) being subjected to surveillance fails to present himself for examination,

may be arrested without warrant, isolated to the satisfaction of the health officer, and be guilty of an offence: Penalty, a fine of \$500 and any sum deposited shall be forfeited.

(10) Any person who, having been removed to a hospital or isolated under this section, escapes from the hospital or place where he is isolated, may be arrested without warrant by any person, and conveyed to and detained in the hospital or place of isolation, and shall be guilty of an offence: Penalty, a fine of \$500.

(11) Any such person refusing prophylactic vaccination against a dangerous infectious disease may be detained for observation, at such person's expense, by the health officer for a period which shall not exceed the quarantine period for such dangerous infectious disease.

(12) On arrival at its destination any carriage, vessel, or other craft or vehicle which has conveyed any person referred to in subsection (1) shall be disinfected or deratted, together with its contents, as the health officer may direct.

84. (1) Every person arriving in Brunei Darussalam from the Republic of Singapore or from Malaysia who shall have given an undertaking in any such place to report to any health officer or other medical officer in Brunei Darussalam, shall immediately on his arrival report accordingly and shall comply with all the directions of such health officer or other medical officer given by virtue of this Act or any regulation thereunder.

Duty to report.

(2) Any such person who fails so to report shall be liable to be arrested without a warrant, to be isolated, to be disinfected, both himself and his effects, to be vaccinated, and to be fined \$500, and any deposit made by such person may be forfeited.

85. Whenever a declaration has been made under section 83 (1) the Minister may issue an order prohibiting the entrance into

Order by
Minister.

Brunei Darussalam of immigrants from such local area except under conditions prescribed by him.

Power to order evacuation of infected local area.

86. (1) Whenever a declaration has been made under section 83(1) regarding a local area of Brunei Darussalam, the Minister may issue an order for the evacuation of the whole or of any part of such infected area. The order for evacuation may apply to all persons or to any person or class of person.

(2) It shall not be lawful for any person to reside or to carry on business within any infected area or portion thereof in contravention of an order for evacuation or to enter or be therein, except when passing along a thoroughfare allowed to remain open to the public, without an order in writing to that effect signed by a health officer, and upon such conditions as such health officer may in such order direct.

(3) Any person licensed to sell spirits, wine, samsu, beer or toddy in a store situated in any infected area or portion thereof which is comprised in an order for evacuation shall, if he is a person or one of a class of persons to whom the order applies, be entitled to a transfer of the licence to a store situated in some place approved by the licensing authority to which no order for evacuation extends, and where no higher licence fee is payable, or may be awarded a refund of the whole or any portion of the fee paid for the licence.

Examination of persons arriving in Brunei Darussalam otherwise than by sea.

87. All persons arriving in Brunei Darussalam otherwise than by sea may be medically examined by the health officer of the district or anyone authorised by the health officer, and the health officer or person so authorised may exercise all or any of the powers conferred by section 83.

Detention of persons arriving otherwise than by sea.

88. (1) The health officer may detain any person who is found on arrival in Brunei Darussalam otherwise than by sea to be suffering from an infectious disease, dysentery, measles, mumps, contagious ophthalmia, malaria, pulmonary tuberculosis, syphilis, or trachoma until such time as the disease is no longer communicable to other people.

(2) If the disease is pulmonary tuberculosis, leprosy, syphilis or trachoma, and the diseased person is not a native of

Brunei Darussalam, such person shall, unless specially exempted by the Minister, be returned to his place of origin or departure at his own expense or at the expense of the owners of the conveyance in which he arrived in Brunei Darussalam.

89. The cost of rations and other things supplied to persons detained in a quarantine station shall be deemed to be a debt due to the Government and shall be recoverable from the owner or agents of the ship in which such persons are conveyed, on the certificate of the port health officer.

Recovery of cost of things supplied at a quarantine station.

PART VI

PREVENTION OF THE IMPORTATION AND EXPORTATION OF CATTLE

90. The importation and exportation of cattle may be prohibited or regulated by regulations to be made by His Majesty in Council under this Act.

Importation and exportation of cattle.

PART VII

REGULATIONS

91. His Majesty in Council may make such regulations as seem to him necessary or expedient for the purpose of preventing the introduction into and the spread in Brunei Darussalam of any disease and the transmission of any disease from Brunei Darussalam.

Power to make regulations.

92. (1) The regulations made under this Act may provide for —

Matters in respect of which regulations may be made.

(a) placing vessels arriving at any port of Brunei Darussalam in quarantine;

(b) prohibiting or regulating the landing of persons from vessels either absolutely or conditionally;

(c) prohibiting or regulating the entry or landing of animals brought by land, sea or air from any place without or within Brunei Darussalam, and for prohibiting such entry or landing except at specified places;

(d) isolating all cases of disease, whether in persons or animals;

(e) establishing and maintaining quarantine stations for persons and animals, and for regulating the management of the same;

(f) the removal of persons infected with disease to hospitals or other places for medical treatment and for their detention until they can be discharged with safety to the public;

(g) prohibiting or regulating the movement of diseased animals or animals suspected of being diseased and the removal of carcasses;

(h) slaughtering with or without compensation, as is deemed expedient, diseased animals or with compensation animals suspected of being diseased or of having been in circumstances in which they were likely to have become infected with disease;

(i) cleansing and disinfecting houses, buildings, rooms and other places which have been occupied by any diseased person or animal or which are otherwise in an insanitary condition;

(j) disinfecting and, if expedient, destroying with or without compensation, as is deemed expedient, furniture, clothing, litter, fodder and other articles which have been in contact with any diseased person or animal or which are reasonably suspected of being a vehicle for spreading disease;

(k) prescribing the measures that shall be taken to prevent the departure of persons infected or suspected to

be infected with any dangerous infectious disease from any infected local area of Brunei Darussalam;

(l) prohibiting the importation or exportation of merchandise, articles or clothing infected or suspected to be infected either absolutely or conditionally to or from any infected local area of Brunei Darussalam;

(m) prescribing the measures that shall be applied with respect to merchandise, articles or clothing infected or suspected to be infected which are permitted to be imported into or exported from any infected local area of Brunei Darussalam;

(n) prescribing the measures that shall be applied to ships leaving any infected local area of Brunei Darussalam;

(o) prescribing the measures to be taken for the prevention of the conveyance of infection by means of any vessel aeroplane or other craft or vehicle sailing or departing from any infected local area of Brunei Darussalam;

(p) prohibiting or regulating the export of cattle from any port or ports of Brunei Darussalam either absolutely or conditionally and either generally or to any particular port or ports;

(q) appointing, establishing and maintaining places for the observation and examination of cattle previous to export, and for regulating the management of the same, and for compelling the examination of cattle intended to be exported;

(r) cleansing and disinfecting any vessels in which cattle are to be exported;

(s) prohibiting and regulating the removal of fodder, litter, dung and other things;

(t) prescribing and regulating the seizure, detention and disposal of any animal dealt with in contravention of any regulation made under this Act, and for prescribing and regulating the importer of the animal to the expenses connected with the seizure, detention and disposal thereof;

(u) prescribing the notification to Government by medical practitioners of cases of disease treated by them;

(v) the appointment of inspectors and other officers to carry out this Act or any regulations made thereunder, and for regulating their duties and conduct, and for investing them with all powers necessary for the due execution of their duties;

(w) the performance and execution by local authorities of any powers and duties conferred and imposed by this Act or any regulations made thereunder;

(x) prescribing the publication of any regulations made under this Act, and for prescribing and regulating the form and mode of service or delivery of notices and other documents;

(y) prescribing the fine with which the contravention of any regulation made under this Act shall be punishable, but so that such fine shall not exceed \$1,000;

(z) fixing the amount of fees to be paid under this Act;

(zz) establishing and maintaining places, works and services for the sanitary control of aerial navigation and for prescribing sanitary measures to be taken in respect of international aerial navigation (either generally or in relation to specific diseases) in accordance with the provisions of the International Sanitary Regulations for time being in force.

(2) Nothing in subsection (1) shall in any way restrict or be construed to restrict the generality of the powers conferred on His Majesty in Council by this Act, but such powers shall extend to all matters, whether similar or not, to those in subsection (1) mentioned, as to which it is expedient to make regulations for the better carrying into effect the objects of this Act.

(3) All regulations made under this Act shall be published in the *Gazette*.

PART VIII

MISCELLANEOUS PROVISIONS

93. Any person who, without lawful authority or excuse, proof whereof shall lie on him — Offences.

(a) does or omits to do anything which under this Act or any regulations made thereunder he ought not to do or omit to do; or

(b) obstructs, or impedes, or assists in obstructing or impeding, any inspector or other officer appointed under this Act or any police officer in the execution of this Act or of any regulation made thereunder,

shall be guilty of an offence against this Act.

94. (1) Any person who is guilty of an offence against this Act for which no penalty is prescribed by this Act or by any regulation made thereunder shall be guilty of an offence: Penalties.
Penalty, a fine of \$500.

(2) Any person convicted of any offence against this Act who is within a period of 12 calendar months convicted for a second or subsequent like offence against this Act shall be liable in the Court of a Magistrate to imprisonment for 2 months and to a fine of \$1,000.

(3) Nothing in this section shall affect the liability of any person to any punishment or penalty to which he is liable at common law or under any enactment other than this Act, but so that a person shall not be punished twice for the same offence.

Forfeitures.

95. (1) If any person lands or brings or attempts to land or bring in or into Brunei Darussalam any animal or thing in contravention of any regulation made under this Act, such animal or thing shall be forfeited.

(2) Forfeitures under this Act may be declared by a Court of a Magistrate and all animals and things forfeited shall be dealt with as the Minister directs.

Power to arrest.

96. (1) When a person is seen or found committing or is reasonably suspected of being engaged in committing an offence against this Act, any inspector or other officer appointed under this Act or any police officer may without warrant stop and detain him and, if his name and address are not known, may arrest him without warrant.

(2) Any person who obstructs or impedes an inspector or other officer appointed under this Act or any police officer in the execution of this Act or of any regulation made thereunder, or assists in any such obstructing or impeding, may be apprehended by such inspector or other officer without warrant.

(3) A person arrested under this section shall be taken with all practicable speed before the Court of a Magistrate.

(4) Nothing in this section shall take away or abridge any power or authority that a police officer would have had if this section had not been enacted.

Presumption.

97. When the person in charge of a diseased person, or the owner or person in charge of a diseased animal, is charged with an offence against this Act relative to such disease, he shall be presumed to have known of the existence of such disease in such person or animal, unless and until he show to the satisfaction of the Court of a Magistrate before which he is charged that he had no such knowledge and could not with reasonable diligence have obtained such knowledge.

98. Inspectors and other officers appointed under this Act shall be deemed to be public servants within the meaning of the Penal Code.

Officers to be public servants.
Cap. 22.

99. Unless otherwise provided every offence under this Act may be tried by the Court of a Magistrate and such Court may, notwithstanding anything in the Criminal Procedure Code, award the full punishment with which such offence is punishable.

Offences how triable.
Cap. 7.

FIRST SCHEDULE

Notification of Infectious Disease

(Section 3(6) of Quarantine and Prevention of Disease Act, Cap. 47)

TO
THE HEALTH OFFICER

SIR,

I have the honour to report the following case of infectious disease —

Name

Residence

Age

Sex

Occupation

Nationality

Disease

Date of onset

If a case of small-pox, whether vaccinated or not

Date of my first visit to the patient

Date of my last visit to the patient

I have, etc.

Dated , 20 .

The following are notifiable diseases under the Quarantine and Prevention of Disease Act —

Anthrax, smallpox, cholera, plague, yellow fever, typhus, cerebrospinal fever, chickenpox, diphtheria, erysipelas, puerperal fever, scarlet fever, enteric fever, leprosy, tuberculosis, and any other disease that the Minister may by notification published in the *Gazette* declare to be included within the expression “infectious disease”.

SECOND SCHEDULE

Undertaking by Person under Surveillance

(Section 9 of the Quarantine and Prevention of Disease Act, Cap. 47)

(TO BE FORWARDED TO EXAMINING OFFICER IF HE IS NOT THE HEALTH OFFICER)

I, _____, being the inmate of a building in which a case of infectious disease exists or has recently existed and being desirous of proceeding to the premises at _____ occupied by _____ do hereby undertake in consideration of my not being isolated or removed to a Quarantine Station [to present myself for examination at the office of the examining Officer situate at _____ daily at _____ o'clock for _____ days from the date hereof, and to report immediately at the said office any change in my residence] *or* [to proceed direct to the said premises and to submit myself for examination daily by the Examining Officer for _____ days from the date hereof].

I herewith deposit the sum of _____

I am aware that failure to comply with the terms of this undertaking will render me liable to be arrested, to be isolated, to be fined a sum not exceeding \$500 and to have the deposit forfeited.

Dated this _____ day of _____, 20____.

(Signature of person undertaking)

Before me

Health Officer

Undertaking by Person under Surveillance

(To be handed to such person)

Date of undertaking

Full name

Full address

Address of Examining Officer

Period for which examining is ordered.

NOTE — The person whose name appears on this slip should [present himself in person to _____ at _____ daily at _____ o'clock _____ .m.] *or* [proceed direct to the above address and submit himself for examination daily by the Examining Officer].

Instructions to Examining Officer

1. The Examining Officer should after the examination of the person named herein initial the space below.

2. After the completion of the period prescribed for the examination the Examining Officer should return this undertaking to the Health Officer who has issued it.

	Date	Initials		Date	Initials
First day			Eighth day		
Second day			Ninth day		
Third day			Tenth day		
Fourth day			Eleventh day		
Fifth day			Twelfth day		
Sixth day			Thirteenth day		
Seventh day			Fourteenth day		

THIRD SCHEDULE

(Section 42 to 49)

FORM I

I, the undersigned, hereby give you notice to have the child (*insert name, if any*) whose birth is now registered, vaccinated within 6 months from the date of its birth, pursuant to the provisions and directions of the Quarantine and Prevention of Disease Act (*Chapter 47*), and that in default of your doing so you will be liable to a penalty of \$50.

Dated the _____ day of _____, 20 ____ .

*Registrar of Births and Deaths for the
District of _____ in
Brunei Darussalam*

FORM II

I, the undersigned, hereby certify that I am of opinion that _____ age _____ the child of _____ of _____ in the district of _____ in Brunei Darussalam, is not now in a fit and proper state to be successfully vaccinated. I hereby postpone the vaccination until the _____ day of* _____, 20 ____ .

*Deputy Superintendent of Vaccination or
Public Vaccinator of the District or
Medical Practitioner*

* Not to exceed 2 calendar months from date of certificate.

(This certificate is to be kept by the parent or other person to whom it is given and copy of the same is to be transmitted within 7 days by the Public Vaccinator or Medical Practitioner to the Superintendent of Vaccination.)

FORM III

I, the undersigned, hereby certify that I have _____ times unsuccessfully vaccinated _____ aged _____ the child of _____ in the district of _____ in Brunei Darussalam (*or that the child has already had small-pox*) and I am of opinion that such child is insusceptible of successful vaccination.

Dated the _____ day of _____, 20 ____ .

*Deputy Superintendent of Vaccination of
the District or Medical Practitioner*

(This certificate is to be kept by the parent or other person to whom it is given, and a copy of the same is to be transmitted within 7 days by the Public Vaccinator or Medical Practitioner to the Superintendent of Vaccination).

FORM IV

I, the undersigned, hereby certify that aged the child
of of in the district of in Brunei Darussalam has been
successfully vaccinated.

Dated the day of , 20 .

*Deputy Superintendent of Vaccination or
Medical Practitioner*

FOURTH SCHEDULE

Entry Declaration

(Section 67 of the Quarantine and Prevention of Disease Act, Cap. 47)

1. Name of ship
2. Tonnage (net)
3. Number of crew, officers ; men
4. First port of voyage and date of sailing
5. Intermediate ports called at
6. Number of passengers for this port *(including children and infants)* —

Port of Origin	1st	2nd	3rd	Deck	Total
Total					

7. Number of Transit Passenger:
1st ; 2nd ; 3rd ; Deck
8. Cases of Infectious Disease during voyage.

	Plague	Cholera	Small-pox	Cerebrospinal fever	Other Infectious Disease
Cases					
Deaths					

9. Other deaths and cause thereof
10. Nature of cargo any grain?
11. Rats —
 - (a) excessive number on board?
 - (b) any mortality?
 - (c) any unusual behaviour?
12. Name of Agents
13. Remarks —

We declare that the above information is correct.

Master/Surgeon/Chinchew/Supercargo

Before me:

Port Health Officer

FIFTH SCHEDULE

(COUNTERFOIL)	<p>Permit to import a Noxious Pest <i>(Section 71 of the Quarantine and Prevention of Disease Act, Cap. 47)</i></p>
<i>Name</i>	WHEREAS the importation into Brunei Darussalam of any living noxious insect, or any living pest, or any living disease germ or microbe or any active bacterial culture, without written permission, is prohibited: and
<i>Address</i>	WHEREAS living at has this day made application for permission to import the following articles, namely —
<i>Nature of noxious pest, etc.</i>	PERMISSION is hereby granted to the said to import these articles subject to the following conditions, namely —
<i>Date</i>	Dated at the day of 20 .
<i>Initials of issuing officer</i>	<i>Port Health Officer</i>

SIXTH SCHEDULE

(COUNTERFOIL)	<p>Order for destruction of Suspected Articles <i>(Section 71 of the Quarantine and Prevention of Disease Act, Cap. 47)</i></p>
<i>Articles</i>	I hereby order that the following articles or goods imported by
<i>Imported by Owner</i>	namely —
<i>Address</i>	which in my opinion are infected or unfit for human consumption or likely to create a nuisance or likely to be a danger to health, be immediately destroyed.
<i>Date</i>	Dated at the day of 20 .
<i>Initials of issuing officer</i>	<i>Port Health Officer</i>

EIGHTH SCHEDULE

Undertaking by Person under Surveillance

(Section 83 of the Quarantine and Prevention of Disease Act, Cap. 47)

(TO BE FORWARDED TO EXAMINING OFFICER IF HE IS NOT THE HEALTH OFFICER)

I _____, of _____, having come by (rail or road or river or air) from a place infected with (plague or cholera or small-pox or yellow fever or typhus or cerebrospinal fever) and being desirous of proceeding to the premises at _____ occupied by _____ hereby undertake in consideration of my not being isolated or removed to a Quarantine Station [to present myself for examination at the office of the Examining Officer situate at _____ daily at _____ o'clock for _____ days from the date hereof, and to report immediately at the said office any change in my residence] or [to proceed direct to the said premises and to submit myself for examination daily by the Examining Officer for days from the date hereof].

I herewith deposit the sum of _____

I am aware that failure to comply with the terms of this undertaking will render me liable to be arrested, to be isolated, to be fined a sum not exceeding \$500 and to have the deposit forfeited.

Dated this _____ day of _____, 20____.

(Signature of person undertaking)

Before me:

Health Officer

Undertaking by Person under Surveillance

(To be handed to such person)

Date of undertaking

Full address

Address of Examining Officer

Period for which examination is ordered.

NOTE — The person whose name appears on this slip should [present himself in person to at _____ daily at _____ o'clock _____ m.] or [proceed direct to the above address and submit himself for examination daily by the Examining Officer].

Instructions to Examining Officer

1. The Examining Officer should after the examination of the person named herein initial the space below.
2. After the completion of the period prescribed for the examination the Examining Officer should return this undertaking to the Health Officer who has issued it.

	Date	Initials		Date	Initials
First day			Eighth day		
Second day			Ninth day		
Third day			Tenth day		
Fourth day			Eleventh day		
Fifth day			Twelfth day		
Sixth day			Thirteenth day		
Seventh day			Fourteenth day		

NINTH SCHEDULE

Permission to Import, Export or Tranship a Coffin containing a Corpse

(Section 77(1) of the Quarantine and Prevention of Disease Act, Cap. 47)

Name of deceased
Nationality
Age
Sex
Date of death
Cause of death
Place of death

It having been represented to me that a body answering to the above description now lies in a coffin at (or on board) _____ and the required certificates having been duly lodged with me, namely, a copy of the death certificate, and a medical certificate stating the means adopted to preserve and encoffin the enclosed corpse:

I, therefore, certify that permission is hereby granted to remove the said coffin _____ and that such removal is unlikely to be prejudicial to the public interests or health.

Given under my hand and seal at _____ this _____ day of _____, 200 .

Fee (in cash) \$10.

[L.S.]

Port Health Officer

TENTH SCHEDULE

Exemption Permit

(Section 60 of the Quarantine and Prevention of Disease Act, Cap. 47)

PORT HEALTH OFFICE,

, 20 .

To the Master of the M.V./S.S. , which arrived in a clean condition from the suspected/infected port of .

WHEREAS you have made declaration to me that —

(a) Your ship will not carry, on departure from this port, any deck passenger whose quarantine period is not completed; and

(b) No member of the crew whose quarantine period is not completed will be paid off or discharged without the permission in writing of the Port Health Officer at any subsequent port of call in Brunei Darussalam.

TAKE NOTICE that if no infectious disease breaks out on board in the meanwhile, you are hereby authorised during the current voyage to enter any other port of Brunei Darussalam without proceeding to the Quarantine Anchorage for inspection.

You should however fly the Code Signal T.S. when approaching such port, in order that your possession of this permit may be known.

(Signed)

Port Health Officer