



## Ministry of Health (International Health Regulations Compliance) Regulations 2014

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His Excellency Tom Marsters  Queen's Representative

### Order in Executive Council

At Avarua, Rarotonga this *4th* day of *February*, 2014

Present:

### His Excellency the Queen's Representative in Executive Council

Pursuant to sections 28 and 39 of the Ministry of Health Act 2013, His Excellency the Queen's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

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**Regulations**

**1 Title**

These regulations are the Ministry of Health (International Health Regulations Compliance) Regulations 2014.

**2 Commencement**

These regulations come into force on the day after the date on which these regulations are made in accordance with Article 13 of the Constitution.

**3 Interpretation**

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

**the Act** means the Ministry of Health Act 2013

**Article** means the applicable Article of the International Health Regulations

**authorised officer** means all of the following—

(a) a health inspector or enforcement officer under the Act;

(b) any person empowered to take action under the Public Health Act;

(c) any other public servant authorised in writing by the Secretary or the Director to perform any of the functions, or to exercise any of the powers, vested in authorised officers under these regulations

**contact** means a person or animal that has been in proximity to an infected person or animal, or a contaminated environment, which might provide an opportunity to acquire the infective agent

**container** has the meaning given by the Customs Convention on Containers, 1972, signed in Geneva on 2 December 1972 as affected by any amendment of the Convention that is in force on 23 June 2000

**dangerous condition** means any of the following—

(a) any condition that a medical office-holder certifies, by notice in writing to the Secretary to be a public health risk or an imminent danger to the health of the people of the Cook Islands:

(b) any condition that is specified in Part 1 of Schedule 2 of the Public Health Act (as amended):

(c) any other condition listed in Schedule 1 of these regulations

**de-ratting**, of an aircraft or ship, means keeping the aircraft or ship free of rats  
**Director** means the person holding the position of Director of Public Health in the Ministry from time to time, including any person acting in that position

**disinfection** means the procedure whereby health measures are taken to control or kill infectious agents on a human or animal body surface or in or on baggage, cargo, containers, aircraft or ships, goods and postal parcels by direct exposure to chemical or physical agents, and **disinfect** has a similar meaning

**dis-insection** means the procedure whereby health measures are taken to control or kill the insect vectors of human diseases present in baggage, cargo, containers, aircraft, ships, goods and postal parcels; and **dis-insect** has a similar meaning

**estimated time** means—

(a) for the arrival of an aircraft or ship at a place — the day and time estimated by the officer or person in charge of the aircraft or ship to be the day and time when the aircraft or ship will reach, or land at, the place; and

(b) for the departure of an aircraft or ship from a place — the day and time estimated by the officer or person in charge of the aircraft or ship to be the day and time when the aircraft or ship will leave the place

**focal point**, in relation to all aspects of the International Health Regulations, means the Ministry

**identifying number** includes an alphanumeric code

**illness** means a disease produced by the action of a micro organism on the human body

**international certificate** means an international certificate of vaccination provided for in Annex 6 of the International Health Regulations 2005

**International Health Regulations** and **IHR** mean the International Health Regulations 2005 adopted by the World Health Assembly on 26 May 2006, and includes any future amendments or additions to the IHR

**medical examination** includes either or both of the following—

(a) ascertaining the relevant medical history and the travel history of the person being examined:

(b) conducting a physical examination and any laboratory tests or radiographic or diagnostic tests that are required to make a determination as to whether a person might have a disease or a dangerous condition, or otherwise pose a risk to human health

**Ministry** means the Ministry of Health

**Public Health Act** means the Public Health Act 2004 (as amended), and includes any regulations or orders made under that Act, and any law which replaces that Act from time to time

**public health risk** means—

(a) an animal, structure, conveyance, substance, practice, behaviour or other thing that—

(i) is, or is likely to become, a breeding ground or source of food for pests; or

(ii) harbours, or is likely to become something that harbours, pests; or

(b) any of the following that is, or is likely to be, hazardous to human health, or that contributes to, or is likely to contribute to, disease in humans or the transmission of an infectious condition to humans—

- (i) a pest;
  - (ii) water;
  - (iii) waste;
  - (iv) a dead or living animal, a structure, a substance or other thing that has been, or is likely to have been, exposed to an infectious condition;
  - (v) a dispersal or release of a pesticide, herbicide, solvent or other chemical;
  - (vi) a dispersal or release of a by-product of manufacturing, construction, repair, alteration, cleaning or demolition work; or
- (c) any exposure to the physical environment, such as excessive noise, which causes material discomfort prejudicial to the psychological or physical health and wellbeing of a person; or
  - (d) any other activity, substance or other thing prescribed under a regulation as constituting a public health risk

**Secretary** means the Head of Ministry of the Ministry of Health, by whatever title that position may be known from time to time

**ship** means any ship, vessel or craft of any nature used or capable of being used in marine transportation, and of any nationality, (including fishing vessels, hovercraft, non-displacement vessels, mobile offshore units, and any vessel ordinarily propelled by oars or sails), which enters the jurisdiction of Cook Islands from any other jurisdiction; but does not include seaplanes and vessels under construction and which are not yet launched

**ship sanitation certificate** means a Ship Sanitation Control Exemption Certificate, or a Ship Sanitation Control Certificate, issued under a law of a foreign country in accordance with Article 39 of the International Health Regulations (2005)

**stores** means goods for the use of persons on board an aircraft or ship, or for the service of an aircraft or ship

**traveller** means a person, including the officers and crew of an aircraft or ship, who arrives in Cook Islands or is in the process of departing from Cook Islands

**waste** includes—

- (a) material used to pack or stabilise cargo; and
- (b) galley and food waste; and
- (c) human, animal or plant waste; and
- (d) refuse or sweepings from the holds or decks of an aircraft or ship

**World Health Organization** has the meaning given by the World Health Organization Act 1947, and **WHO** has the same meaning.

- (2) Reference may be had to the Public Health Act or to the International Health Regulations to determine the meaning of any word or term used in these regulations, and unless the intention otherwise appears, all definitions used in the Public Health Act or the International Health Regulations apply to these regulations.
- (3) For the purposes of these regulations, a person to whom these regulations apply will be considered to be an adult if the person is of or above the age of 18 years, and if the person is not considered to be an adult, then the person's parent or legal guardian has authority to provide any consent, or to receive service of any document, on behalf of that person for any purpose under these regulations.

**4 Objectives of these regulations**

- (1) The objectives of these regulations include all of the following—
- (a) to comprehensively implement Cook Island's commitments and responsibilities under the International Health Regulations;
  - (b) to limit the spread of epidemics and other public health emergencies while minimising disruption to travel and trade;
  - (c) to ensure that appropriate reporting is made of events that could result in public health emergencies of international concern, including those caused by the chemical agents, radioactive materials and contaminated food;
  - (d) to facilitate effective response within Cook Islands when notified of events which could result in public health emergencies from sources outside of Cook Islands;
  - (e) to limit the spread of pathogens and to minimise their economic and social impact;
  - (f) to ensure that Cook Islands can effectively participate in programs aimed at collectively defending against risks that may result in public health emergencies of international concern, and to discharge the shared responsibilities that Cook Islands has in this regard;
  - (g) to increase the preparedness of Cook Islands to respond to threats of pandemic and other international health concerns.
- (2) All persons who perform or exercise any function, power, duty or responsibility under these regulations, must have regard to all of the following objectives and principles—
- (a) Cook Islands has commitments and obligations to collectively defend against the spread of infectious disease and to respond to public health emergencies of international concern (including those caused by the chemical agents, radioactive materials and contaminated food), in its own national interest, and in the interests of all other countries;
  - (b) regard must be had to minimising the adverse implications on travel and trade when these regulations are implemented;
  - (c) prompt reporting of events that could result in public health emergencies of international concern is needed to ensure that the spread of epidemics is limited, and the effects of other public health emergencies are minimised;
  - (d) immediate and effective action is required when notification is given to Cook Islands of possible or actual public health emergencies of international concern;
  - (e) addressing public health risks at their source is the most effective way of reducing their potential spread internationally;
  - (f) early detection and effective investigation of matters relevant to possible or actual public health emergencies of international concern is a necessary part of the collective international action that can be invoked under the International Health Regulations;
  - (g) when performing any medical examination for the purposes of these regulations, both of the following apply—
    - (i) the examination must be the least intrusive that will achieve the purpose of the examination;
    - (ii) the prior express informed consent of the person, or of a child's parent or guardian, must be obtained;

- (h) when vaccinating or offering prophylaxis for the purposes of these regulations, both of the following apply—
  - (i) the prior express informed consent of the person, or of a child's parent or guardian, must be obtained:
  - (ii) any risks associated with the vaccination or prophylaxis must be explained:
- (i) any medical examination, medical procedure, vaccination or other prophylaxis undertaken or administered for the purposes of these regulations which involves a risk of disease transmission, must meet established standards of best medical practice, and must minimise any such risk:
- (j) when applying any measures under these regulations to travellers, regard must be had to their dignity, human rights and fundamental freedoms, and any discomfort or distress must be minimised by doing all of the following—
  - (i) initiating and completing the measures without delay:
  - (ii) applying all measures in a transparent and non-discriminatory manner:
  - (iii) treating all travellers with courtesy and respect:
  - (iv) taking into consideration the gender, socio-cultural, ethnic or religious concerns of travellers:
  - (v) providing or arranging for adequate food and water, appropriate accommodation and clothing, protection for baggage and other possessions, appropriate medical treatment, means of necessary communication (if possible in a language that they can understand) and other appropriate assistance for travellers who are quarantined, isolated or subject to medical examinations or other procedures for public health purposes:
- (k) regard must be had to the safe operation of any aircraft or ship to which these regulations apply, and their entry into Cook Islands must not be prevented on health grounds if there is any operational problem or issue which requires their entry (subject to any appropriate measures being applied to them).

## **5 Application of the precautionary principle**

- (1) All persons and agencies having responsibilities under these regulations, or whose functions, responsibilities and powers may relate to their objectives as stated in regulation 4, have authority to apply the precautionary principle when discharging their responsibilities and functions, or exercising their powers.
- (2) For the purposes of this regulation, the precautionary principle is applied if, in the event of a risk to human health in Cook Islands, a lack of scientific certainty regarding the extent of adverse effects is not used to prevent or avoid a decision being made to respond to or to minimise the potential adverse effects or risks.
- (3) Nothing in this regulation limits the need for determinations made under these regulations to be based on any of the following—
  - (a) sound scientific principles:
  - (b) available scientific evidence of a risk to human health:
  - (c) available information from the WHO and other relevant agencies and bodies, if scientific evidence is unavailable or insufficient:

- (d) any specific guidelines or advice from the WHO.

## **Part 1**

### **Application of the Regulations**

#### **6 General application of these regulations**

- (1) Subject to sub-regulation (2), these regulations apply to all aircraft and ships which enter or leave Cook Islands, and do not apply to any aircraft or ship whose journey or voyage is undertaken exclusively within the jurisdiction of Cook Islands.
- (2) The requirements of these regulations do not apply to any of the following—
  - (a) a ship not coming from an affected area which passes through Cook Islands on its way to a port in the territory of another State;
  - (b) a ship which passes through Cook Islands without calling at a port or on the coast;
  - (c) an aircraft in transit at an airport within Cook Islands, except that the aircraft may be restricted to a particular area of the airport with no embarking and disembarking or loading and discharging.
- (3) An aircraft or ship referred to in sub-regulation (2) is permitted to take on fuel, water, food and supplies whilst in transit, subject to the direction of an authorised officer.
- (4) Unless authorised by applicable international agreements, goods (other than live animals) in transit without transshipment are not subject to health measures under these regulations, and must not be detained for public health purposes.
- (5) All crew on any aircraft to which these regulations apply have obligations to ensure that these regulations are observed by all persons on the aircraft.
- (6) The officer or person in charge of any ship to which these regulations apply has the obligation of ensuring that these regulations are observed by all persons on board the vessel at the time it enters or leaves a port in Cook Islands, and at any time that the ship remains within the jurisdiction of Cook Islands.
- (7) In addition to any liability under these regulations applying to crew of aircraft and the officer or person in charge of a ship, the owners and operators of aircraft and ships to which these regulations apply are liable for any breach of these regulations that relates to their aircraft or ship.
- (8) The officer or person in charge of a ship to which these regulations apply must ensure that the requirements of Article 37 relating to Maritime Declarations of Health are complied with, unless exempted by the Director.
- (9) The officer or person in charge of an aircraft to which these regulations apply must ensure that the requirements of Article 38 relating to the Health Part of the Aircraft General Declaration are complied with, unless exempted by the Director.

#### **7 Principal authority for implementing these regulations**

- (1) The principal authority and responsibility for the application, implementation and enforcement of these regulations and the International Health Regulations is vested in the Ministry.
- (2) The Ministry has the mandate and authority to be the competent authority and national focal point for all matters associated with the application, implementation and enforcement of the International Health Regulations, and



is empowered to do all things necessary for or incidental to these roles under the International Health Regulations.

- (3) Standards, rules, operating procedures, guidelines or codes of practice may be applied under the authority of section 16 of the Act to any matter or thing relevant to the application, implementation and enforcement of these regulations or the International Health Regulations.
- (4) The Ministry has authority to display any sign at an airport or port for the purposes of providing information about any obligation or process relevant to the application or implementation of these regulations or the International Health Regulations.
- (5) A person who fails, refuses or neglects to comply with any requirement stated in a sign displayed under sub-regulation (4) commits an offence against these regulations.

#### **8 Duties to cooperate in the application of these regulations**

- (1) All officers of Ministries and government agencies which have roles, functions or powers relevant to the International Health Regulations, or to the trans-boundary movement of aircraft, ships, people or goods, have a duty to cooperate with the Ministry to ensure that the commitments and obligations applying under the International Health Regulations are complied with and applied.
- (2) All Ministries and government agencies must comply with any standards, rules, operating procedures, guidelines or codes of practice applied under regulation 7(3), including any requirements applying to the provision of information relevant to the application, implementation and enforcement of these regulations or the International Health Regulations.
- (3) Police officers and all other public servants who have lawful roles, responsibilities or powers which relate to any aspect of the International Health Regulations must cooperate with authorised officers in the application or enforcement of these regulations, and must render such assistance as they can lawfully provide when called upon by the Director or an authorised officer.

## **Part 2**

### **General arrangements for the implementation of the IHR**

#### **9 Implementation Plans**

- (1) The Secretary has all necessary authority to develop, approve, apply, implement and enforce an implementation plan for the detection, assessment, notification and reporting of all matters under the International Health Regulations.
- (2) An implementation plan applied under this regulation may be reviewed and modified at any time that the Secretary determines.
- (3) The Secretary has all powers necessary for or incidental to the development, approval, application, implementation and enforcement of an implementation plan, and any modifications made to it from time to time.
- (4) All Ministries, government agencies and any other person having lawful responsibilities relating to any matter to which the International Health Regulations apply, must comply with an approved implementation plan, and

with any request or direction given by or with the authority of the Secretary in relation to the plan.

## **10 Capacity building**

- (1) The Secretary and Director have all necessary authority to ensure that capacities are developed with the Ministry and the government generally, and otherwise within the community, to apply, implement and enforce the International Health Regulations, and which are relevant to the implementation plan approved under regulation 9.
- (2) Without limiting the generality of sub-regulation (1) the relevant capacities to be developed relate to any or all of the following matters—
  - (a) the prompt and effective response to any public health emergency of international concern;
  - (b) effective and timely compliance with any guidelines or recommendations issued or made by the WHO in relation to the International Health Regulations from time to time;
  - (c) the ability to effectively cooperate and collaborate with the WHO in relation to any response made to a public health emergency of international concern, and any other initiative taken by the WHO in relation to the International Health Regulations;
  - (d) the ability to request timely and relevant mobilisation of international assistance and support in relation to a public health emergency of international concern, and any matter relevant to the International Health Regulations.
- (3) The Secretary and Director have all powers necessary for or incidental to the development of capacities in accordance with this regulation.
- (4) All Ministries, government agencies and any other person having lawful responsibilities relating to any matter to which the International Health Regulations apply, must cooperate and collaborate with the capacity building initiatives undertaken under this regulation.

## **11 Notifications and verifications**

- (1) The Secretary and Director have all necessary authority in relation to all of the following matters to give full effect to the notification requirements and processes under the International Health Regulations—
  - (a) to give or authorise the giving of notifications of actual, possible or potential public health emergencies of international concern;
  - (b) to collect and provide information concerning the health measures undertaken or applied within Cook Islands in relation to an actual, possible or potential public health emergency of international concern;
  - (c) to provide notifications of other health concerns that may be of interest to the WHO;
  - (d) to provide information and evidence of possible public health risks identified outside of Cook Islands in accordance with Article 9;
  - (e) to collect and provide any necessary verification in relation to any information provided, as required by Article 10(2);
  - (f) to provide public health rationale and relevant scientific information in accordance with Article 43(3) in relation to health measures which are applied in addition to those provided for under the International Health Regulations.

- (2) The Secretary and Director have all powers necessary for or incidental to the collecting and provision of information, notifications and verifications in accordance with this regulation.
- (3) All Ministries, government agencies and any other person having lawful responsibilities relating to any matter to which the International Health Regulations apply, must cooperate and collaborate with the Ministry to facilitate the collection and provision of information, notifications and verifications under this regulation.
- (4) Authorised officers have authority to release information to the WHO, or to any person or body acting with the authority of the WHO, relating to any matter to which the International Health Regulations apply.

## **12 Collaboration with the WHO**

- (1) The Secretary and Director have all necessary authority to collaborate with the WHO and to act upon any information provided by the WHO in accordance with the International Health Regulations.
- (2) Without limiting the generality of sub-regulation (1), the Secretary and Director have authority to take any necessary action and to exercise any power relevant to any or all of the following matters—
  - (a) the prompt and effective response to any public health emergency of international concern:
  - (b) compliance with any guidelines or recommendations issued or made by the WHO in relation to the International Health Regulations from time to time:
  - (c) cooperation and collaboration with the WHO in relation to any response made to a public health emergency of international concern, and any other initiative taken by the WHO in relation to the International Health Regulations:
  - (d) requesting the mobilisation of international assistance and support in relation to a public health emergency of international concern, and any matter relevant to the International Health Regulations:
  - (e) acting upon any information provided by the WHO in relation to any matter relevant to the International Health Regulations:
  - (f) providing all necessary information in accordance with Article 43, and acting on any request made by the WHO in accordance with Article 43(4) or (7) in relation to health measures which are applied in addition to those provided for under the International Health Regulations:
  - (g) ensuring that the obligations to collaborate and assist the WHO and other State Parties under Article 44 are complied with.
- (3) All Ministries, government agencies and any other person having lawful responsibilities relating to any matter to which the International Health Regulations apply, must cooperate and collaborate with the Ministry in relation to any matter covered by this regulation.

## **13 Compliance with temporary or standing recommendations made by the WHO**

- (1) Without limiting the generality of regulation 12(2)(b), the Secretary and Director have all necessary authority to ensure that any temporary or standing recommendation made by the WHO under Articles 15 or 16 is complied with to the fullest extent possible.

- (2) Without limiting the generality of sub-regulation (1), the Secretary and Director have authority to take any necessary action and to exercise any power required to give effect to a recommendation of any of the following natures made by the WHO in relation to persons in any specified circumstances—
- (a) that a person's travel history be reviewed:
  - (b) that proof of medical examination or laboratory analysis be provided or reviewed:
  - (c) that a medical examination be undertaken:
  - (d) that proof of vaccination or other prophylaxis be provided or reviewed:
  - (e) that vaccination or other prophylaxis be required:
  - (f) that a suspect person be placed under observation for a public health purpose:
  - (g) that quarantine or other health measures be applied to a suspect person:
  - (h) that an affected person be isolated:
  - (i) that an affected person be treated:
  - (j) that contact tracing be undertaken in relation to a suspected or affected person:
  - (k) that entry into Cook Islands be refused for a suspected or infected person:
  - (l) that entry of an affected person to an affected area be refused:
  - (m) that exit screening of person leaving an affected area be applied.
- (3) Without limiting the generality of sub-regulation (1), the Secretary and Director have authority to take any necessary action and to exercise any power required to give effect to a recommendation of any of the following natures made by the WHO in relation to baggage, cargo, containers, aircraft, ships, goods or postal parcels in any specified circumstances—
- (a) that manifests and routing be reviewed:
  - (b) that inspections be carried out:
  - (c) that measures taken to eliminate infection or contamination, or that these measures be reviewed:
  - (d) that treatment be undertaken to remove infection or contamination (including vectors and reservoirs):
  - (e) that specific health measures be applied to ensure the safe handling and transport of human remains:
  - (f) that isolation or quarantine measures be implemented:
  - (g) that items which are, or which are suspected to be, infected or contaminated be seized and destroyed:
  - (h) that entry or departure be refused.
- (4) All Ministries, government agencies and any other person having lawful responsibilities relating to any matter to which the International Health Regulations apply, must cooperate and collaborate with the Ministry in relation to any matter covered by this regulation, and any action taken under its authority.

#### **14 Standards applicable to ports and airports**

- (1) This regulation applies to any port or airport in Cook Islands at which travellers or cargo arrive into Cook Islands from any place outside of Cook Islands, or depart from Cook Islands to any place outside of Cook Islands.

- (2) The Secretary and Director have all necessary authority to ensure that ports and airports meet the requirements of Article 19 and Annex 1 of the International Health Regulations.
- (3) Standards, rules, operating procedures, guidelines or codes of practice may be made and applied under section 16 of the Act to ensure that the requirements of Part IV of the International Health Regulations are complied with.
- (4) All Ministries, government agencies, operators of ports or airports, and any other person having lawful responsibilities relating to any matter to which the International Health Regulations apply, must cooperate and collaborate with the Ministry in relation to any matter covered by this regulation.

**15 Ship Sanitation Control Certificates and Maritime Declarations of Health**

- (1) The Secretary and Director have all necessary authority to ensure that the requirements of Articles 20 and 39, and Annex 3 of the International Health Regulations are applied in relation to Ship Sanitation Control Certificates and Ship Sanitation Control Exemption Certificates are implemented and complied with.
- (2) The Secretary and Director have all necessary authority to ensure that the requirements of Article 37 of the International Health Regulations are applied in relation to Maritime Declarations of Health are implemented and complied with.
- (3) All Ministries, government agencies, operators of ports and any other person having lawful responsibilities relating to the certificates referred to in sub-regulation (1), must ensure that the requirements of Articles 20 and 37, and Annex 3 of the International Health Regulations are complied with, and must cooperate and collaborate with the Ministry in relation to any matter covered by this regulation.

**16 The role of the Ministry as the Competent Authority**

- (1) As the competent authority for Cook Islands in relation to all aspects of the International Health Regulations, the Ministry has all of the following roles, functions and responsibilities—
  - (a) to monitor baggage, cargo, containers, ships, aircraft, goods, postal parcels and human remains departing and arriving from affected areas, so that they are maintained in such a condition that they are free of sources of infection or contamination (including vectors and reservoirs):
  - (b) to ensure, as far as practicable, that facilities used by travellers at points of entry are maintained in a sanitary condition and are kept free of sources of infection or contamination, (including vectors and reservoirs):
  - (c) to supervise de-ratting, disinfection, dis-insection or decontamination of baggage, cargo, containers, ships, aircraft, goods, postal parcels and human remains or sanitary measures for persons:
  - (d) to advise aircraft and ship operators, as far in advance as possible, of their intent to apply control measures, and to provide, if available, written information concerning the methods to be employed:
  - (e) to supervise the removal and safe disposal of any contaminated water or food, human or animal dejecta, wastewater and any other contaminated matter from an aircraft or ship:

- (f) to take all practicable measures to monitor and control the discharge by ships of sewage, refuse, ballast water and other potentially disease-causing matter which might cause contamination:
  - (g) to supervise service providers for services concerning travellers, baggage, cargo, containers, ships, aircraft, goods, postal parcels and human remains at points of entry, including the conduct of inspections and medical examinations as necessary:
  - (h) to develop and apply effective contingency arrangements to deal with an unexpected public health event:
  - (i) to ensure that information provided by WHO or other State Parties is kept confidential and otherwise dealt with in accordance with Article 45, subject to the rights of use or disclosure of such information as provided for in that Article and these regulations:
  - (j) to comply with Article 46, by facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens, reagents and other diagnostic materials for verification and public health response purposes under these regulations or the International Health Regulations, subject to any applicable law and after taking relevant international guidelines into account.
- (2) The Secretary has all necessary authority to ensure that the Ministry discharges its roles, functions and responsibilities as the Competent Authority for the International Health Regulations.
  - (3) All Ministries, government agencies, operators of ports or airports and any other person having lawful responsibilities relating to the International Health Regulations, must cooperate and collaborate with the Ministry in the discharge of its roles, functions and responsibilities as the Competent Authority for the International Health Regulations.

### **Part 3**

#### **Health controls over travellers**

##### **17 Persons to whom this Part applied**

- (1) The provisions of this Part apply to all travellers entering or leaving Cook Islands by aircraft or ship.
- (2) No traveller entering or leaving Cook Islands by aircraft or ship is to be exempted from compliance with these regulations, or is entitled to avoid the processes applied under these regulations, by the use of any priority or other processing accorded to VIP's or any other class of person.

##### **18 Obligations of arriving and departing travellers**

- (1) Every person who enters or leaves Cook Islands must comply with the provisions of this Part, and with any request made or direction given by an authorised officer.
- (2) If no authorised officer is present at the time and place of entry or departure, every person who enters or leaves the Cook Islands must, as soon as practicable after entering or before leaving, present themselves to an authorised officer at the nearest entry or departure point.
- (3) Every traveller must answer any relevant questions asked by an authorised officer, and provide to the officer any information that they have or any record

in their possession, that the officer requires in the performance of his or her lawful duty.

- (4) Without limiting sub-regulation (3), the information required to be provided by a traveller includes both of the following—
  - (a) information concerning the traveller's destination, so that the traveller can be contacted;
  - (b) information concerning the traveller's itinerary to ascertain if there was any travel in or near an affected area, or possible contacts with infection or contamination prior to arrival in Cook Islands.
- (5) A traveller must make full disclosure to an authorised officer if he or she has grounds to suspect that any of the following apply—
  - (a) that he or she has or might have a dangerous condition;
  - (b) that he or she has been exposed to a dangerous vector or vector borne diseases, dangerous agent;
  - (c) that he or she has recently been in close proximity to a person who has, or is likely to have, a dangerous condition or has been exposed to a dangerous vector or vector borne diseases, or dangerous agent.
- (6) Every traveller must comply with a non-invasive medical examination, and with any other measures ordered by an authorised officer for the purpose of preventing the introduction and spread of a dangerous condition, a dangerous vector or a vector borne disease.
- (7) Without limiting sub-regulation (6), an authorised officer has authority to request that a traveller report to a place nominated by the Director for the purpose of assessment or treatment.

#### **19 Screening technology**

- (1) The Director has authority to authorise the use of any equipment or other technology or process to determine whether a traveller has a dangerous condition or symptoms of one, but any such screening technology authorised by the Director must not involve the entry into the traveller's body of any instrument or thing.
- (2) If a traveller refuses to be screened with the approved screening technology and the person using it is not an authorised officer, the person responsible for using the screening technology must inform an authorised officer of the refusal as soon as practicable, and may detain the person until an authorised officer is present.

#### **20 Detention and isolation**

- (1) Subject to sub-regulation (2), an authorised officer may refuse entry to a traveller, or detain and isolate a traveller (individually or within a group), if any of the following circumstances apply—
  - (a) the traveller has refused to be screened under regulation 19;
  - (b) the traveller has refused to answer questions or provide information requested under regulation 18;
  - (c) the traveller has refused to comply with a measure or a request made under regulation 18.
- (2) The right to take action under this regulation only applies if the authorised officer has grounds to suspect that any of the following apply—
  - (a) the traveller has or might have a dangerous condition;

- (b) the traveller has been exposed to a dangerous vector or vector borne disease, or dangerous agent:
  - (c) the traveller has recently been in close proximity to a person who has or might have a dangerous condition or has been exposed to a dangerous vector or vector borne disease, or dangerous agent.
- (3) An authorised officer must not detain a traveller if any of the following apply—
- (a) there are no grounds to believe that the traveller poses a risk of significant harm to public health:
  - (b) the traveller can report to the Director under regulation 23 for the purposes of a medical examination without the need for isolation:
  - (c) other appropriate means are available to prevent or control a risk of significant harm to public health from the traveller's condition or suspected condition.
- (4) A traveller who has been detained under this regulation may be permitted by the Director to continue on his or her international journey, if the Director is of the opinion that the traveller does not pose an imminent health risk, and when such permission is given both of the following apply—
- (a) the Director must inform the competent authority of the point of entry destination of that traveller:
  - (b) the traveller must report to that authority on arrival.

#### **21 Requirement to undergo a medical examination**

- (1) An authorised officer has authority to require a traveller isolated under regulation 20 to undergo a medical examination for the purpose of determining whether they have a dangerous condition, or are infected with a dangerous vector or vector borne disease or contaminated with a dangerous agent.
- (2) The medical examination must be undertaken as soon as is reasonably practicable, but in any case within 48 hours after the authorised officer has isolated the traveller.

#### **22 Right to request a specific medical practitioner**

- (1) A traveller who has been isolated under regulation 20 and who is required to undergo a medical examination has the right to request an examination by a medical practitioner of his or her choice in addition to a medical examination conducted under regulation 21.
- (2) The authorised officer must accept the request if, in the opinion of the officer, the examination would not unduly delay any measures taken in accordance with these regulations and the International Health Regulations.
- (3) Such an examination is to be at the traveller's expense, and must be conducted in the place where the traveller is detained.

#### **23 Traveller to report to the Director**

- (1) If an authorised officer has grounds to suspect that the traveller has or might have a dangerous condition, or has recently been in close proximity to a person who has or might have a dangerous condition or has been exposed to a dangerous vector or vector borne disease or contaminated with a dangerous agent, the officer has authority to order the traveller to report to the Director, or to be isolated at a place nominated by the Director.



- (2) When exercising the power under this regulation, the authorised officer must promptly notify the Director of the order made.

**24 Arrest without warrant**

A police officer may, at the request of an authorised officer, arrest without a warrant and bring to an authorised officer or to a place nominated by the officer, any traveller who refuses to be isolated under this Part, or who refuses to comply with a requirement made under regulation 23.

**25 Information to be provided to the traveller**

- (1) A traveller who is subject to any action taken under this Part should be informed of the measures to be taken prior to them being undertaken by the authorised officer.
- (2) Failure to comply with the requirement under this regulation does not affect the validity of any action taken in accordance with this Part.
- (3) If practicable, arrangements should be made to provide a traveller who is subject to any action taken under this Part with an interpreter if the traveller does not have an adequate understanding of Cook Islands Maori language or English, or if he or she has a speech or hearing disability.

**26 Treatment of baggage and places**

- (1) An authorised officer or a person acting under the direction of an authorised officer has authority to detain and disinfect or dis-insect any baggage if the authorised officer has grounds to believe that the baggage has been exposed to a dangerous vector or vector borne disease or a dangerous agent, or other possible sources of public health risk.
- (2) An authorised officer or a person acting under the direction of an authorised officer has authority to enter and disinfect or dis-insect any place if a traveller or baggage has been in or at that place, and the authorised officer has grounds to believe that the place has been exposed to a dangerous vector or vector borne disease or a dangerous agent, or other possible sources of public health risk.

**27 Requirement to provide address and contact details**

- (1) An authorised officer has authority to require a traveller to provide details the traveller's address in the Cook Islands where the person intends to stay, and any other contact details to permit the authorised officer to locate or communicate with the traveller.
- (2) A traveller who fails to comply with a requirement imposed under this regulation, or who fails to notify the authorised officer of any change of address of he or she has been required to do so, commits a breach of the regulations.

**28 Requirement for international vaccination certificates (yellow fever)**

- (1) This regulation applies to a person who has spent one night or more in a place declared under sub-regulation (2) within 7 days of entry into Cook Islands.
- (2) The Secretary may, from time to time by written order, declare any place to be a yellow fever declared area.

- (3) An authorised officer may require a person referred to in sub-regulation (1) to present to the officer on the person's arrival at the first place where the person disembarks in the Cook Islands, an international certificate that complies with regulation 29.
- (4) A person required to present a certificate under sub-regulation (3) is entitled to rely on a letter of exemption issued by a medical practitioner in any country which certifies that the person cannot be vaccinated for reasons of allergy, pregnancy, age or infirmity.
- (5) An authorised officer has authority to refuse entry into Cook Islands of any person who fails to produce a certificate or letter of exemption when required to do under this regulation, or to require that a person leave the Cook Islands and that he or she be detained until the time of departure.
- (6) A person who has requested to provide a certificate under this regulation may be required to undergo a medical examination whether or not he or she has produced the certificate.

### **29 Contents and form of an international vaccination certificates**

- (1) An international vaccination certificate issued for a person who travels to the Cook Islands from a yellow fever declared place must comply with all of the requirements of this regulation.
- (2) The certificate must state the date or dates, within the relevant period, on which the person was vaccinated or revaccinated against yellow fever.
- (3) For the purposes of sub-regulation (2), the relevant period means the period from 10 years before the day the person arrives in Cook Islands to 10 days before the date of arrival.
- (4) For each date when the person is certified as vaccinated or re-vaccinated against yellow fever, the certificate must comply with all of the following—
  - (a) it must be signed personally, either—
    - (i) by a medical practitioner registered in Cook Islands and authorised by the Ministry to sign such certificates - for certificates signed in Cook Islands; or
    - (ii) by a person who is authorised by the national health administration of the country where the certificate is signed – for any certificate issued outside Cook Islands;
  - (b) state the office or professional status of the person who signed the certificate;
  - (c) display the official stamp of a vaccinating centre approved by a national health administration for vaccinating persons against yellow fever in the country where the person was vaccinated or revaccinated;
  - (d) show that the vaccine with which the person was vaccinated or revaccinated was manufactured by an authority approved by the World Health Organization for manufacturing vaccine for the vaccination of persons against yellow fever.

## **Part 4 Contact tracing**

### **30 Purpose of contact tracing**

- (1) Contract tracing undertaken in accordance with this Part has all of the following applications and purposes—

- (a) to identify persons who may have contracted a dangerous condition:
  - (b) to identify persons who may transmit a dangerous condition to others:
  - (c) to inform persons who may have contracted a dangerous condition so that they may seek medical examination and treatment:
  - (d) to provide information to persons who may have contracted a dangerous condition to prevent or minimise transmission of the dangerous condition:
  - (e) to obtain information about the following to prevent or minimise transmission of a dangerous condition—
    - (i) how a person has or may have been exposed to the dangerous condition:
    - (ii) how a person has or may have exposed other persons to the dangerous condition.
- (2) Contact tracing is authorised to be undertaken in accordance with this Part in any of the following circumstances—
- (a) to apply and implement the International Health Regulations:
  - (b) in any other circumstances in which it is necessary or advisable to prevent or minimise the spread of any dangerous condition within Cook Islands, or beyond the borders of Cook Islands:
  - (c) to otherwise respond to any dangerous condition or suspected dangerous condition.

**31 Power to require contact tracing**

- (1) This Part applies if an authorised officer—
- (a) has grounds to suspect that a person —
    - (i) has a dangerous condition; or
    - (ii) has been in contact with a person who has, or may have, a dangerous condition; and
  - (b) has explained to the person that information is needed to attempt to prevent or minimise the spread of the dangerous condition.
- (2) An authorised officer has authority to ask a person to whom sub-regulation (1) applies to give the authorised officer all or any of the following information (the contact information) within a stated time—
- (a) the person's name and residential address, or another address where the person may be contacted:
  - (b) the name, address, whereabouts and telephone number of any other person—
    - (i) who may have transmitted the dangerous condition to the person;
    - or
    - (ii) to whom the person may have transmitted the dangerous condition:
  - (c) information about the circumstances in which the person may have been exposed to the dangerous condition, or may have exposed another person to the dangerous condition.
- (3) An authorised officer has authority to ask a person to whom sub-regulation (1) applies to give the authorised officer evidence of the accuracy of any contact information provided in accordance with sub-regulation (2), within a stated time, if the authorised officer has grounds to suspect that the contact information may be false, inaccurate or incomplete.

- (4) If a person referred in sub-regulation (3) is unable to provide information because of illness or other reasonable cause, the authorised officer has authority to require another person to provide any further information or verification if the officer believes that such a person has such information or the means to verify any information provided.
- (5) If a person fails to comply with a request under this regulation, the authorised officer has authority to serve a notice on the person that covers any or all of the following—
  - (a) details of the contact information that the person is required to provide;
  - (b) details of the information which is needed to attempt to prevent or minimise the spread of the dangerous condition;
  - (c) a requirement that the person provide the authorised officer with the contact information within a stated time;
  - (d) provides a warning to the person that it is an offence to fail to give the contact information as required.
- (6) For the purposes of this regulation, a requirement given under sub-regulations (4) or (5) is a “contact information requirement”.
- (7) A person asked or required by an authorised officer to give contact information or evidence of the correctness of contact information must not state or provide anything to the officer that the person knows is false, inaccurate or misleading.
- (8) A person who fails to comply with a contact information requirement commits an offence against these regulations.

### **32 Power to obtain business contact information**

- (1) This regulation applies if an authorised officer—
  - (a) has grounds to suspect that a person may have contracted a dangerous condition while receiving or providing goods or services from or to a business; and
  - (b) has explained to an owner of the business, or the person apparently in charge of the business, that information is needed to prevent or minimise the spread of the dangerous condition.
- (2) An authorised officer has authority to ask the owner or person apparently in charge of a business to give the authorised officer all or any of the following information (the business contact information) within a stated time—
  - (a) the owner’s or person’s name and residential address, or another address where the owner or person may be contacted;
  - (b) the name, address, whereabouts and telephone number of any person who received or provided goods or services from or to the business within a stated period;
  - (c) information about the circumstances in which a person who received or provided goods or services from or to the business may have been exposed to the dangerous condition or may have exposed another person to the dangerous condition.
- (3) An authorised officer has authority to ask the owner or person apparently in charge of a business to give the authorised officer evidence of the accuracy of the business contact information provided in accordance with sub-regulation (2) within a stated time, if the authorised officer has grounds to suspect that the stated business contact information may be false, inaccurate or incomplete.

- (4) If a person fails to comply with a request under this regulation, the authorised officer has authority to serve a notice on the person that covers any or all of the following—
  - (a) details of the business contact information that the person is required to provide;
  - (b) details of the business contact information which is needed to attempt to prevent or minimise the spread of the dangerous condition;
  - (c) requires the person to give the authorised officer the business contact information within a stated time;
  - (d) provides a warning to the person that it is an offence to fail to give the business contact information as required.
- (5) For the purposes of this regulation, a requirement given under sub-regulation (4) is a “business contact information requirement”.
- (6) A business contact information requirement may apply to goods or services provided, stored or supplied in Cook Islands or elsewhere.
- (7) A person asked or required by an authorised officer to give business contact information or evidence of the correctness of business contact information must not state or provide anything to the officer that the person knows is false, inaccurate or misleading.
- (8) A person who fails to comply with a business contact information requirement commits an offence against these regulations

### 33 **Disclosure of contact information**

Information obtained during the course of contact tracing in accordance with this Part is to be treated as confidential, and may only be disclosed or published in any manner in any of the following circumstances—

- (a) if the disclosure of the confidential information is authorised under the Act or another law;
- (b) if the confidential information is disclosed by an officer of the Ministry in any of the following circumstances or manner—
  - (i) in the performance of functions under the Act;
  - (ii) with the written consent of the person to whom the information relates;
  - (iii) to the person to whom the information relates;
  - (iv) in a form that could not identify any person.
- (c) if the disclosure of the confidential information to another person is authorised by the Director to protect the health of that person or another person;
- (d) if the Director believes that the disclosure is in the public interest and the Director has authorised the disclosure in writing;
- (e) if the disclosure of the information is to the Director to allow the Director to act under this Part;
- (f) the disclosure is to the World Health Organization or other State or entity, and the disclosure is required or permitted under an international agreement to which Cook Islands is a party for the purpose of minimising or preventing risks to human health.

## **Part 5**

### **Health controls over aircraft and ships**

#### Subpart 1— Reporting requirements

#### **34 Report of arriving aircraft and ships**

- (1) Before arriving in Cook Islands, the officer or person in charge of any aircraft or ship used in a business of carrying persons or cargo, or of any other conveyance determined by the Minister by written Order from time to time, must ensure that a report is made to an authorised officer or to any other public servant authorised to receive the report on behalf of the Ministry, at a time and in the manner specified in Schedule 2.
- (2) A report made under sub-regulation (1) must provide full particulars of all of the following matters if any of them apply—
  - (a) if any grounds exist to suspect that any person, cargo or other thing on board the aircraft or ship has been diagnosed with, been in contact with or could cause the spreading of a dangerous condition:
  - (b) if a person on board the aircraft or ship has died from any cause:
  - (c) if any circumstances referred to in Schedule 3 exist.
- (3) Before departing from Cook Islands, the officer or person in charge of any aircraft or ship must ensure that a report is made to an authorised officer or to any other public servant authorised to receive the report on behalf of the Ministry, in relation to any circumstance referred to in paragraph (1)(j) of Schedule 3, if they exist on the aircraft or ship.
- (4) If it is not possible for a report to be made before arrival in Cook Islands, the report must be made at the entry or departure point in accordance with sub-regulation (6).
- (5) The Director must be informed of any matter of concern which is reported in accordance with this regulation.
- (6) On arriving in Cook Islands the officer or person in charge of any aircraft or ship must ensure that all required forms and declarations are made and completed, and that they are delivered to an authorised officer or to any other public servant authorised to receive them on behalf of the Ministry.

#### **35 Deaths to be reported**

- (1) If, during the reporting period, a person on board an aircraft or ship which is entering or about to enter Cook Islands dies, the officer or person in charge of the aircraft or ship must immediately provide all of the following information to an authorised officer—
  - (a) the name of the deceased person:
  - (b) the date and the cause, or suspected cause, of the person's death:
  - (c) any other information required by the authorised officer.
- (2) The reporting period under sub-regulation (1)—
  - (a) starts at the end of the period within which the officer or person in charge was required to give information to an authorised officer under regulation 34; and
  - (b) ends when the aircraft or ship leaves its last port or place of call before departure from the Cook Islands.

- 36 Provision of information and inspection of baggage and cargoes**
- (1) The officer or person in charge of an aircraft or ship to which this Part applies must ensure that all answers are provided to any questions asked by an authorised officer or by any other public servant authorised by the Ministry for this purpose, and that all such information or records are provided as required.
  - (2) The officer or person in charge of an aircraft or ship to which this Part applies must ensure that requirements stated in Schedule 5 are complied with.
  - (3) If a person becomes aware that any information which has been provided by that person, or any report which has been made in accordance with these regulations, is incomplete or inaccurate, the person must immediately give the complete or correct information to an authorised officer.
  - (4) A person who gives or reports false or misleading information, or who causes any information to be given or reported that is false or misleading, under these regulations (whether the requirement to give or report the information is made of the person or another person), breaches these regulations if any of the following apply—
    - (a) the person knew, or ought reasonably to have known, that the information or report was false or misleading; or
    - (b) the person is negligent as to whether the information is false or misleading in that detail.
  - (5) An authorised officer has authority to inspect baggage, cargo, containers, aircraft, ships, goods, postal parcels and human remains carried on any aircraft or ship to which these regulations apply, and all officers and crew must facilitate such inspections.
- 37 Communication of information to passengers**
- The officer or person in charge of an aircraft or ship to which these regulations apply, must comply with both of the following—
- (a) at the request of an authorised officer – he or she must communicate or cause to be distributed to travellers information required, or questionnaires approved, by the Director;
  - (b) he or she must provide travellers with information about any processes, requirements or obligations imposed on them under these regulations or the International Health Regulations.

## Subpart 2— Performance of health quarantine

- 38 Directions that pratique is not to be granted**
- (1) The Secretary may, from time to time, give a written direction that pratique is not to be granted to an aircraft to which these regulations apply, in any of the following circumstances—
    - (a) the officer or person in charge of the aircraft has previously failed to provide information as required under this Part;
    - (b) there is an outbreak of disease or a threat of an outbreak of disease in any part of the world;
    - (c) the Queen’s Representative has declared a public health emergency under section 118 of the Public Health Act;

- (d) the Minister has taken measures or given directions under section 119 of the Public Health Act, and the emergency in relation to which the measures have been taken or the directions have been given is continuing;
  - (e) the aircraft has travelled from or through a declared place.
- (2) In giving a direction under this regulation, the Secretary must take into account the following considerations—
- (a) whether similar directions are likely to be given in relation to other aircraft:
  - (b) the period in which it is likely that such directions will be given and applied:
  - (c) the class or classes of aircraft in relation to which it is likely that directions will be given:
  - (d) if the circumstance mentioned in sub-regulation (1)(a) applies — whether the failure is likely to be repeated:
  - (e) if the circumstance mentioned in sub-regulation (1)(a) applies and the Secretary considers that the failure is not likely to be repeated — whether it would be more appropriate to issue a warning to the officer or person in charge of the aircraft.

**39 Granting of free pratique**

- (1) Prior to the granting of free pratique, all aircraft and ships to which these regulations apply are subject to inspection and, if a source of infection or contamination is found on board, the carrying out of necessary disinfection, decontamination, dis-insection or de-ratting, or other measures necessary to prevent the spread of the infection or contamination.
- (2) Subject to sub-regulation (1) and to any other specific requirements under these regulations, aircraft or ships will not be refused free pratique for public health reasons; and they will not be prevented from embarking or disembarking, discharging or loading cargo or stores, or taking on fuel, water, food and supplies.
- (3) Whenever practicable and subject to the requirements of this Part, free pratique may be granted by radio or other communication means to an aircraft or ship when, on the basis of information received from it prior to its arrival, an authorised officer is of the opinion that the arrival of the aircraft or ship will not result in the introduction or spread of disease.
- (4) Officers or persons in charge of aircraft or ships must ensure that all necessary information is provided as early as possible before arrival at the destination relating to any cases of illness indicative of a disease of an infectious nature or evidence of a public health risk on board, and if necessary such information should be communicated directly to the relevant airport or port operator.
- (5) All of the following apply if a suspect or affected aircraft or ship, for reasons beyond the control of the officer or person in charge, lands or berths elsewhere than where it was expected to arrive—
  - (a) the officer or person in charge must make every effort to communicate without delay with the Ministry:
  - (b) as soon as the Ministry has been informed of the arrival an authorised officer has authority to apply health measures in accordance with these regulations:



- (c) unless required for emergency purposes or for communication with an authorised officer, no traveller on board the aircraft or ship is permitted to leave its vicinity, and no cargo is permitted to be removed from that vicinity, unless permission is granted by an authorised officer;
  - (d) when all required health measures have been completed, the aircraft or ship may, so far as such health measures are concerned, proceed either to the airport or port at which it was due to arrive, or, if for technical reasons it cannot do so, to another airport or port approved by an authorised officer.
- (6) Despite the provisions of this regulation, the officer or person in charge of an aircraft or ship has authority to take any emergency measures that are necessary for the health and safety of travellers on board, and he or she must ensure that the Ministry is informed of any measures taken as soon as practicable.

**40 Quarantine signals by ships**

The officer or person in charge of any ship to which these regulations apply must ensure that the quarantine signals are displayed in accordance with the requirements stated in Schedule 4.

**Subpart 3— Responding to health issues on aircraft and ships**

**41 Sanitary conditions to be kept**

- (1) The officer or person in charge of an aircraft or ship which is at a port or other place in Cook Islands or on a journey or voyage to or within the Cook Islands, must take all necessary steps to ensure the aircraft or ship is kept in a sanitary condition and is not carrying diseases or pests.
- (2) Despite the provisions of regulation 6(1), the obligations under this regulation apply to all aircraft and ships whether or not their journey or voyage is entirely within the Cook Islands.

**42 Measures to be taken in relation to aircraft and ships**

- (1) The officer or person in charge of an aircraft or ship to which these regulations apply must make arrangements for the disinfection, decontamination, dis-insection or de-ratting of the aircraft or ship in a manner, and within a time, required by standards, rules, codes of practice or operating procedures applied under section 16 of the Act, or by the Director from time to time.
- (2) If the measures required under sub-regulation (1) are not undertaken as directed, the Director has authority to take all necessary action in relation to the aircraft or ship, and all costs incurred in doing so are the responsibility of the owner or operator of the aircraft or ship.
- (3) An authorised officer has authority to require the isolation of an aircraft or ship while measures under this regulation are applied, and all officers and crew of the aircraft or ship must comply with any requirements imposed or directions made in relation to such a requirement.
- (4) If measures required under this regulation are not carried out as required, but the aircraft or ship is given permission by the Director to depart, then both of the following apply—
  - (a) the Ministry must give an appropriate notification to the relevant competent authority of the next known point of entry:

- (b) in the case of a ship, appropriate notes must be made to the Ship Sanitation Control Certificate.

**43 Issue of certificates for measures taken**

- (1) An authorised officer may issue a certificate in relation to an aircraft or ship to which these regulations apply and which is about to depart from a restricted place declared under section 107 of the Public Health Act.
- (2) A certificate issued under this regulation may specify the measures taken by or under the supervision of the authorised officer to prevent the cause or spread of a public health risk.

**44 Requirements applicable to containers and loading areas**

- (1) All person responsible for containers used on any ship to which these regulations apply must ensure that all of the following requirements are complied with—
  - (a) international traffic containers must be kept free from sources of infection or contamination (including vectors and reservoirs), particularly during the course of packing;
  - (b) container loading areas must be kept free from sources of infection or contamination, (including vectors and reservoirs);
  - (c) facilities must be provided for the inspection and isolation of containers at container loading areas.
- (2) Authorised officers have authority to take all necessary measures in relation to containers, including carrying out inspections, to assess the sanitary condition of container loading areas and containers in order to ensure that the obligations contained in these regulations and the International Health Regulations are implemented.
- (3) Consignees and consignors of containers must implement all necessary arrangements to ensure that cross-contamination is avoided when multiple-use loading of containers is employed.

**45 Requirements for the removal of stores or wastes**

- (1) The officer or person in charge of an aircraft or ship to which these regulations apply must make arrangements for the proper and authorised removal, discharge, storage or disposal of stores or wastes from the aircraft or ship.
- (2) All arrangements applied under this regulations must comply with applicable standards, rules, codes of practice or operating procedures applied under section 16 of the Act, or as required by the Director from time to time.
- (3) A person must not discharge or remove stores or wastes from an aircraft or ship to which these regulations apply, unless all of the following apply—
  - (a) permission from the officer or person in charge must have been given;
  - (b) all requirements under this regulation must be complied with.

**46 Securing stores and wastes**

- (1) An authorised officer has authority to take custody of and to secure any stores or waste that are on an aircraft or ship to which these regulations apply, and which is at a port in the Cook Islands, to ensure that these regulations are complied with.
- (2) A person must not interfere with the stores or waste, or the means by which they are secured, without the permission of the authorised officer.

## **Part 6**

### **Enforcement orders**

#### Subpart 1— Quarantine orders for individuals, animals and plants

##### **47 Quarantine orders applying to individuals and to animals or plants**

- (1) In addition to the quarantine orders provided for under section 60(3) of the Public Health Act, quarantine orders may be made in relation to any person, animal or plant in accordance with this subpart.
- (2) The Director, and any authorised officer acting with the authority of the Director, have authority to make an order into quarantine in accordance with this subpart.
- (3) The quarantine order may be issued and applied in relation to any of the following—
  - (a) to a person who is over 18 years of age — by issuing it to the person:
  - (b) to a person who has is under 18 years of age — to a parent or guardian of the person:
  - (c) in relation to an animal or plant, or other goods — to the importer or to any person having possession or custody of the animal, plant or other goods:
  - (d) in relation to a person, animal or plant, or other goods, on board an aircraft or ship — to the officer or person in charge of the aircraft or ship, or to any other senior member of its crew, if the officer or person in charge or it cannot be located.

##### **48 Effect of a quarantine order**

- (1) If a quarantine order is applied to any person in accordance with regulation 47, the Director has all necessary authority to take any of the following action in relation to the quarantined person—
  - (a) to require that the person be isolated at any place within the airport or port of arrival:
  - (b) to require that the person be moved to any other place for the purposes of isolation:
  - (c) to permit the person to move to any hotel or other place of residence, subject to any conditions, restrictions or requirements determined by the Director:
  - (d) to arrange for any examination or testing of the person in relation to the suspected condition:
  - (e) to require the person to undergo any treatment relevant to the suspected condition.
- (2) Any requirement imposed under sub-regulation (1) must take account of the matters referred to in regulation 4(2).
- (3) The Secretary or Director may cancel a quarantine order, and when so doing conditions may be imposed on the person to whom the order applied to minimise the risk of any spread of the person's condition, or to otherwise respond to any risk to human health.

##### **49 Powers of the Secretary**

- (1) An authorised officer acting under the authority of this subpart must provide the Secretary with all of the following information—

- (a) the name of any person who has been ordered into quarantine:
  - (b) the day on which the person was ordered into quarantine:
  - (c) the grounds upon which the person was ordered into quarantine:
  - (d) the suspected disease:
  - (e) the person's date of birth:
  - (f) the person's sex:
  - (g) the number, and country of issue, of the person's passport:
  - (h) the place where the person is held in quarantine, and details of all arrangements made in relation to the keeping of the person under quarantine:
  - (i) the person's contact details:
  - (j) the place from which the person departed, and details of any stopovers, on the person's journey or voyage to Cook Islands:
  - (k) contact details for any person travelling with the person:
  - (l) the name of the authorised officer who ordered the person into quarantine.
- (2) The Secretary has authority to do all of any of the following—
- (a) require that any further or additional information be provided:
  - (b) direct that any examination or test be undertaken, or any treatments be provided:
  - (c) order the review of the matter by any qualified person and receive a report of any such review:
  - (d) order any modification to the arrangements which have been applied to the person under quarantine:
  - (e) grant a temporary or permanent release for the person under quarantine, subject to any necessary conditions:
  - (f) make any other arrangements or impose any other requirements which take account of the rights and interests of the person under quarantine, whilst preventing or minimising any risks associated with the person and the person's condition.

## Subpart 2— Quarantine orders for aircraft and ships

### **50 Orders in relation to aircraft or ships**

- (1) If an authorised officer has grounds to believe that an aircraft or ship, or any person, cargo or thing on board the aircraft or ship, could be the source of a dangerous condition or a public health risk, the officer has authority to order the officer or person in charge of the aircraft or ship, or any other person using it for the business of carrying persons or cargo to do all or any of the following—
- (a) to take any reasonable measures to prevent entry to or exit from the aircraft or ship or access to it or its cargo or contents:
  - (b) to take the aircraft or ship to a specified place:
  - (c) to quarantine or otherwise isolate the aircraft or ship in accordance with the directions and requirements specified by the officer:
  - (d) to disinfect, dis-insect, decontaminate or fumigate the aircraft or ship, its cargoes or contents, or any place where the aircraft or ship or its cargoes or contents have been, in a manner directed by the officer:
  - (e) to destroy any contents or any cargo or other thing that has been on board the aircraft or ship:

- (f) to carry out any measures which are necessary to prevent the introduction and spread of a dangerous condition or public health risk:
- (g) to remove the aircraft or ship, or its cargo or contents, from Cook Islands and present a declaration of health provided by an authorised officer to the appropriate health authorities in the country of destination:
- (h) do any other thing which is necessary to contain a dangerous condition or public health risk, or to prevent or minimise their spread.

**51 Refusal to obey order**

- (1) If a person refuses to obey the order of an authorised officer made under regulation 48, the officer has authority to take any action which is necessary to carry out and give effect to the order themselves, or arrange for another person to take such action.
- (2) After action has been taken in accordance with sub-regulation (1), the authorised officer must, as soon as practicable, advise the person who refused to obey the order of the action taken, and the place where the aircraft or ship, or its cargo or contents are being kept.

**52 Responsibility for the costs of carrying out order**

- (1) A person who is subject to an order made under regulation 48, or the owner or operator of the aircraft or ship to which the order applies, must pay all costs associated with the carrying out of the order.
- (2) An authorised officer has authority to detain the aircraft or ship, or its cargo or contents until the cost of carrying out the order have been paid.

**53 Injury, damage and discomfort to be minimised**

- (1) An authorised officer exercising powers under this Part must ensure that any disinfection, de-ratting, disinfection, decontamination and other sanitary procedures are carried out so as to avoid all of the following to the greatest extent practicable—
  - (a) unnecessary injury or discomfort to any person:
  - (b) damage to the environment; and
  - (c) damage to property or the aircraft or ship.
- (2) Despite sub-regulation (1) no compensation or other payment is due or payable to the owner or operator of any aircraft or ship which has been subject to any order or action issued or taken in accordance with these regulations.

**Part 7**

**Offences and other miscellaneous provisions**

**54 Knowingly or recklessly spreading a dangerous condition**

- (1) A person who knowingly or recklessly puts any other person at risk of contracting a dangerous condition commits an offence, and is liable upon conviction to a fine not exceeding \$25,000, or to a term of imprisonment of up to 12 months, or both.
- (2) A person does not commit an offence against sub-regulation (1) only by the failure or refusal to be vaccinated against a condition.

**55 Offences against these regulations**

- (1) A traveller to whom these regulations apply, who breaches any obligation or requirement applying to travellers under these regulations, commits an offence, and is liable upon conviction to a fine not exceeding \$2,000.
- (2) A member of the crew of an aircraft to which these regulations apply, who breaches any obligation or requirement applying to aircraft under these regulations, commits an offence, and is liable upon conviction to a fine not exceeding \$2,000.
- (3) An officer or person in charge of a ship to which these regulations apply, who breaches any obligation or requirement applying to ships under these regulations, commits an offence, and is liable upon conviction to a fine not exceeding \$5,000.
- (4) The owner or operator of an aircraft or ship to which these regulations apply, in relation to which any obligation or requirement applying to aircraft or ships under these regulations is breached, commits an offence, and is liable upon conviction to a fine not exceeding \$10,000.
- (5) Any other person who breaches any obligation or requirement applying to that person under these regulations, commits an offence, and is liable upon conviction to a fine not exceeding \$1,000.
- (6) The fines prescribed under this regulation are subject to regulation 56, which has application if the offence or breach results in any outbreak or spread of disease, or causes or contributes to a public health emergency of international concern.

**56 Additional penalty if outbreak of disease is caused**

If any offence against these regulations, or any breach of any obligation or requirement applying under them, results in any outbreak or spread of disease, or causes or contributes to a public health emergency of international concern, then upon conviction the person is liable to either of the following—

- (a) in the case of an individual - to a fine not exceeding \$20,000;
- (b) in any other case - to a fine not exceeding \$50,000.

**57 Offences by corporations**

If an offence against these regulations, or any breach of an obligation or requirement under them, is committed by a company or corporate body, then in addition to proceedings being taken against the company, any director, manager or person associated with the company may be prosecuted under these regulations if any of the following apply—

- (a) that person knew of the circumstances amounting to the offence or breach;
- (b) that person ought to have known of the circumstances amounting to the offence or breach;
- (c) that person was responsible for any matter within the company or corporate body, which if done properly, would have prevented or avoided the offence or breach, or would have minimised the consequences of it;
- (d) that person acted in any way so as to cover up the circumstances which amounted to the offence or breach.

**58 Charges under these regulations**

- (1) Subject to sub-regulations (2), (3) or (4), no charge will be imposed in relation to any of the following measures taken under these regulations—
- (a) a medical examination related to the International Health Regulations, or any supplementary examination which may be required to ascertain the health status of the traveller examined;
  - (b) a vaccination or other prophylaxis provided to a traveller on arrival that is not a published requirement or is a requirement published less than 10 days prior to provision of the vaccination or other prophylaxis;
  - (c) isolation or quarantine requirements and related expenses;
  - (d) any certificate issued to the traveller specifying the measures applied and the date of application;
  - (e) any health measures applied to baggage accompanying the traveller.
- (2) Sub-regulation (1) does not apply to travellers seeking temporary or permanent residence in Cook Islands.
- (3) The Minister may determine charges for health measures other than those referred to in sub-regulation (1), including measures which are primarily for the benefit of the traveller, but such charges must comply with both of the following requirements—
- (a) they must not exceed the cost of the service rendered;
  - (b) they must be levied without distinction as to the nationality, domicile or residence of the traveller.
- (4) Nothing in this regulation precludes the Ministry from seeking reimbursement for expenses incurred in providing the health measures in sub-regulation (1) from the owner or operator of aircraft or ships to which these regulations apply if the expenses relate to their employees, or from applicable insurance sources.
- (5) All of the following requirements apply to any charges which are applied under this regulation in relation to health measures applied to baggage, cargo, containers, conveyances, goods or postal parcels—
- (a) the charge must not exceed the actual cost of the service rendered or measures applied;
  - (b) the charge must be levied without distinction as to the nationality, flag, registry or ownership of the baggage, cargo, containers, aircraft, ship, goods or postal parcels concerned, and there must be no distinction made between national and foreign baggage, cargo, containers, aircraft, ships, goods or postal parcels.

**Schedule 1**  
**Other dangerous conditions**

In addition to the conditions specified to be transmissible notifiable conditions in Part 1 of Schedule 2 of the Public Health Act, all of the following are deemed to be dangerous conditions for the purposes of the Act and these regulations—

- A. Blood-borne diseases**
  - Hepatitis B (incident)
  - Hepatitis B (unspecified)
  - Hepatitis C (incident)
  - Hepatitis C (unspecified)
  - Hepatitis D
  
- B. Gastrointestinal Diseases**
  - Campylobacteriosis
  - Shigellosis
  - Typhoid
  - Infantile Diarrhoea
  - Hepatitis A
  - Hepatitis E
  - Cryptosporidiosis
  - Listeriosis
  - Botulism
  
- C. Quarantinable diseases**
  - Dengue Fever
  - Cholera
  - Yellow Fever
  - Plague
  - Typhus
  - Smallpox
  
- D. Sexually Transmitted Infections**
  - Chlamydial infections
  - Gonorrhoea
  - Syphilis
  - Syphilis (Congenital)
  - HIV (Human Immunodeficiency Virus)
  - AIDS (Acquired Immune Deficiency Syndrome)
  
- E. Vaccine-Preventable Diseases**
  - Diphtheria
  - Haemophilus influenzae type b
  - Influenza A(laboratory confirmed)
  - H1N1
  - Measles
  - Mumps
  - Pertussis(whoopingcough)



Poliomyelitis  
Rubella  
Tetanus  
HPV (human papilloma virus)  
Tuberculosis  
Hepatitis B

**F. Vector-borne Diseases**

Dengue Fever  
Chikungynea  
Filariasis  
Malaria  
Arbovirus  
Flavivirus

**G. Zoonoses**

Anthrax  
Avian flu  
SARS (sub-acute respiratory syndrome)  
Brucellosis  
Leptospirosis  
Hydatid  
Bovine flu  
Bovine TB  
Swine TB  
Q Fever  
Ornithosis

**H. Other bacterial infection**

Leprosy  
Legionellosis  
Tuberculosis  
Meningococcal infection  
MRSA (methicillin resistant staphylococcus aureus)  
SARS (sub-acute respiratory syndrome)

**I. Others**

Ebola  
Lassa Fever and Marburg virus

And any transmissible condition that is the currently the subject of a World Health Organization-declared pandemic, or the subject of a declared public health emergency of international concern, if that condition is declared by notice in writing by the Secretary or the Director to be a dangerous condition.

**Schedule 2**  
**Reporting requirements**

*Pre arrival information for ships*

- (1) For the purposes of regulation 34, all of the following information is required to be provided in relation to a ship which 25 metres or more in length—
- (a) the name, previous name (if any), voyage number, call sign, country of registry and port of registry of the ship, and the identifying number (if any) allocated to it by the International Maritime Organisation or Lloyds;
  - (b) the type of ship, its length overall, and the number of its cargo holds, tanks and decks;
  - (c) a list of all ports visited since the beginning of current voyage, and the last port of call located outside the Cook Islands that the ship was in;
  - (d) the place in the Cook Islands where the ship is to arrive, and all of the following—
    - (i) if the ship is to berth at the place — the berth it will arrive at and its estimated time of arrival at the berth; and
    - (ii) if the ship is to anchor at the place — its estimated time of anchoring; and
    - (iii) its estimated time of departure from the place;
  - (e) each port of call in the Cook Islands that the ship will, or is likely to, visit before it leaves the Cook Islands;
  - (f) whether or not there are to be any crew changes while the ship is at a port of call in the Cook Islands and, if there are, all of the following information must be provided—
    - (i) the port or ports at which crew members will be signing off;
    - (ii) the number of crew members that will be signing off;
    - (iii) the day and time estimated by the officer or person in charge of the ship to be the day and time when the crew members will be signing off;
  - (g) whether or not any passengers are to disembark from the ship while it is at a port of call in the Cook Islands and, if one or more persons is to disembark, all of the following information must be provided—
    - (i) the port at which the passengers will disembark;
    - (ii) the number of passengers that will be disembarking;
    - (iii) the day and time estimated by the officer or person in charge of the ship to be the day and time that the passengers will be disembarking;
  - (h) whether or not the ship has carried livestock, seeds (including grain) or meal (being meal that contains plant or animal, including fish or bird, material) in any of the last 10 cargoes and, if it has, all of the following details about each cargo that includes such goods must be provided—
    - (i) the contents of the cargo that was carried;
    - (ii) the port at which it was loaded;
    - (iii) the port at which it was discharged;
    - (iv) the cleaning performed since it was discharged;

- (i) whether or not there are any plants on board the ship and, if there are, all of the following information must be provided—
    - (i) the location of the plants; and
    - (ii) the health and condition of the plants:
  - (k) whether or not there is a valid Ships Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate for the ship and, if there is, the date and port of issue of that certificate:
  - (l) whether or not any person on board the ship died during the voyage and, if any death has occurred, the number of deaths and the cause, or suspected cause, of each of the deaths:
  - (m) whether or not any person on board the ship during the voyage is found to be suffering from an illness and, if one or more person has suffered from illness, all of the following information must be provided—
    - (i) the cause or suspected cause of the illness:
    - (ii) any treatment the person has had on board the ship during the voyage:
    - (iii) the number of people on board the ship found to be suffering from the illness:
  - (n) whether or not any person on board the ship during the voyage is found to have a symptom of an illness and, if any symptoms have been found, all of the following information must be provided—
    - (i) the cause or suspected cause of the symptom:
    - (ii) any treatment the person has had on board the ship during the voyage:
    - (iii) the number of people on board the ship found to have the symptom:
  - (o) whether or not there are any animals on board the ship (whether part of the cargo or not) and, if there are, all of the following information must be provided—
    - (i) the number of animals on board:
    - (ii) a description, including the health and condition, of the animals:
  - (p) whether or not any animal on board the ship died during the voyage and, if so, the number of animals that died and how the animals were disposed of:
  - (q) whether or not, since leaving the last port of call of the ship, any insects have been on board and, if they have, all of the following information for each insect must be provided—
    - (i) its location on board the ship when discovered:
    - (ii) a description of the insect:
  - (r) whether or not waste on board the ship has been securely contained in a container kept for that purpose, or in a sealed room, so that all of the following requirements are complied with—
    - (i) the waste is not accessible to any animals:
    - (ii) there is no leakage of the waste:
  - (s) the name of, and how to contact, the ship's or installation's agent in the Cook Islands.
- (2) For the purposes of regulation 34, all of the following information is required to be provided in relation to a ship which is less than 25 metres in length—
- (a) the name of the ship:

- (b) the last port of call of the ship and the date of departure from that port of call;
  - (c) the number of persons on board the ship;
  - (d) if any person on board the ship during the voyage is found to be suffering from an illness, the cause, or suspected cause, of the illness and the number of people who are found to be suffering from the illness;
  - (e) if a symptom prescribed by Schedule 3 presents itself in a person on board the ship during the voyage, the nature and cause (or suspected cause) of the symptom, and the number of people in whom the symptom is present;
  - (f) if any live animal is on board the ship, the number of animals on board, and a description, including the health and condition of the animals;
  - (g) if any animal died during the voyage, the number of animals that died and how the animals were disposed of;
  - (h) the estimated time of arrival of the ship at the port or place;
  - (i) when and how pre arrival information (except for aircraft) to be given.
- (3) For the purposes of all information required to be given in accordance with the requirements of this clauses (1) and (2) of this Schedule, the information must comply with all of the following—
- (a) it must be given—
    - (i) between 96 hours before and 12 hours before the estimated time of arrival of the ship; or
    - (ii) if an authorised officer has notified the officer or person in charge of the ship that the information is to be given within a different period, within that period; and
  - (b) for a ship of 25 metres or more in length — it must be in writing and given to an authorised officer; and
  - (c) for a ship which is less than 25 metres in length — it must be given orally or in writing to an authorised officer.
- (4) Despite the reporting times specified in paragraph (2), if the information changes after it is given, details of the changes must be given again as soon as possible.

*Pre arrival information for aircraft*

- (5) For the purposes of regulation 34, all of the following information is required to be provided in relation to an aircraft to which these regulations apply—
- (a) for a non scheduled flight — the identity of the aircraft, the place in the Cook Islands where the aircraft is to arrive and its estimated time of arrival;
  - (b) if any person on the aircraft died during the flight or is found to be suffering from an illness, a statement to that effect;
  - (c) if a symptom prescribed by Schedule 3 presents itself in a person on board the aircraft during the flight, a statement to that effect;
  - (d) if arrangements for dis-insection of the aircraft in a manner approved by an authorised officer have not been complied with, a statement to that effect;
  - (e) if any live animal is on board the aircraft, a statement to that effect;
  - (f) if any animal died during the flight, a statement to that effect;
  - (g) when, how and where pre arrival information for aircraft to be given.

- (6) The following requirements apply to all information required to be provided under clause (5) of this Schedule—
- (a) it must be given—
    - (i) as close to top of descent as is operationally practicable, but in any case at least 30 minutes before the aircraft is on chocks; or
    - (ii) if an authorised officer has notified the commander of the aircraft that the information is to be given at a different time, at that time; and
  - (b) it must be given to an authorised officer for an aircraft at an inspection point.
- (7) Despite the reporting times specified in paragraph (6), if the information changes after it is given, details of the changes must be given again as soon as possible.
- (8) The information may be given by radio-communication or telecommunication.

*Reg. 34(2)*

### **Schedule 3**

For the purposes of regulation 34, the following circumstances are prescribed, persons on board with—

- (a) a temperature over 38 degrees C;
- (b) acute unexplained skin rashes or lesions, and rashes or lesions caused by illness or exposure to hazardous agents (but not heat rashes, dermatitis, eczema or similar common skin conditions);
- (c) persistent or severe vomiting (but not vomiting caused by inebriation or motion sickness);
- (d) persistent, watery or profuse diarrhoea;
- (e) bleeding from the eyes, ears, nose, mouth, anus or skin (but not if the subject is predisposed to nosebleeds or haemorrhoids, or has cuts or abrasions);
- (f) glandular swelling in the armpits or neck;
- (g) prolonged loss of consciousness, if the subject cannot be roused (but not loss of consciousness caused by consumption of alcohol, drugs or medications, fainting or sleeping);
- (h) persistent coughing and difficulty breathing with no apparent cause and no history of similar symptoms (but not persistent coughing and difficulty breathing caused by asthma, heart disease, obesity, chronic bronchitis or emphysema);
- (i) except in the case of a person with restricted mobility or an otherwise healthy young child — an inability to disembark from an aircraft or ship without assistance;
- (j) or suspected to have any of the following diseases—
  - (i) cholera;
  - (ii) dengue fever;
  - (iii) influenza;
  - (iv) malaria;
  - (v) measles;
  - (vi) polio;
  - (vii) plague;

- (viii) rabies:
- (ix) severe acute respiratory syndrome (SARS):
- (x) smallpox:
- (xi) tuberculosis:
- (xii) typhoid fever:
- (xiii) viral haemorrhagic fevers of humans:
- (xiv) yellow fever.

*Reg. 40*

**Schedule 4**  
**Quarantine signals applicable to all ships**

1. Quarantine signal during daylight hours
  - (1) An officer or person in charge of any ship must ensure that the required quarantine signal is displayed until pratique is granted.
  - (2) Subject to paragraphs (2) or (3), the quarantine signal in daylight is the flag signal for the letter Q in the International Code of Signals.
  - (3) The signal is the 2 flag signal for the letters Q Q in the International Code of Signals if—
    - (a) on the day or any of the previous 5 days no person on board is or was suffering from a quarantinable disease; and
    - (b) during the voyage but before the previous 5 days a person on board was suffering from a quarantinable disease or there was unusual mortality among rats on board the aircraft or ship.
  - (4) The signal is the 2 flag signal for the letters Q L in the International Code of Signals if on the day or any of the previous 5 days during the voyage, a person on board the aircraft or ship is or was suffering from a quarantinable disease.
  - (5) The signal must be displayed either at the masthead or at another position from which the signal can be seen from any point outside the ship.
2. Quarantine signal outside daylight hours
  - (1) A quarantine signal other than in daylight is a red light displayed not more than 2 metres above a white light.
  - (2) The lights must be—
    - (a) visible on a clear night for 2 nautical miles in every direction; and
    - (b) displayed in a position as nearly as practicable amidships.

*Reg. 36(2)*

**Schedule 5**  
**Information to be provided to authorised officers**

For the purposes of regulation 36(2), all of the following information is required to be provided to an authorised officer in relation to an aircraft or ship to which these regulations apply—

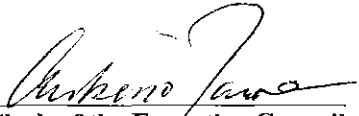
- (a) the name, previous name (if any), voyage number, call sign, country of registry and port of registry of the aircraft or ship, and the identifying number (if any) allocated to it by the International Maritime Organisation or Lloyds:
- (b) the type of ship, its length in metres, and the number of cargo holds, tanks and decks of the aircraft or ship:
- (c) a list of all ports visited since the beginning of current voyage, and the last port of call located outside the Cook Islands that the ship was in:
- (d) the estimated time of departure of the aircraft or ship from the port or place in the Cook Islands at which it has arrived or landed, or is expected to arrive or land:
- (e) each port of call in the Cook Islands that the aircraft or ship will, or is likely to, visit before it leaves the Cook Islands, and its estimated time of arrival at, and departure from, those ports:
- (f) whether or not there are to be any crew changes while the aircraft or ship is at a port of call in the Cook Islands and, if there are, all of the following information must be provided—
  - (i) the port or ports at which crew members will be signing off:
  - (ii) the number of crew members that will be signing off:
  - (iii) the day and time estimated by the officer or person in charge of the aircraft or ship to be the day and time when the crew members will be signing off:
- (g) whether or not any passengers are to disembark from the aircraft or ship while it is at a port of call in the Cook Islands and, if one or more passengers is to disembark, all of the following information must be provided—
  - (i) the port at which the passengers will disembark:
  - (ii) the number of passengers that will be disembarking:
  - (iii) the day and time estimated by the officer or person in charge of the aircraft or ship to be the day and time that the passengers will be disembarking:
- (h) whether or not the aircraft or ship has carried livestock, seeds (including grain) or meal (being meal that contains plant or animal, including fish or bird, material) in any of the last 10 cargoes and, if it has, all of the following information must be provided—
  - (i) the contents of the cargo that was carried:
  - (ii) the port at which it was loaded:
  - (iii) the port at which it was discharged:
  - (iv) the cleaning performed since it was discharged:
- (i) whether or not there are any plants on board the aircraft or ship and, if there are, all of the following information must be provided—
  - (i) the location of the plants; and
  - (ii) the health and condition of the plants:
- (j) whether or not there is a valid ship sanitation control certificate or ship sanitation control exemption certificate and, if there is, the date and port of issue of that certificate:
- (k) whether or not any person on board the aircraft or ship died during the journey or voyage and, if death has occurred, the number of deaths and the cause, or suspected cause, of the death:

- (l) whether or not any person on board the aircraft or ship during the voyage is found to be suffering from an illness and, if one or more persons has suffered from illness, all of the following information must be provided—
  - (i) the cause or suspected cause of the illness:
  - (ii) any treatment the person has had on board the aircraft or ship during the voyage:
  - (iii) the number of people on board the aircraft or ship found to be suffering from the illness:
- (m) whether or not any person on board the aircraft or ship during the voyage is found to have a symptom of an illness (including any symptom referred to in Schedule 3) and, if symptoms of illness have been found, all of the following information must be provided—
  - (i) the cause or suspected cause of the symptom:
  - (ii) any treatment the person has had on board the aircraft or ship during the voyage:
  - (iii) the number of people on board the aircraft or ship found to be have the symptom:
- (n) whether or not there are any animals on board the aircraft or ship (whether part of the cargo or not) and, if there are, all of the following information must be provided—
  - (i) the number of animals on board:
  - (ii) a description, including the health and condition, of the animals:
- (o) whether or not any animal on board the aircraft or ship died during the voyage and, if so, the number of animals that died and how the animals were disposed of:
- (p) whether or not, since leaving the last port of call of the aircraft or ship, any insects have been on board and, if they have, all of the following information must be provided for each insect—
  - (i) its location on board the aircraft or ship when discovered; and
  - (ii) a description of the insect:
- (r) whether or not waste on board the aircraft or ship has been securely contained in a container kept for that purpose or in a sealed room so that—
  - (i) the waste is not accessible to any animals; and
  - (ii) there is no leakage of the waste:
- (s) the name of, and how to contact, the aircraft or ship's agent in the Cook Islands:
- (t) the number of persons on board the aircraft or ship when it arrived at the port or place, and the name and home address, and proposed address in the Cook Islands, of each of those persons:
- (u) the identity and condition of any other goods on board the aircraft or ship during the voyage:
- (v) the ports or other places where persons, animals, plants or other goods came on board or were put on board the aircraft or ship:
- (x) the existence of any disease or pests at the ports of departure or call, or on board the aircraft or ship or in contact with the aircraft or ship:
- (y) the sanitary condition and details of any treatment of the aircraft or ship, including any treatment for hull fouling, during the voyage:
- (z) other matters that certain aircraft or ships must report.



- (2) The requirements of paragraph (1) apply to ships of 25 metres or more in length that has arrived at a port or place in the Cook Islands.
- (3) The officer or person in charge, of the ship must report the following matters to an authorised officer at the port or place—
  - (a) any proposed change of moorings of the aircraft or ship;
  - (b) the estimated time of departure of the aircraft or ship from the port or place, and whether the port or place is the last port of call of the aircraft or ship before it leaves the Cook Islands.
- (4) The officer or person in charge, must report the matters referred to in sub-regulation (2) —
  - (a) at least 48 hours before the proposed change or the departure; or
  - (b) if an authorised officer has given permission for another time, before that other time.

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Clerk of the Executive Council

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These regulations are administered by the Ministry of Health.  
These regulations were made on the 14<sup>th</sup> day of February 2014.