

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Portsmouth are the Port Sanitary Authority for the Portsmouth Port Sanitary District;

And whereas it appears to Us, the Local Government Board, that danger arises to public health from the consumption of shell-fish derived from within the Port Sanitary District, and for the prevention of danger arising to public health it is expedient that the Regulations hereinafter set forth be made by Us in relation to shell-fish:

Now, therefore, in the exercise of the powers conferred upon Us by the Public Health Act, 1875, the Public Health Act, 1896, and the Public Health (Regulations as to Food) Act, 1907, and of every other power enabling Us in that behalf, We hereby make the following Regulations, that is to say:—

ARTICLE I.—In these Regulations, unless the contrary intention appears,—

(1) The expression "District" means the Portsmouth Port Sanitary District.

(2) The expression "Langstone Harbour" means the part of the District which is described in the Schedule to these Regulations;

(3) The expression "Port Sanitary Authority" means the Port Sanitary Authority for the Portsmouth Port Sanitary District;

(4) The expression "Port Medical Officer" includes the Medical Officer of Health for the said Port Sanitary District, and any legally qualified medical practitioner appointed or employed by the Port Sanitary Authority to act in the execution of these Regulations; and

(5) The expression "Gutner layings" means the oyster ponds and layings situated in Gutner Creek to the west of Gutner Common in North Hayling, or such other layings as We, on the representation of the Port Sanitary Authority, may hereafter approve.

ARTICLE II.—These Regulations shall be executed and enforced by the Port Sanitary Authority, and the Port Medical Officer shall make all such inquiries and inspections, whether within or without the limits of jurisdiction of the Port Sanitary Authority, as may be necessary to secure that all the provisions of these Regulations are strictly complied with.

ARTICLE III.—A person shall not sell, distribute or offer for sale for human consumption any oysters taken from Langstone Harbour: Provided that this Article shall not apply to oysters which have been taken from Langstone Harbour and have subsequently been relaid in the Gutner layings in accordance with conditions specified in a permit granted by the Port Medical Officer to the person responsible for the relaying of the oysters.

ARTICLE IV.—A permit granted by the Port Medical Officer for the purposes of these Regulations shall specify the following conditions:—

(1) Oysters taken from Langstone Harbour during times of frost shall not be relaid in the Gutner layings;

(2) Oysters relaid in the Gutner layings must remain there for a period of not less than fifteen days;

(3) Oysters from Langstone Harbour shall during the period of relaying be kept separate from oysters from other sources;

(4) Oysters from Langstone Harbour shall be relaid in the Gutner layings in such manner and position as to secure that they shall become adequately cleansed, and it shall be a condition of the holding of a permit under these Regulations that the holder shall give to the Port

Medical Officer all such information as that officer may require regarding the number of oysters from Langstone Harbour which are relaid by him and the dates of relaying such oysters, and shall observe all reasonable directions of the Port Medical Officer with the view of rendering the relaid oysters fit for human consumption; and

(5) Any permit granted by the Port Medical Officer for the purposes of these Regulations shall be valid for not more than one year and may be revoked at any time by the Port Sanitary Authority if the conditions of the permit shall not have been satisfactorily observed or if the holder has not complied with the requirements of these Regulations.

ARTICLE V.—A person shall not sell, distribute or offer for sale for human consumption any cockles, mussels or butterfish taken from within the District unless and until they shall have been subjected to a process of sterilization by steaming under pressure in a suitable apparatus for at least 6 minutes. The sterilization shall be carried out either by the Port Sanitary Authority or in a manner approved by the Port Medical Officer.

ARTICLE VI.—(1) The Port Sanitary Authority may with Our consent appoint and pay a legally qualified medical practitioner to act in the execution of these Regulations.

(2) The Port Sanitary Authority may also, with Our consent, appoint or employ and pay a person to act, under the direction of the Port Medical Officer, in the execution of any such powers or in the discharge of any such duties of the Port Medical Officer under these Regulations as the Port Sanitary Authority assign to the person so appointed.

ARTICLE VII.—(1) If a difference arises in relation to any subject matter of, or to anything done under these Regulations, the difference may, on the application of all the parties affected, be referred to Us for determination.

(2) It shall be at Our option to determine any such difference as arbitrators or otherwise; and, if We elect to determine the difference as arbitrators, the provisions of the Regulation of Railways Act, 1868, respecting arbitrations by the Board of Trade, and the enactments amending those provisions shall apply, as if they were re-enacted in these Regulations, and in terms made applicable to Us, and to the determination of the difference.

(3) Where We elect to determine any such difference otherwise than as arbitrators, We may by Our Order determine the difference, and it shall be a condition of the reference of any difference to Us that Our determination shall be final and conclusive.

(4) Every Order made by Us in pursuance of this Article shall have effect as if the Order were enacted in these Regulations.

ARTICLE VIII.—Within the period of fourteen days after the date of these Regulations or within such further period as We may allow, the Port Sanitary Authority shall cause a statement of the effect of these Regulations to be published in one or more local newspapers circulating in the District, and may cause warning notices containing a copy of these Regulations or a sufficient statement of their terms to be posted in conspicuous places in the vicinity of any parts of the District where shell-fish are taken.

ARTICLE IX.—These Regulations may be cited as the "Portsmouth (Shell-fish) Regulations, 1918."