

CHAPTER 11.01 PUBLIC HEALTH ACT

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• Act • Subsidiary Legislation •

ACT

(Acts 8 of 1975 and 19 of 2019)

Act 8 of 1975 .. in force 1 April 1978 (S.I. 24/1978)

Amended by Act 19 of 2019 .. in force 3 July 2019

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CHAPTER 11.01 PUBLIC HEALTH ACT

AN ACT to consolidate and amend the law relating to public health in Saint Lucia and for connected matters.

Commencement [1 April 1978]

1. Short Title

This Act may be cited as the Public Health Act.

2. Interpretation

In this Act—

“**area**” means an area into which Saint Lucia is divided under section 3;

“**Board**” means the Public Health Board established by the Minister under section 5;

“**disease**” includes any condition of the body or some part or organ thereof in man or animal in which performance thereof is disturbed or deranged and any disease listed described or referred to on the requests made under this Act;

“**district**” means a health or sanitation district established by the Minister within an area under section 3;

“**environmental health officer**” means a public officer appointed under section 7; *(Inserted by Act 19 of 2019)*

“**functions**” include powers and duties;

“**licence**” means a licence issued under the regulations made under this Act;

“**local authority**” means the Castries Corporation constituted under the Castries Corporation Act, 1967, any town, village, or district council under the Local Authorities Act;

“**medical officer of health**” means a person duly appointed or authorised to act as a medical officer of health under this Act and includes the Chief Medical Officer;

“**Minister**” means the Minister responsible for health;

“**officer**” includes the Chief Medical Officer, medical officer of health, public health nurse, environmental health officer and any person appointed as a public health officer under this Act; *(Amended by Act 19 of 2019)*

“**premises**” includes land whether open or closed, whether built on or not whether public or private and whether or not maintained under any enactment and any aircraft, ship, vessel, boat, hut, barge, tent, van, shed or similar structure;

“**public health inspector**” *(Repealed by Act 19 of 2019)*

“**public health hazard**” means—

- (a) a condition of premises;
- (b) a substance, thing, plant, animal or organism other than a human;
- (c) a solid, liquid or gas;
- (d) radiation, noise, vibration or heat; or
- (e) an activity,

that presents or may present a threat to the public health;

(Inserted by Act 19 of 2019)

“**public health nurse**” means a person duly appointed as such under this Act;

“**public officer**” has the meaning assigned to it under section 124(1) of the Constitution of Saint Lucia; *(Inserted by Act 19 of 2019)*

“**works or work**” includes the structural alteration of a building, the repair of a road whether public or private and the removal or abatement of a nuisance.

2A. Act binds the Crown

This Act binds the Crown.

(Inserted by Act 19 of 2019)

3. Division of island into areas and districts

The Minister shall generally be responsible for the promotion and preservation of the health of the inhabitants of Saint Lucia and for this purpose may divide the island into such areas as he or she may determine, establish such health or sanitation districts within such area, and assign duties to such officers in relation to these areas as he or she thinks necessary.

4. Functions of Minister

The Minister shall be responsible for the administration of the provisions of this Act and without limiting the generality of the foregoing his or her functions shall include—

- (a) the prevention, treatment, limitation and suppression of a disease or a public health hazard, including the conduct of an investigation and inquiry to determine whether there is a risk to human health; *(Substituted by Act 19 of 2019)*
- (b) the publishing of reports, information and advice concerning public health, including advice to the government and the education of the public in the preservation of health;
- (c) the abatement of nuisances and the removal or correction of any condition that may be injurious to the public health;
- (d) the control of food and drugs in the interest of the public health and the seizure and destruction of food and drugs that do not comply with the provisions of this Act or any regulations made thereunder and the protection of the public from fraud or deception in connection with food or drugs;
- (e) in acceptance and administration of gifts of money or property from individuals or organisations donated to provide any matter related to health for which this Act makes provision. *(Amended by Act 19 of 2019)*

(Amended by Act 19 of 2019)

5. Public Health Board

(1) The Minister shall establish a Board to be called the "Public Health Board" and hereinafter referred to as "the Board" comprising persons who are in the opinion of the Minister representative of some aspect of public health and without limiting the foregoing such persons may include representatives of commerce, labour, agriculture, social and cultural organisations the medical profession and local authorities and the provisions of the Schedule shall have effect in relation to the constitution of the Board and otherwise in relation thereto.

(2) The Minister may delegate to the Board such of his or her functions under section 4(1) as he or she thinks fit and give directions to the Board as to the discharge of such functions delegated to it.

(3) The Board shall—

- (a) advise the Minister on such matters relating to his or her functions under section 4(1) as he or she may refer to it for advice;
- (b) discharge such functions of the Minister as may be delegated to it under subsection (2) and in the discharge of such functions comply with such directions given by the Minister as to the discharge of those functions delegated to it.

(4) The members of the Board must be paid remuneration, fees or allowances as Cabinet determines. (*Inserted by Act 19 of 2019*)

(5) The Minister shall cause to be published in the *Gazette* the names of members appointed to the Board and every change in the membership of the Board and the termination of an appointment. (*Inserted by Act 19 of 2019*)

6. Delegation to local authority

(1) The Minister may in writing delegate to a local authority to discharge within its boundaries such of his or her functions under section 4(1) as he or she thinks fit and on such terms and conditions as he or she may prescribe.

(2) A local authority in discharging the functions delegated to it under subsection (1) subject to the terms and conditions specified in such delegation may take such steps as necessary for the discharge of those functions and in the discharge of those functions every duty and power given to any person under this Act in respect of functions so delegated shall extend to and include any officer of a local authority which is discharging any functions delegated to it.

7. Appointment of public health officers

Subject to this Act, there shall be appointed in a manner authorised by law for the purpose of this Act such medical officers of health, public health nurses, environmental health officers or other public health officers as may be required for the administration of this Act and the regulations made thereunder. (*Amended by Act 19 of 2019*)

8. Chief Medical Officer to discharge functions of Minister

(1) Except as the Minister may otherwise direct the Chief Medical Officer shall discharge the functions conferred on the Minister under this Act and every medical officer of health, public health nurse, environmental health officer or other public officer shall discharge functions under this Act as directed by the Minister or the Chief Medical Officer and in so doing shall be deemed to be acting under the authority of this Act. (*Amended by Act 19 of 2019*)

(2) Subject to subsection (1) such officers may take such steps as are necessary for the execution and administration of this Act, the regulations made thereunder and of any orders or directions given by the Minister or Chief Medical Officer and may call upon any police officer to lend such assistance as may be required in the execution and administration thereof.

9. Regulations

(1) The Minister may, subject to negative resolution of the House of Assembly, make regulations for the proper carrying out of the provisions of this Act and without limiting the generality of the foregoing may make regulations—

- (a) prescribing the forms to be used for the purposes of this Act;
- (b) for the prevention, treatment, limitation and suppression of disease;
- (c) for the prevention of the overcrowding of premises;
- (d) for the maintenance of the proper sanitary condition of premises;
- (e) providing for the institution of measures for ensuring the purity of the water supply;
- (f) for the prevention, abatement or removal of nuisances and insanitary conditions on premises;
- (g) with respect to sewers and sewage disposal works;
- (h) providing for the collection, removal and sanitary disposal of rubbish, night soil and other offensive matter;

- (i) providing for the licensing of persons, places and institutions for the carrying on of prescribed businesses including —
 - (i) a beauty and wellness centre,
 - (ii) a spa,
 - (iii) a massage parlour,
 - (iv) a body art facility;

(Amended by Act 19 of 2019)

- (j) prescribing the method of carrying on any offensive trade or business;
- (k) regulating the slaughtering and execution of animals for use as food for human consumption;
- (l) regulating the keeping of domestic animals;
- (m) providing for the disposal of dead animals;
- (n) for the control and destruction of mosquitoes and other insects, rodents, and other vectors capable of transmitting or causing disease or a public health hazard; *(Substituted by Act 19 of 2019)*
- (o) respecting dairies and any premises where any business in relation to the production, sale, delivery or distribution of milk is carried on including the sanitation, maintenance, licensing and inspection of such places;
- (p) for the inspection and testing of cattle in dairies and prescribing precautions to be taken for protecting milk against infection or contamination;
- (q) with respect to the production and sale of food for human consumption;
- (r) for controlling the offering for sale of food, drugs, cosmetics and devices and prescribing standards of identity, composition and quality of such products;
- (s) providing for the inspection of hotels, boarding houses and other places of accommodation;
- (t) providing for the inspection of the places of business of barbers, hairdressers and beauticians;
- (u) providing for the inspection and sanitary conditions of beaches and swimming pools in the interest of the public health;
- (v) providing for the notification of the births of children and the form and manner of such notification;
- (w) providing for the medical and dental examination and treatment of school children, the removing of children from school and the closing of schools in the interest of the public health;
- (x) regulating the interment of the dead and all matters incidental thereto, and providing for the inspection of undertaking establishments, morgues, crematoria and other places used in connection with the preparation, transportation of the dead into Saint Lucia and disposal of human remains and the licensing thereof; *(Amended by Act 19 of 2019)*
- (y) providing for the prevention and control of a public health hazard; *(Inserted by Act 19 of 2019)*
- (z) in relation to—
 - (i) a vaccination and inoculation,
 - (ii) air and soil pollution,

- (iii) the collection and publication of epidemiological and other data pertaining to public health,
 - (iv) an occupational disease and employment health hazard, and
 - (v) fees in respect of an examination, a certificate, a licence or other matter under this Act; *(Inserted by Act 19 of 2019)*
- (aa) in the case of tobacco—
- (i) prohibiting or restricting smoke from tobacco and tobacco products and the smoke of other products and substances in a work place and a public place, such as of a public conveyance, tourist establishment, another public place of public entertainment or recreation or a place specified in the Regulations, including in —
 - (A) an aircraft, a ship or other vessel, a public motor vehicle, or a vehicle used for the carriage of members of the public for reward other than a public motor vehicle;
 - (B) a health facility or part of a health facility at a distance of ten metres from its immediate surroundings;
 - (C) an educational institution or part of an educational institution and a child care institution, at a distance of ten metres from its immediate surroundings;
 - (D) a building to which the public has access, as of right or with the permission of the owner or occupier of the building, and which belongs to, or is in the occupation of the Crown, a Ministry or Department or a body established under an enactment;
 - (E) a cinema, theatre, concert hall, casino or other place for public entertainment, whether for temporary or permanent use, partially or fully enclosed;
 - (F) a workplace or part of a workplace; and
 - (G) another premises or place or part of another premises or place,
 - (ii) prohibiting the sale of tobacco and tobacco products—
 - (A) to and by minors;
 - (B) in or around a health facility, educational institution, child care facility or sports facility.

(Inserted by Act 19 of 2019)

- (2) Regulations made under subsection (1)(i)(iv) may—
- (a) designate the type or class of body art facility;
 - (b) provide for the exemption from this Act or the Regulations, of a person, a class of persons, a body art facility or a type or class of body art facility;
 - (c) prescribe the terms and conditions of the exemption under paragraph (b);
 - (d) prescribe the manner of using a device and the device to be used in a body art facility;
 - (e) prescribe the equipment to be provided and maintained at a body art facility and the manner of operating a body art facility;
 - (f) provide for the cleaning and sanitation of a body art facility;
 - (g) require and govern the disposal of waste at a body art facility;

- (h) prescribe the records to be made and kept at a body art facility;
- (i) in the case of a licence —
 - (i) provide for the issue, renewal, suspension or revocation of the licence,
 - (ii) prescribe the fees payable for the licence and conditions to which licensees may be subject;
- (j) provide for the inspection of a body art facility;
- (k) provide for the keeping of a register of licenses and for the inspection of the register by a person;
- (l) provide standards for a type or class of body art facility;
- (m) establish the circumstances under which a person who has a prescribed disease or condition may participate in a body art service;
- (n) incorporate or adopt by reference, in whole or in part, a written standard, rule, regulation, guideline, code or document on a prescribed date or as it is amended.

(Inserted by Act 19 of 2019)

10. Minister may compel the execution of works in interest of public health

(1) Where it appears to the Minister that for the protection or in the interest of the public health any work in or on any premises are necessary, the Minister may cause to be served on the owner or occupier of such premises a notice in writing signed by the Minister or by any person authorised by the Minister on that behalf requiring him or her to execute such work as the Minister considers necessary.

(2) A notice under subsection (1) shall indicate the nature of the works to be executed and specify a period of time after the expiration of which the Minister may cause the works to be carried out if they have not previously been executed.

(3) A person served with a notice under subsection (1) or any other person having an estate or interest in the premises to which the notice relates may, at any time before the expiration of the period of time specified in the notice pursuant to the provisions of subsection (2) and in accordance with any rules of court for the time being in force, appeal to a judge in chambers against the notice on any of the following grounds—

- (a) that the notice or requirement is not justified for the protection or in the interest of the public health;
- (b) that there is some informality, defect or error in or in connection with the notice;
- (c) that the Minister has refused unreasonably to approve the execution of alternative works;
- (d) that the works required by the notice to be executed are unreasonable in character or extent or are unnecessary;
- (e) that the time within which the works are required by the notice to be executed is not reasonably sufficient for the purpose;
- (f) that the notice might lawfully have been served on the occupier of the premises to which it relates instead of on the owner or the owner instead of on the occupier and it would have been equitable for it to have been so served;
- (g) where the work is for the common benefit of the premises to which the notice relates and other premises, that some other person being the owner or occupier of the other premises to be benefitted, ought to contribute towards the expenses of executing any works required.

(4) Where an appeal under subsection (3) is based on the ground specified in paragraph (b) thereof, the judge shall dismiss the appeal, if he or she is satisfied that the informality defect or error was not a material one.

(5) Where the grounds upon which an appeal is brought under subsection (3) includes a ground specified under paragraph (f) or (g) of that subsection the appellant shall serve a copy of his or her notice of appeal on each other person referred to therein and may serve a copy thereof on any other person having an estate or interest in the premises to which the notice under subsection (1) relates and on the hearing of the appeal the judge may make such order as he or she thinks fit in respect of the person by whom any work is required to be executed and the contribution to be made by any other person towards the cost of the work or as to the proportions in which any expenses which may become recoverable by the Minister under subsection (10) are to be borne by the appellant and such other person.

(6) In exercising his or her powers under subsection (5) the judge shall have regard—

- (a) as between an owner and an occupier, to the terms and conditions whether contractual or otherwise, of the tenancy and to the nature of the works required; and
- (b) in any case, to the degree of benefit to be derived by different persons concerned.

(7) Where an appeal is brought under subsection (3) the notice to which it relates shall be of no effect pending the final determination or withdrawal of the appeal.

(8) On the determination of an appeal under subsection (3), the judge shall give directions for quashing the notice to which the appeal relates or for varying the terms of such notice in favour of the appellant.

(9) Where the notice to which the appeal relates is varied or dismissed, the judge may, if he or she thinks fit, direct that the notice shall not come into force until such date (not being later than 28 days from the determination of the appeal) as he or she thinks fit.

(10) The determination of an appeal under subsection (3) by a judge in chambers shall be final.

(11) If at the expiration of the period specified in a notice under subsection (1) or directed by a judge on the determination of an appeal under subsection (3) the work specified in the notice or as varied by a judge as aforesaid has not been executed, the Minister may cause such work to be executed and on completion thereof may recover the reasonable cost of carrying out the same as a debt due to the Crown in a district court or summarily in the High Court as the case may be.

(12) In the proceedings under subsection (10) the validity of the notice to which the proceedings relate shall not be quashed on any ground specified in subsection (3).

11. Power of Entry

(1) The Chief Medical Officer, a medical officer of health, the Minister or any person authorised by a document signed by any of them in that behalf may at all reasonable times enter, if necessary by force, any premises for the purpose of—

- (a) ascertaining whether there is or has been on or in connection with any premises any contravention of the provisions of this Act or any regulations made thereunder;
- (b) ascertaining whether or not circumstances exist which would authorise or require the Minister to take any action or execute any work under this Act or any regulations made thereunder;
- (c) taking any action or executing any work authorised or required to be taken or executed under this Act;

- (d) generally for examining and inspecting such premises and for the purpose of performance by the Minister, the Chief Medical Officer, a medical officer of health or any person acting under the authority of any of them of their functions under this Act or any regulations made thereunder.

(2) Any person claiming the right to enter as provided in subsection (1) shall produce the document authorising him or her in that behalf.

(3) In examining and inspecting premises under subsection (1)(d), the Chief Medical Officer, a medical officer of health, the Minister or a person authorized by a document signed by any of them in that behalf may—

- (a) request a substance, thing, solid, liquid, gas, plant, animal or other organism to be produced for testing or analysis;
- (b) seize or take a sample of a substance, thing, solid, liquid, gas, plant, animal or other organism, other than samples of human bodily substances;
- (c) request a person to—
 - (i) provide information, including personal information, personal health information, proprietary or confidential business information,
 - (ii) produce a document or record, including a document or record containing personal information, personal health information or proprietary or confidential business information, and copy or extract the information, document or record or take it to copy or retain as evidence;
- (d) take a photograph or videotape of premises, or a condition, process, substance, thing, solid, liquid, gas, plant, animal or other organism located in or on the premises;
- (e) bring machinery, equipment or other thing into or onto the premises;
- (f) use machinery, equipment or other thing located in or on the premises; or
- (g) request that machinery, equipment or other thing be operated, used or dismantled in or on the premises under specified conditions.

(Inserted by Act 19 of 2019)

(4) A person is not entitled to receive a fee or charge in relation to the exercise of a power under subsection (3) by the Chief Medical Officer, a medical officer of health, the Minister or a person authorized by a document signed by any of them in that behalf. *(Inserted by Act 19 of 2019)*

(5) If a document or record is removed from the premises, the document or record must be returned to the occupier as soon as possible after the copy or extract has been certified by a Justice of the Peace or an officer authorized by the Minister or the Chief Medical Officer. *(Inserted by Act 19 of 2019)*

12. Authentication of documents

Any notice, order, demand or other document made or given under this Act or the regulations made thereunder by the Minister, the Chief Medical Officer, a medical officer of health or any person acting under the authority of any of them and purporting to be signed by any of them shall be deemed until the contrary is proved to have been signed by that person and such notice, order, demand or other document shall be admissible in evidence in legal proceedings under this Act or the regulations made thereunder and is prima facie proof of the contents contained therein.

13. Service of Notice

(1) Any notice, order demand or other document made or given under this Act or any regulation made thereunder may be served either—

- (a) by delivering it to that person;
- (b) by delivering it or sending it in a prepaid letter addressed to that person at his or her usual or last known place of abode or business;
- (c) in the case of a corporate body or association of persons whether incorporated or not by delivering it to the Secretary or Clerk at their registered or principal office or by sending it in a prepaid letter addressed to him or her at that office; or
- (d) in the case of a document to be served on the owner or occupier of any premises then to some adult on the premises and if there is no adult on the premises, to whom it can be delivered, by affixing a copy of it to some conspicuous part of the premises.

(2) In any notice, order, demand or other document made or given under this Act or by regulations made thereunder, wherein it shall be necessary to mention or to refer to the owner or occupier of premises it shall be sufficient to designate him or her as the "owner" or "occupier" of the premises (naming them) without further name or description.

14. Offences

(1) A person who—

- (a) refuses to answer or knowingly gives an untrue answer to an enquiry made to him or her;
- (b) intentionally withholds any information from or knowingly furnishes any false information to;
- (c) refuses to carry out any order, instruction or condition made, given, or imposed by;
- (d) assaults, resists, obstructs, or intimidates;
- (e) uses indecent, abusive or insulting language to;
- (f) interferes with or hinders; or
- (g) by any gratuity, bribe, promise or other inducement prevents the due execution of his or her duty by,

any officer or other person acting under the authority of this Act or of any regulations made thereunder commits an offence.

(2) A person who fails to observe, carry out or infringes any provision or requirement of this Act or any regulations made thereunder commits an offence.

15. Penalties

(1) Subject to this section any person who commits an offence under this Act shall on summary conviction be liable to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding six years or to both such fine and imprisonment. *(Amended by Act 19 of 2019)*

(2) Where an offence is made punishable under any regulations made under this Act and the act default or commission occasioning the offence continues whereby in the circumstances the offence is a continuing one any person who continues such offence after being convicted of the original offence is liable to a fine not exceeding five hundred dollars for each day on which the offence continues after conviction.

However, the court by which a person is convicted of the original offence may fix a reasonable period from the date of conviction for compliance by that person with any directions given by the Court and, where a court has fixed such a period the daily penalty shall not be recoverable in respect of any day before the expiration thereof. *(Amended by Act 19 of 2019)*

(3) Despite section 17(10) of the Interpretation Act limiting the punishment which may be imposed by way of a fine or imprisonment for the contravention of any statutory instrument, there may be annexed to the contravention or failure to comply with any regulation made under this Act a punishment by way of fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding six years or to both such fine and imprisonment. *(Amended by Act 19 of 2019)*

16. Limitation on prosecution

An information or prosecution under this Act or regulations made under it may be commenced at any time within 12 months from the time when the subject matter of the information or prosecution arose or the offence was committed whichever is later.

17. Laying of information etc.

An information or a prosecution under this Act or the regulations made under it may be instituted by the Chief Medical Officer or with his or her consent by any other officer, or by an officer of a local authority in respect of any matter which is the subject of a delegation to such local authority as provided in this Act.

18. Prosecution of offences

Proceedings for an offence under this Act or the regulations made under it may be instituted heard tried or determined by a court of summary jurisdiction in whose district the offence was committed or in any place in which the defendant is apprehended or happens to be.

19. Exemption from liability

Nothing done directed or authorised by the Minister, the Chief Medical Officer or a medical officer of health or any person acting under the authority of any of them shall, if such thing was done directed or authorised in good faith for the purpose of executing any of the provisions of this Act, subject such persons to any action, liability, claim or demand whatsoever.

20. Expenses

Any expenses incurred in the administration of the provisions of this Act shall be defrayed out of moneys voted for the purpose by the House of Assembly.

21. Savings for pensions rights

This Act shall not affect the rights or claims of any sanitary inspector or other officer appointed under this Act to any pension or gratuity to which a sanitary inspector or other officer shall have been entitled prior to the coming into operation of this Act and a sanitary inspector or other officer shall be deemed to have been appointed under this Act and all rights and claims to such pension or gratuity shall be preserved and settled in accordance with the provisions of any enactment regulating the same.

22. Existing statutory legislation

(1) Any statutory instrument which may be in force at the time of coming into operation of this Act whether made under an enactment that has been repealed by this Act or otherwise repealed shall be deemed to have been made under this Act and shall continue in effect until specifically altered, varied or repealed under this Act. Where any such statutory instrument conflicts in any way with any regulations made under this Act they shall cease to have effect.

(2) A local authority if otherwise empowered by an enactment to make byelaws respecting matters relating to public health within its boundaries may make byelaws not inconsistent with this Act and the regulations made thereunder as may be necessary for matters relating to public health within its boundaries.

23. Default Powers

(1) Where the Minister is satisfied that a local authority or any Board or Committee to which functions have been delegated under this Act has made default in exercising, or in enforcing any of the Regulations or byelaws which it is their duty to enforce, the Minister may make an order declaring the local authority or Board to be in default and therein direct the local authority, or Board as the case may be for the purpose of removing the default to discharge such functions or of enforcement of any such regulations or byelaws and in such manner and within such time or times, as may be specified in the order.

(2) If a local authority or Board with respect to whom an order has been made under subsection (1) fails to comply with any requirement of such order within the time limited therein for compliance with that requirement, the Minister may, with the approval of the Cabinet make an order transferring to himself or herself such of the functions of the body in default as may be specified in the order.

(3) Where the Minister has by order under subsection (1) transferred to himself or herself any functions any expenses incurred by him or her shall in discharging the said functions be a charge on the Consolidated Fund but the amount of those expenses as certified by the Minister shall on demand be paid to the Crown by the body in default and shall be recoverable at the instance of the Minister from the body as a debt due to the Crown.

(4) Where an order has been made by the Minister under this section the Minister may at any time by a subsequent order vary or revoke that order but without prejudice to the validity of anything done under that order and if an order is revoked the Minister may, either by the revoking order or by a subsequent order make such provision as appears to him or her to be desirable with respect to the transfer vesting and discharge of any property or liabilities acquired or incurred by the body or by him or her in discharge of any of the functions duties and provisions to which the order so revoked related.

(5) Where the Minister has by order under subsection (1) transferred to himself or herself any functions, he or she may where the circumstances so require make arrangements by way of scheme for the transfer or relinquishment of services, emoluments, pensions and such other provisions for protecting the other rights and interests of persons so affected by the transfer or relinquishment.

However, where such persons are to be transferred to the Government the approval of the appropriate authority shall be obtained.

24. Use of force

The Chief Medical Officer, a medical officer of health, the Minister or a person authorized by a document signed by any of them in that behalf may use force as is reasonably necessary to do an act, matter or thing that he or she is empowered, authorized or required under this Act or Regulations herein.

(Inserted by Act 19 of 2019)

25. Amendment of Schedule

The Minister may by Order published in the *Gazette* amend the Schedule.

(Inserted by Act 19 of 2019)

Schedule

1.

- (1) The Public Health Board, to which section 37(1) of the Interpretation Act applies, consists of at least 7 persons one of whom shall be the Chief Medical Officer who shall be the chairperson.

- (2) The Minister may appoint any person to act temporarily in the place of any member of the Board in the case of the absence of or inability to act of such member.
- (3) A member of the Board shall hold office for a term of 3 years unless he or she dies, resigns or is removed from office by the Minister for cause before the end of that term but—
 - (a) a member who is appointed to fill a vacancy created by the death, resignation or removal from office for cause of a former member shall hold office only for the unexpired portion of that term;
 - (b) any member is eligible for further re-appointment for a further term.
- (4) The Minister may grant leave of absence to a member of the Board and may appoint a person to act in the place of that member.
- (5) A member of the Board other than a public officer may resign his or her office by instrument in writing addressed to the Minister, transmitted through the chairperson and from the date of the receipt of such instrument by the Minister such member shall cease to be a member of the Board.

2.

- (1) Three members of the Board shall form a quorum.
- (2) Decisions of the Board shall be by a majority of votes and where the voting is equal the chairperson shall have a casting vote.
- (3) The Board shall meet at such times as may be necessary or expedient for the transaction of business and such meetings shall be held at such places and times and on such days as the Board determines.
- (4) The chairperson shall preside at meetings of the Board and where the chairperson is absent from any meeting the members present may elect one of themselves to act as chairperson for that meeting.
- (5) Subject to this Schedule the Board may regulate its own proceedings.
- (6) The Permanent Secretary of the Ministry of Health may assign a public officer to perform the functions of Secretary to the Board.
- (7) All documents made by, and the decisions of the Board may be signified under the hand of the chairperson or any member of the Board authorised to act in that behalf, or by the Secretary of the Board.

CHAPTER 11.01 PUBLIC HEALTH ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Public Health (Nuisances) Regulations – Section 9
2. Public Health Regulations: Offensive and Hazardous Trades – Section 9
3. Public Health (Communicable and Notifiable Diseases) Regulations – Section 9
4. Public Health (Barber) Regulations – Section 9
5. Public Health (Water Quality Control) Regulations – Section 9
6. Public Health (Apartments, Guest Houses And Hotels) Regulations – Section 9

7. Public Health (Swimming Pools) Regulations – Section 9
8. Public Health (Notification of Births) Regulations – Section 9
9. Public Health (Bakeries) Regulations – Section 9
10. Public Health (Transportation of Human Remains) Regulations – Section 9
11. Public Health (Barracks and Tenements) Regulations – Section 9
12. Public Health (Disposal of Offensive Matter) Regulations – Section 9
13. Public Health (Sewage and Disposal of Sewage and Liquid Industrial Waste Works) Regulations – Section 9
14. Public Health (Slaughterhouse) Regulations – Section 9
15. Public Health (Foods) Regulations – Section 9
16. Public Health (General) Regulations – Section 22
17. Public Health (Disposal of Corpses Brought Into Saint Lucia) Regulations – Section 22
18. Public Health (Mosquito Control) regulations – Section 22
19. Public Health (Public Health Hazard) Regulations
20. Public Health (Body Art Facility) Regulations – Section 9
21. Public Health (Smoking Control) Regulations – Section 9

Public Health (Nuisances) Regulations – Section 9

(Statutory Instruments 10/1978 and 17/2020)

S.I. 10/1978 .. in force 1 April 1978

Amended by S.I. 17/2020 .. in force 24 February 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Nuisances
- 3A. Nuisance prohibited
4. Abatement
5. Expenses in connection with abatement
6. Liability
7. Penalties

PUBLIC HEALTH (NUISANCES) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Nuisances) Regulations.

2. Interpretation

In these Regulations, in addition to the nuisances specifically enumerated in Regulation 3, any failure to comply with any other regulation made under the Public Health Act 1975, or any act not warranted by Law, or any omission to discharge a legal duty which act or omission affects or is liable to affect prejudicially the public health or safety, shall for the purpose of these Regulations be deemed to be a nuisance.

3. Nuisances

For the purpose of these Regulations, the following shall be nuisances—

- (a) any place, matter or thing, or deposit, or accumulation of liquid or soiled matter that is so full, or in such a state, or so placed or made or left, as to be insanitary or injurious or dangerous to health or likely to become so;
- (b)
 - (i) the existence of flies or mosquitoes or other insects capable of transmitting or causing disease,
 - (ii) the existence of bed bugs, cockroaches or other vermin,
 - (iii) the existence of mice, rats or other like rodents;
- (c) the existence of any condition, matter or thing, which in the opinion of the medical officer of health or environmental health officer provides food for, or harbourage, or acts as a breeding place for insects or vermin rodents;
(Amended by S.I. 17/2020)
- (d) any yard or enclosure or other place not kept properly weeded, dry and clean;
- (e) any gutter or ditch not kept free from bush, grass and weeds and collection of water;
- (f) the presence on any premises or in any place of empty bottles (broken or otherwise) empty tins, coconut shells uncovered barrel boxes, or anything that will serve as a receptacle for water or as a breeding place for mosquitoes or other insects;
- (g) any caves, gutter or drain pipe in which water has collected at a spot therein;
- (h) any tree or other erection which interferes with the entrance of sunlight into or with free ventilation of any neighbouring premises or building which is dangerous to public health and safety;
- (i) any part of a house or building where the number of occupants is greater than the square area of the building allowed for in accordance with any special order, regulation or law;
- (j) any house not sufficiently supplied with water, having regard to number of occupants and the means of supply thereto;
- (k) any water supply system which is not maintained in a sanitary manner;
- (l) any water tap, pipe, or pump or other means of obtaining water which is needlessly allowed to run to waste or under water is allowed to accumulate or become stagnant;
- (m) any sanitary conveniences not constructed and maintained in accordance with any regulation or law;
- (n) any water supply system in such a state or condition that the water passing through therein when used for domestic purposes could be injurious to health;
- (o) any sanitary convenience so located with regard to any neighbouring house or for any other reason as to be insanitary or injurious, or dangerous to health or likely to become so;
- (p) any discharge save in accordance with a valid permit granted by the Public Health Board into any river, stream, water course, of any other industrial, other noxious matter, whether or not a prescriptive right has been acquired to any such pollution;
- (q) any workplace—
 - (i) not ventilated so as to render harmless to the workers employed therein, all gases, vapours, dust or other impurities generated in the course of the work carried on therein, or

- (ii) so overcrowded as to be injurious to the health of the persons employed therein;
- (r) any chimney, incinerator or other fire sending forth smoke in such quantity as is calculated to be injurious to health or atmospheric pollution or including other gases, for the purposes of this paragraph smoke includes "grit and ashes"; *(Amended by S.I. 17/2020)*
- (s) an accumulation or deposit of solid waste of human or animal excreta; *(Inserted by S.I. 17/2020)*
- (t) an animal which is kept in such a manner as to become hazardous to health; *(Inserted by S.I. 17/2020)*
- (u) the carcass of an animal which is not buried or destroyed within 24 hours of the animal's death. *(Inserted by S.I. 17/2020)*

3A. Nuisance prohibited

(1) A person shall not cause or permit a nuisance on premises owned or occupied by that person.

(2) A person shall not cause a nuisance on premises or aid or abet another person to cause or permit a nuisance on premises.

(Inserted by S.I. 17/2020)

4. Abatement

(1) The medical officer of health or environmental health officer on becoming aware of a nuisance shall serve on the person committing or permitting same, or upon the owner or occupier of the premises or in respect of which the nuisance exists or is liable to occur, a notice to abate or prevent the same within a specified time and, in addition, to do such things as may be necessary for that purpose. *(Amended by S.I. 17/2020)*

(2) If for any reason the notice referred to in subregulation (1) of this regulation be not complied with and in addition to any proceedings which may be instituted against the person liable to conviction, the medical officer of health or environmental health officer shall report the matter to the Public Health Board. The Board shall cause the nuisance or threatened nuisance to be abated or prevented and may for this purpose authorise any person to enter the premises and do such things as may be necessary. *(Amended by S.I. 17/2020)*

Provided that when the Public Health Board is not sitting and the nuisance or threatened nuisance in the opinion of the medical officer of health should be immediately abated or prevented, the Public Health Board, on application of the medical officer of health exercise the powers conferred by the Public Health Board. *(Amended by S.I. 17/2020)*

5. Expenses in connection with abatement

All expenses incurred by the medical officer of health in abating or preventing a nuisance may be recovered by the Board from the person by whose act the nuisance was caused or from the owner or occupier of the premises in which the nuisance existed. *(Amended by S.I. 17/2020)*

6. Liability

The following persons are liable to conviction for an offence against these Regulations—

- (a) any person who aids another person to a nuisance;
- (b) any person who commits a nuisance;

- (c) any person who procures another person to commit a nuisance;
- (d) the owner or occupier of the premises who knowingly permits a nuisance to continue thereon.

7. Penalties

Any person who commits an offence against these Regulations is liable on summary conviction to a fine not exceeding \$5,000 or in default to imprisonment with hard labour for a term not exceeding 6 months. *(Amended by S.I. 17/2020)*

Public Health Regulations Offensive and Hazardous Trades – Section 9

(Statutory Instruments 80/2020 and 115/2020)

S.I. 11/1978 .. (Revoked by S.I. 80/2020)

S.I. 80/2020 .. in force 2 June 2020

Amended by S.I. 115/2020 .. in force 20 July 2020

ARRANGEMENT OF REGULATIONS

- 1. Citation
 - 2. Interpretation
 - 3. Restriction on carrying on of offensive or hazardous trade
 - 4. Application for licence
 - 5. Approval of plan
 - 6. Inspection of premises
 - 7. Grant or refusal of application
 - 8. Issue or renewal of licence
 - 9. Duration of licence
 - 10. Non-transferability
 - 11. Display of licence
 - 12. Duplicate licence
 - 13. Cancellation or suspension of the licence
 - 14. Daily cleaning
 - 15. Repair
 - 16. Use of premises for sleeping purposes
 - 17. Restrictions as to certain persons
 - 18. Power to grant exemption
 - 19. Fees
 - 20. Offence and penalty
 - 21. Revocation
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PUBLIC HEALTH REGULATIONS OFFENSIVE AND HAZARDOUS TRADES – SECTION 9

Commencement [2 June 2020]

1. Citation

These Regulations may be cited as the Public Health (Offensive and Hazardous Trades) Regulations.

2. Interpretation

In these Regulations —

"licensee" means a person to whom a licence has been issued under regulation 8;

"offensive or hazardous trade" includes —

- (a) curing or storing of hides;
- (b) chicken farming;
- (c) slaughtering of animals or poultry, operation of slaughterhouses, poultry processing establishments, poultry farming;
- (d) fat rendering;
- (e) fat melting, fat extracting or tallow melting;
- (f) lime making;
- (g) manufacturing of gases and other chemicals;
- (h) manufacturing of material for manure or fertilizer purposes;
- (i) soap-boiling or manufacture;
- (j) seville of offal boiling;
- (k) fiber glass works;
- (l) fish processing;
- (m) foam making;
- (n) glue, paint making or processing;
- (o) asbestos works;
- (p) bleach manufacturing or processing;
- (q) cement or cement products manufacturing;
- (r) quarrying;
- (s) spraying automobile, furniture or industrial spraying;
- (t) automobile repairs;
- (u) printing or photography trade;
- (v) jewellery repair or manufacturing;
- (w) joinery or wood works;
- (x) animal or pig farming, piggeries;
- (y) waste recycling activities;
- (z) incineration or use of incinerators;
- (aa) charcoal making;
- (bb) welding plants; and
- (cc) other activities which may adversely impact public health.

3. Restriction on carrying on of offensive or hazardous trade

(1) A person shall not establish or continue an offensive or hazardous trade unless that person holds a valid licence under these Regulations.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months.

4. Application for licence

(1) An application for a licence to establish or continue an offensive or hazardous trade is in the form set out as Form 1 in the Schedule.

(2) In the case of an application to establish an offensive or hazardous trade, the application must be accompanied by detailed drawings and other technical specifications of the offensive or hazardous trade in a plan approved by the Board under regulation 5.

5. Approval of plan

(1) A plan submitted for approval under regulation 4(2) must —

- (a) be submitted in duplicate and be drawn to scale, of the whole of the premises in which the offensive or hazardous trade is to be carried on;
- (b) so far as the same may be applicable, contain particulars of —
 - (i) the space allocated to the preparation, processing and storage of materials,
 - (ii) the space allocated to the storage of finished articles,
 - (iii) the sanitary fittings and drainage works,
 - (iv) the passageways and open spaces,
 - (v) the means of entry, exit and internal communication,
 - (vi) the means of ventilation,
 - (vii) the siting of substantial fittings, equipment and machinery,
 - (viii) the means of storage and disposal of refuse,
 - (ix) the type of finish to each wall and floor,
 - (x) the means of control or disposal of noxious or injurious vapours, dust or effluents which is discharged in the carrying on of the offensive or hazardous trade or of waste or refuse arising from the offensive or hazardous trade, and
 - (xi) the water supply; and
- (c) be accompanied by a statement in writing declaring —
 - (i) the means whereby it is intended to control or dispose of noxious or injurious vapours, dust or effluents which are discharged in the carrying on of the offensive or hazardous trade or of waste or refuse arising therefrom; and
 - (ii) where the premises at which the offensive or hazardous trade is to be carried on comprise part of a building which has more than one storey, which storey or storeys will be used.

(3) If a plan is approved by the Board, one copy of the plan must be returned to the applicant and the other copy shall be retained by the Board.

6. Inspection of premises

On receipt of an application, the Board shall —

- (a) cause the premises on which the offensive or hazardous trade will be carried out to be inspected by an environmental health officer or an officer

authorized by the Board who shall make a report on the premises to the Board;

- (b) consider the report and representations of the owner or interested party of the offensive or hazardous trade.

7. Grant or refusal of application

(1) The Board may grant an application, with or without conditions or refuse to grant an application.

(2) The Board shall not grant an application in respect of premises used or intended to be used in carrying on an offensive or hazardous trade unless the Board is satisfied in relation to the premises that —

- (a) the premises conform to the plan approved by the Board under regulation 5;
- (b) the methods to be used for the control or disposal of any noxious or injurious vapours, dust or effluents which may be discharged in the carrying on of the offensive or hazardous trade or of waste or refuse arising from the noxious or injurious vapours, dust or effluents are adequate;
- (c) the means of ventilation provided, whether natural or mechanical or partly natural and partly mechanical, are sufficient in every part of the premises, other than any part used exclusively for storage purposes, to safeguard in that respect the maximum number of persons likely to be in such part of the premises at any one time;
- (d) sanitary fitments are provided to a standard not less than that required by the Bureau of Standards; but, in the case of other premises, the Board may approve a lesser standard as it may consider adequate, having regard to considerations of public health and the circumstances of the case;
- (e) the premises are equipped with potable water under pressure, but if the Board is satisfied that access to the potable water supply by the Water and Sewerage Company Inc. cannot reasonably be obtained for all or any purposes, the Board may approve another water supply that it considers adequate, having regard to considerations to public health;
- (f) subject to subregulation (3), all floors in every part of the premises in which materials are prepared, processed or stored are rendered smooth and impervious on the surface and slope evenly towards drainage outlets;
- (g) all floors under paragraph (f) are drained, by means of removable galvanized gratings, into glazed or smooth cement channels which discharge into trapped drainage openings;
- (h) subject to subregulation (3), all walls in every part of the premises in which materials are prepared, processed or stored are rendered smooth and impervious to a height of not less than 2 m and the junctions between the walls and floors are coved;
- (i) in the case of any premises used or intended to be used for the carrying on of an offensive or hazardous trade involving the processing or treatment of materials containing fat, all drainage outlets are fitted with a grease trap;
- (j) the storage space provided is sufficient to contain all materials required for use in the business which are likely to be in stock at any one time;
- (k) where the premises comprise part of a building which has more than one storey, the other storeys of such building are adequately protected against nuisances arising from the carrying on of the offensive or hazardous trade;

- (l) the carrying on of the offensive or hazardous trade is not, or is not likely to be, a nuisance or danger to members of the public; and
- (m) any heating equipment provided is properly installed and, having regard to the nature of the premises, is not likely to be dangerous.

(3) If the Board is satisfied that compliance with subregulation (2)(f) or (h) is not necessary in any particular case having regard to the nature of the materials prepared, processed or stored, the Board may in writing exempt a person from the application of subregulation (2)(f) or (h).

(4) If the Board grants an application with conditions or refuses an application, the Board shall state the reasons for the conditions or refusal.

(5) Within twenty-one days the person may make representations in writing to the Board objecting to the grant with conditions or refusal of the application and the Board shall not determine the matter without considering the representations.

8. Issue or renewal of licence

(1) If the Board grants an application, the Board shall issue a licence.

(2) A licence issued under subregulation (1) must contain —

- (a) the date of issue;
- (b) the name of the licensee;
- (c) the location of the premises to which it relates;
- (d) state the nature of the offensive or hazardous trade to which it relates; and
- (e) the conditions, if any, under which the offensive or hazardous trade may be carried on.

(3) A licence issued under this regulation is in the form set out as Form 2 in the Schedule.

(4) On the expiration of a licence, an application may be made for the renewal of the licence.

(5) An application for renewal of a licence must be in the form set out as Form 1 in the Schedule.

(6) Regulation 7 applies to the grant or refusal of renewal of a licence.

(7) If the Board grants an application for renewal of a licence, the Board shall issue a licence under subregulation (3).

(8) When renewing a licence, the Board may vary the conditions attached to the licence and may impose additional conditions.

9. Duration of licence

A licence must be granted for a period not exceeding one year and expires on the 31st day of December in each year.

10. Non-transferability

A licence is non-transferable to another location.

11. Display of licence

A licensee shall keep the licence affixed in some conspicuous place on the premises to which it relates.

12. Duplicate licence

If the Board is satisfied that a licence issued under these Regulations has been lost, defaced or destroyed, the Board may issue to the licensee a duplicate licence on like terms and conditions.

13. Cancellation or suspension of the licence

The Board may cancel or suspend a licence issued under these Regulations on being satisfied that —

- (a) any provision of these Regulations has been contravened; or
- (b) the continuation of the licence is detrimental to the public health.

14. Daily cleaning

A licensee shall —

- (a) at the close of every day cause all fat, tallow, grease, refuse or filth which has been spilled or splashed or has fallen or been deposited on any floor, pavement or wall of the premises where offensive or hazardous trade is carried on —
 - (i) to be collected from the floor, pavement or wall of the premises by scraping or some other effectual method of cleansing; and
 - (ii) unless it is intended to be subjected to further offensive or hazardous trade processes on the premises, to be immediately removed from the premises; and
- (b) keep all apparatus used in its offensive or hazardous trade in a clean condition at all times.

15. Repair

A licensee shall, at all times, cause all parts of the premises to which the licence relates, and all fittings, equipment and sanitary fitments on the premises, to be maintained in proper repair and in a clean condition and free from noxious or injurious matter which may fall or be splashed on the premises.

16. Use of premises for sleeping purposes

(1) A person, other than a caretaker of the premises, shall not sleep in any part of the premises used in connection with an offensive or hazardous trade.

(2) If any part of the premises is used by the caretaker of the premises for sleeping purposes, that part of the premises shall be partitioned off from the remainder of the premises to the satisfaction of the Board, and no part of the offensive or hazardous trade shall be carried on and no storage of raw materials or finished products shall be permitted in that partitioned part of the premises.

17. Restrictions as to certain persons

A person under the age of 15 years shall not be permitted on premises licensed for the carrying on of an offensive or hazardous trade.

18. Power to grant exemption

The Board may exempt a licensee by endorsement on his or her licence from all or any of the provisions in these Regulations.

19. Fees

The fee for a licence issued under these Regulations is \$10.

(Substituted by S.I. 115/2020)

20. Offence and penalty

(1) A person shall not —

- (a) contravene these Regulations;
- (b) fail to comply with a notice or direction issued or given under these Regulations; or
- (c) hinder or obstruct an authorised person in carrying out his or her duties under these Regulations.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both fine and imprisonment.

21. Revocation

The Public Health (Offensive Trades) Regulations are revoked.

Schedule

FORM 1

(Regulation 4 and 8(5))

APPLICATION FOR LICENCE/RENEWAL OF LICENCE

To: THE SAINT LUCIA PUBLIC HEALTH BOARD

Application for a licence to operate a
(*type of business*)

Name of Business

I/We
(*Name of Applicant*)

of (Address)

makes an application for a Licence
(*type of licence*)

In respect of premises situated at

Telephone No.

Email Address

Signature of Applicant

Date

FORM 2

(Regulation 8(3) and (7))

LICENCE TO OPERATE

THIS IS TO CERTIFY THAT

..... of is licensed in
accordance with Public Health (Offensive and Hazardous Trades) Regulations
..... and is given permission to operate a

..... valid until December 31st

This Licence is issued with the understanding that the operator will adhere to the Public Health Act, Cap. 11.01 failing which the Licence may be revoked by the Public Health Board.

.....

CHAIRPERSON
PUBLIC HEALTH BOARD

Note: Licence must be conspicuously displayed on the premises.

Public Health (Communicable and Notifiable Diseases) Regulations – Section 9

(Statutory Instruments 12/1978, 21/1991 and 19/2020)

S.I. 12/1978 .. in force 1 April 1978
Amended by S.I. 21/1991 .. in force 20 April 1991
Amended by S.I. 19/2020 .. in force 24 February 2020

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Interpretation
 3. Duty of occupier etc., to consult or inform a medical practitioner
 4. Medical practitioner to give notice of notifiable disease
 - 4A. Other circumstances under which notice required
 - 4B. Information for the notice
 - 4C. Records required to be provided
 - 4D. Notification of certain diseases
 5. Notification forms and fee in respect of notification
 6. Duties and powers of medical officer of health in respect of notifiable disease
 7. Duties of public health nurse and environmental health inspector
 8. Offences
 9. Powers of Public Health Board in respect of communicable diseases
 10. Expenses
 11. Powers of police
 12. Penalties
- Schedule 1
Schedule 2
Schedule 3

PUBLIC HEALTH (COMMUNICABLE AND NOTIFIABLE DISEASES) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Communicable and Notifiable Diseases) Regulations.

2. Interpretation

In these Regulations—

"carrier" means a person or animal who without symptoms or apparent signs of a communicable disease harbours the specific infective agent and may serve as a source of infection;

"communicable disease" means any disease specified in Schedule 1;

"contact" means a person who has presumably been exposed to risk of infection from a communicable disease and is within the incubation period of the disease;

"disinfection" means the destroying of pathogenic agents by chemical physical or other means;

"hospital" means any premises or vessel for the reception of patients whether permanently or temporarily used for that purpose, and shall include a nursing home registered as such under the Nursing Home Law;

"isolation" means the separation of an infected person from other persons in such a manner as will prevent the direct or indirect conveyance or transmission of infecting agents or organisms to other persons;

"isolation station" includes any hospital, house or part of a house or place in which any patient or contact is isolated;

"notifiable disease" means any disease specified in Schedules 1 and 2;

"public building" means a building used or constructed or adapted to be used, either ordinarily or occasionally as a church or chapel or other place of public worship, or as a hospital almshouse, college, school, theatre, public concert room, public ball room, public lecture room or public exhibition room, or as a public place of assembly, for persons admitted thereto by tickets or any other place used for any public purpose;

"venereal disease" means gonorrhoea, gonorrheal ophthalmia, syphilis, soft chancre venereal warts, granuloma inguinale, lymphogranuloma.

3. Duty of occupier etc., to consult or inform a medical practitioner

Whenever any member of a family, inmate, or employee of any premises is suffering from any sickness of which the symptoms create a reasonable suspicion that it is a notifiable disease it shall be the duty of the occupier or other person for the time being in charge of the premises to consult a medical practitioner or to inform the medical officer of health within 24 hours.

4. Medical practitioner to give notice of notifiable disease

(1) Every Medical Practitioner who has reason to believe that any person professionally attended by him or her is suffering from a notifiable disease shall forthwith inform the occupier of the premises and every person necessary or in immediate attendance on the patient of the infectious nature of the disease and the precautions to be taken and forthwith give notice in the prescribed form to the medical officer of health.

(2) Where in any hospital any person is found by any doctor employed or engaged or attached (whether in an honorary capacity or otherwise) thereto to be suffering from, or is suspected to be suffering from, a notifiable disease, the Senior Medical Officer in charge of the hospital shall forthwith give notice in the prescribed form to the medical officer of health.

(3) Every Medical Practitioner who by post-mortem examination or other wise becomes aware or suspects that any deceased person was affected with a notifiable disease shall forthwith give notice in the prescribed form to the medical officer of health.

(4) When any person on board a ship in territorial waters is suffering from any sickness of which the signs and symptoms create a reasonable suspicion that it is a notifiable disease it shall be the duty of the Master of the ship to notify the medical

officer of health of the existence in accordance with the Quarantine Act. (*Amended by S.I. 19/2020*)

4A. Other circumstances under which notice required

Without prejudice to regulation 4, a notice to the medical officer or health is required —

- (a) when a person discovers a notifiable disease or condition as a result of a biopsy;
- (b) when a blood test conducted by an employee of a blood laboratory service reveals a notifiable disease or condition;
- (c) when a death certificate indicates that a deceased person had a notifiable disease or condition at the time of death; and
- (d) where in a hospital a person is found to be suffering from, or is suspected to be suffering from, a notifiable disease by a medical practitioner or nurse employed or engaged or attached to the hospital and the nurse responsible for infection control shall immediately provide the notice.

(Inserted by S.I. 19/2020)

4B. Information for the notice

A notice under regulations 4 and 4A must, to the extent possible include the following information —

- (a) the name, age, address, ethnicity and sex of the person who is the subject of the notice;
- (b) the name of the notifiable disease or condition or the illness that is being notified;
- (c) clinical and epidemiological details pertinent to the diagnosis and follow-up of the person who is the subject of the notice;
- (d) the name and profession of, and contact information for, the person making the notice; and
- (e) additional information required by the Chief Medical Officer for case management and prevention of transmission of the notifiable disease or condition or the illness.

(Inserted by S.I. 19/2020)

4C. Records required to be provided

(1) A principal of a public school and an operator of a private school shall, on the request of the medical officer of health, provide to the medical officer of health a copy of a school record, such as an absentee report and a class list.

(2) A director of a day care facility shall, on the request of the medical officer of health, provide to the medical officer of health a copy of a record, such as an attendance record, daily log, infant and toddler records, and a menu.

(Inserted by S.I. 19/2020)

4D. Notification of certain diseases

A person who is suspicious of the existence of, or has diagnosed, a disease listed in Part 2 of Schedule 2 shall notify the medical officer of health within 24 hours of the suspicion or diagnosis.

(Inserted by S.I. 19/2020)

5. Notification forms and fee in respect of notification

(1) The Ministry of Health may prescribe forms for the purpose of notification. They shall be used in all cases to which they apply and all information and all particulars required by each form shall be given by the person compiling the form.

(2) The Ministry of Health shall upon application by a Medical Practitioner supply him or her gratuitously with such forms.

(3) Every Medical Practitioner not being a medical officer of health shall be entitled to a fee of \$50 in respect of each notification made by him or her to the medical officer of health. *(Amended by S.I. 19/2020)*

6. Duties and powers of medical officer of health in respect of notifiable disease

(1)

- (a) The medical officer of health on receiving notice of a notifiable disease shall forthwith take such steps as are necessary to satisfy himself or herself of the diagnosis and as soon as he or she is satisfied or if he or she remains doubtful as to the diagnosis he or she shall forthwith forward the notification to the Ministry of Health.
- (b) The medical officer of health shall keep an accurate record in writing or—
 - (i) all cases or suspected cases of notifiable disease reported to him or her, and
 - (ii) of which he or she has knowledge.

(2) The medical officer of health shall have power—

- (a) generally to take all steps necessary for giving effect to these Regulations;
- (b) to enter any premises;
- (c) to examine and inspect any premises and do such things therein or thereto as may be necessary for preventing the spread of disease;
- (d) to examine or treat or immunise or cause to be examined or treated or immunised any case or suspected case or carrier of a communicable disease;
- (e) to examine or treat or immunise or cause to be examined or treated or immunised any contact;
- (f) to isolate contacts or persons attending on a case or carrier or to place them under surveillance, subject to such conditions as the medical officer of health considers necessary. Isolation may be substituted at any time instead of surveillance if the medical officer of health is satisfied that the conditions of surveillance are not being complied with;
- (g) to isolate any person suffering from a communicable disease either in the house in which he or she is residing or elsewhere until such time as the patient is no longer infectious;
- (h) to disinfect or destroy any clothes, bedding, or other article belonging to a patient or contact which he or she believes capable of transmitting disease;
- (i) to declare any premises in which a person suffering from a communicable disease resides to be an infected place and to affix a notice to that effect;
- (j) to order the evacuation of any premises or house;
- (k) to order removal of any person suffering from a communicable disease from a ship to an isolation station or hospital;

- (l) to order the removal to hospital and detention in hospital of any person suffering from a communicable disease until such time as he or she is satisfied that the person is no longer infectious;
- (m) to isolate or detain in hospital or elsewhere any person suffering from a communicable disease or any carrier who is capable of taking proper precautions to prevent the spread of disease or to provide himself or herself with proper accommodation or care;
- (n) to enter any school and immunise any child or teacher;
- (o) to prohibit the sale of any food or milk or ice when he or she believes the consumption of such is likely to cause a communicable disease;
- (p) to order the anatomical examination of the body of any person who has died or is believed to have died from a communicable disease;
- (q) to order the burial within a specified time of the body of any person who has died or is believed to have died from a communicable disease.

7. Duties of public health nurse and environmental health inspector

The Public Health Nurse and environmental health officer or other persons authorised by the medical officer of health shall have power to—

- (a) enter any premises at any time for the purpose of giving effect to the Law and Regulations or directive of the medical officer of health;
- (b) immunise or treat any case or contact or other person if so directed by the medical officer of health;
- (c) enter any school and immunise any child or teacher.

(Amended by S.I. 19/2020)

8. Offences

A person shall not—

- (a) while suffering from a communicable disease expose himself or herself in any public place, or public resort, or enter any public conveyance;
- (b)
 - (i) knowing or suspecting that he or she is suffering from a communicable disease or is a carrier engage in any of the trades or callings specified in Schedule 3,
 - (ii) employ a person, knowing that he or she is a person suffering or suspected to be suffering from one of the diseases mentioned in the Schedule, in any of the trades or callings mentioned in schedule 3;
- (c) knowing or suspecting that he or she is suffering from, or is a contact, or is a carrier of a communicable disease, enter or take or use any book, magazine or paper from any public library;
- (d) enter any house in which a person has died from a communicable disease before such house has been disinfected to the satisfaction of the medical officer of health;
- (e) enter or leave any isolation station in which a patient or contact suffering from a communicable disease is isolated until and unless authorised to do so;
- (f) being the parent or guardian of a child suffering or suspected to be suffering from a communicable disease or a contact, permit such child to attend any school without first having procured from a medical practitioner or medical officer a certificate stating that, in his or her

opinion, the child may attend school without undue risk of communicating the disease to others;

(g) being the head teacher of any school—

- (i) knowing or suspecting any child in the school is suffering from a communicable disease, permit such child to attend school until a certificate is presented to him or her signed by a registered medical practitioner stating that in his or her opinion the child may attend school without undue risk of communicating the disease to others,
- (ii) accept on first entry into any such school any child under 6 years unless such child is in possession of a certificate signed by a registered medical practitioner or a person duly authorised by him or her for the purpose that he or she has been immunized against the diseases specified in Schedule 4,

Provided that a certificate of immunization against any of the diseases specified in Schedule 4 shall not be required in the case of a child—

- (a) who is in possession of a certificate from a registered medical practitioner stating that the child has suffered from any such disease or that immunization against any such disease is not advisable on medical grounds; or

(b) *(Deleted by S.I. 19/2020)*

(h) give, lend, sell, transmit, or expose without previous disinfection, any article which has been exposed to infection;

(i) return to any library any book or paper or magazine which he or she knows has been exposed to infections from a communicable disease, but shall give notice as to having such a book in his or her possession to the medical officer of health;

(j) take or send to any laundry any bedding, clothes or other articles which he or she knows to have been exposed to infection from a communicable disease unless they have first been disinfected to the satisfaction of the medical officer of health;

(k) cast or permit to be cast into dust bin any rubbish or refuse from any house in which there is a case of communicable disease unless it has been previously disinfected to the satisfaction of the medical officer of health;

(l) fail on giving up the occupancy of a house in which there has been residing within the previous 8 weeks a person suffering from a communicable disease, to—

(i) have such house and all articles therein disinfected to the satisfaction of the medical officer of health,

(ii) give to the owner notice of the existence of such a person,

(iii) answer truthfully any question of the owner as to the existence of such a person;

(m) let for hire any house knowing that there has been a person suffering from a communicable disease residing therein within the previous 8 weeks until the house and all articles therein have been disinfected to the satisfaction of the medical officer of health;

(n) when letting a house for hire, make a false statement as to the presence or absence of a person suffering from a communicable disease within the previous 8 weeks having resided therein;

(o)

- (i) hire or use any public conveyance or hearse for conveying the body of a person who has died from a communicable disease without first so informing the owner or driver,
- (ii) being the owner or driver of such conveyance or hearse fail to report the same to the medical officer of health;
- (p) fail to bury within 12 hours the body which is under his or her care or keeping, of any person who has died from a communicable disease unless the medical officer of health has so sanctioned;
- (q) hold or attend any wake over the body of a person who has died from a communicable disease;
- (r) remove the body of a person who has died from a communicable disease in a hospital or isolation station without permission of the medical officer of health, and then only—
 - (i) direct to the place of interment, or
 - (ii) to a mortuary,
 the medical officer of health in granting permission may impose such conditions as appear necessary to him or her.

9. Powers of Public Health Board in Respect of Communicable Diseases

The Public Health Board with the advice of the Chief Medical Officer or medical officer of health shall have power to do any of the following—

- (a) establish suitable places as isolation stations or hospitals or convalescent home;
- (b) provide treatment and medical facilities for persons suffering from communicable disease, or contacts or carriers;
- (c) provide ambulance and other vehicles considered necessary;
- (d) provide premises and the necessary equipment for the disinfection or destruction of infected articles;
- (e) provide temporary accommodation for persons compelled to leave their dwelling for the purpose of it being cleaned and disinfected;
- (f) provide for the removal, disinfection or destruction of rubbish, refuse or garbage from a house in which there is a person suffering from a communicable disease;
- (g) cleanse and disinfect any premises and articles therein;
- (h)
 - (i) disinfect or destroy any infected article,
 - (ii) pay compensation for any article destroyed or damaged;
- (i) provide suitable places for the reception and internment of the dead;
- (j) prohibit or limit the attendance at any school or public building of children or other persons if in the opinion of the Ministry of Health conditions there are likely to prejudice the public health.

10. Expenses

All expenses incurred by the Public Health Board in relation to communicable disease control shall be met from the Minister of Health.

11. Powers of Police

It is to be the duty of the police to enforce (using force if necessary) compliance with these Regulations and with any order, instructions, or condition made, given, or imposed by any officer or other person under authority of the law or regulations and for such purpose any police officer may enter any premises without a warrant.

12. Penalties

Any person who contravenes any of the provisions of these Regulations commits an offence and on summary conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment. (*Amended by S.I. 19/2020*)

Schedule 1

(Regulation 2)

COMMUNICABLE DISEASES

1. Influenza Virus of Pandemic Potential
2. Tuberculosis
3. Diphtheria
4. Pertussis/Whooping Cough
5. Neisseria meningitides infections
6. S. pneumonia infections
7. Haemophilus influenza infections
8. Coronaviruses-Severe Acute Respiratory Syndrome (SARS CoV) Middle East Respiratory Syndrome (MERS CoV)
9. Mumps
10. Measles
11. Scabies
12. Chicken pox
13. Pediculosis
14. Tinea corporis and Tinea capitis
15. Dengue virus
16. Zika virus
17. Yellow fever virus (Urban or Sylvatic)
18. Chikungunya virus
19. Haemorrhagic Fevers (Ebola virus, Lassa, Marburg, Crimean-Congo)
20. Anthrax
21. Acute flaccid paralysis
22. Botulism
23. Brucellosis
24. Campylobacteriosis

25. Chlamydia
26. Clostridium Difficile
27. Congenital Rubella Syndrome
28. Creutzfeld-Jakob Disease-classic (CJC)
29. Creutzfeld-Jakob Disease-new variant (vCJC)
30. Cryptosporidiosis
31. Cyclosporiasis
32. Diphtheria
33. Giardiasis
34. Gonorrhea
35. Group A – Streptococcal Disease Invasive
36. Group B – Streptococcal Disease of the newborn
37. Verotoxigenic Escherichia Coli Infection.

(Substituted by S.I. 19/2020)

Schedule 2

PART 1

(Regulation 2)

NOTIFIABLE DISEASES

1. Cholera*
2. Coronaviruses – Severe Acute Respiratory Syndrome (SARS CoV) Middle East Respiratory Syndrome (MERS CoV)
3. Hendra Virus Infection
4. Influenza* – (Seasonal and pandemic)
5. Malaria
6. Nipah Infection
7. Plague*
8. Polio*
9. Rift Valley Fever
10. Small pox* and human monkey pox
11. Tuberculosis (Pulmonary and Extra pulmonary)
12. Tularaemia
13. Viral Haemorrhagic Fevers (Ebola virus, Lassa, Marburg, Crimcan-Congo)
14. Yellow Fever (Urban or Sylvatic)*
15. Zika
16. Diseases subject to the International Health Regulations
17. Chikungunya virus

18. Chlamydia
19. Ciguatera Poisoning
20. Dengue Fever
21. Drug resistance organisms (MRSA, ESBL, etc.)
22. Foodborne Illness
23. Gonorrhoea
24. Hepatitis A & C
25. HIV and AIDS
26. Leprosy (Hansen's Disease)
27. Leptospirosis
28. Meningococcal Infection (due to *Neisseria meningitidis*)
29. Rabies (in humans)
30. Scabies
31. Syphilis
32. Typhoid and Paratyphoid Fevers
33. Viral Encephalitis / Meningitis
34. West Nile virus
35. Zika virus
36. Zoonotic Diseases (e.g. Rabies, etc.)
37. Bacterial Meningitis —
 - (a) Meningitis *Haemophilus Influenzae*
 - (b) Tuberculosis Meningitis
 - (c) Non-Specific Meningitis
 - (d) *Neisseria Meningitidis* Meningitis
38. Chicken Pox
39. Diphtheria
40. Hepatitis B
41. Measles
42. Mumps
43. Neonatal Tetanus
44. Poliomyelitis
45. Tetanus
46. Whooping Cough
47. Schistosomiasis/Bilharzia.

PART 2

(Regulation 4D)

**DISEASES TO BE NOTIFIED WITHIN TWENTY-FOUR
HOURS OF SUSPICION OR DIAGNOSIS**

1. Cholera
2. Influenza – (Seasonal and pandemic)
3. Plague
4. Polio
5. Small pox and human monkey pox
6. Yellow Fever (Urban or Sylvatic)
7. Diphtheria
8. Pertussis/Whooping Cough
9. Rubella
10. Neisseria meningitides infections
11. S. pneumonia infections
12. Haemophilus influenza infections
13. Mumps
14. Measles
15. Haemorrhagic Fevers (Ebola virus, Lassa, Marburg, Crimean-Congo)
16. Tuberculosis
17. Norovirus
18. Anthrax
19. Coronaviruses-Severe Acute Respiratory Syndrome (SARS CoV), Middle East Respiratory Syndrome (MERS CoV)
20. Maternal death*

* An event to be notified within 24 hours of suspicion or diagnosis

(Amended by S.I. 21/1991 and substituted by S.I. 19/2020)

Schedule 3

(Regulation 8(b)(i))

Trades or callings in which a person who knows or suspects that he or she is suffering from a communicable disease, or is a carrier, shall not engage or be employed or undertake without a certificate from a medical practitioner —

- (a) Any trade or calling in which the person handles or comes in contact with articles of food or drink, drugs, medicines or tobacco;
- (b) Any situation, calling or employment in which the person comes in contact with cows or other animals kept for the purpose of furnishing milk;
- (c) any trades or calling in which the person handles or comes in contact with wearing apparel;
- (d) Barber, hairdresser or beautician;
- (e) Driver of a public passenger vehicle;

- (f) nurse, medical practitioner, dentist, pharmacist, allied health practitioner and other health practitioners who are involved in direct patient care.
(Amended by S.I. 19/2020)

The disease suffered or suspected includes —

1. Influenza Virus of Pandemic Potential
2. Tuberculosis
3. Diphtheria
4. Pertussis/Whooping Cough
5. Rubella
6. Neisseria meningitides infections
7. Coronaviruses-Severe Acute Respiratory Syndrome (SARS CoV) Middle East Respiratory Syndrome (MERS CoV)
8. Chicken pox
9. Pediculosis
10. Haemorrhagic Fevers (Ebola virus, Lassa, Marburg, Crimean-Congo)
11. Anthrax
12. Hepatitis A
13. Giardiasis
14. Norovirus
15. Shigella
16. Salmonella
17. Cholera

(Amended by S.I. 19/2020)

Public Health (Barber) Regulations – Section 9

(Statutory Instruments 13/1978 and 37/2020)

S.I. 13/1978 .. in force 1 April 1978

Amended by S.I. 37/2020 .. in force 23 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Interpretation
 3. Application for registration
 4. Premises ceasing to be used as barber shop
 5. Premises - hygiene and sanitation
 6. Duties of Barbers
 7. Health Certificate
 8. Employment of other persons to conform with Regulations
 9. Power of medical officer of health to call for examination of Barbers
 10. Display of licence
 11. Non Compliance
 12. Penalty
- Schedule

PUBLIC HEALTH (BARBER) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Barber) Regulations.

2. Interpretation

In these Regulations—

“**barber**” includes a hairdresser, manicurist, pedicurist, or any other person whose service is available to the public in a barber shop;

“**barber shop**” includes any premises whether habitually or occasionally used as a ladies’ hairdressing saloon or a beauty parlour;

“**proprietor**” is a person who owns a barber shop.

3. Application for Registration

(1) Every application for registration shall be in writing and shall contain—

- (a) the full name of the applicant;
- (b) the address and location of the proposed premises, and shall be accompanied by 2 photographs of the applicant taken within 3 weeks of the date of the application. The application shall be lodged in the office of the Public Health Board.

(2) The Public Health Board before granting a certificate of registration shall cause the proposed premises to be examined by an environmental health officer who shall make a report to the Board in the form set out as Form 1 in the Schedule. *(Amended by S.I. 37/2020)*

(3) The Public Health Board on consideration of an application for registration may—

- (a) grant a licence in respect of the application; or *(Amended by S.I. 37/2020)*
- (b) inform the applicant of any conditions which shall be complied with or remedied before the granting of such licence; or *(Amended by S.I. 37/2020)*
- (c) refuse the application.

(4) The Public Health Board shall refuse the granting of a certificate where—

- (a) the Board is satisfied that the applicant is at the time suffering from a communicable or notifiable disease, within the meaning of the regulations made under the Act; or
- (b) the Board is of the opinion that the premises in respect of which application has been made is in an unsanitary condition; or
- (c) the Board is of the opinion that there has been a failure to comply with any of the regulations contained herein; or
- (d) a valid certificate of health as prescribed by these regulations has not been obtained,

a licence to operate issued to the applicant is issued in the form set out as Form 2 in the Schedule, on payment of a fee of \$150 and the fee is non-transferable. (*Substituted by 37/2020*)

(5) The Public Health Board may at any time suspend or cancel the registration of the premises upon being satisfied that any of the grounds mentioned in these Regulations have taken place or that any other breach of the regulations have been permitted.

4. Premises ceasing to be used as barber shop

(1) When a person at whose instance any premises has been registered ceases to use the premises for the purpose of a barber shop, he or she shall within 7 days of so doing—

- (a) give to the medical officer (health) written notice that he or she has ceased to use the premises;
- (b) deliver to the medical officer (health) for purposes of cancellation the licence. (*Amended by S.I. 37/2020*)

(2) When the registration of any premises has been cancelled or suspended the person at whose instance it was registered shall deliver up the licence within 7 days to the medical officer (health). (*Amended by S.I. 37/2020*)

5. Premises — Hygiene and Sanitation

Every barber shop shall have—

- (a) all the walls and ceilings so prepared and painted that it may be kept in a clean state;
- (b) proper and sufficient lighting and ventilation; and
- (c) a sufficient number of wash basins and a supply of clean water for the use of the barber, his or her assistants and customers; and
- (d) proper and sufficient sanitary conveniences.

6. Duties of Barbers

(1) Every person carrying on the business of a barber shop and every person performing the duties of a barber shall be responsible for and observe the following requirements—

- (a) all furnishings and fixtures shall be kept clean and free of dust at all times; and
- (b) the floors of the barber shop shall be swept and mopped every day and shall be kept free from hairs; and
- (c) all tools and appliances used shall be sterilized after each use on each person by immersion in boiling water for a period of 13 minutes or by any other method approved by the medical officer of health or environmental health inspector; (*Amended by S.I. 37/2020*)
- (d) no soap, cream, or lathering appliances containing any harmful or injurious property or ingredient shall be used for shaving purposes; and
- (e) on the back of each chair used for the purpose of hair dressing or shaving there shall be placed a sheet of clean paper or a fresh sterilized towel so as to provide a cover for the head rest and a fresh clean sheet of paper or a sterilized towel shall be used for each customer;
- (f) fresh separate clean neck bands or clean towels shall be placed around the neck of each customer or immediately under the hair cloth and no neck band or towel may be used for more than one person;

- (g) powder puffs or sponges shall not be used;
 - (h) alum or other materials used to stop the flow of blood shall be used in powdered form only and shall be applied with a sterile cotton swab which shall be discarded after use;
 - (i) no person on whose face there is a rash or who has any infectious disease of the scalp shall be shaved or have his or her hair dressed.
- (2) Every person performing the duties of a barber shall—
- (a) wear a light quality coat of washable material which shall be kept clean and worn only in the barber shop;
 - (b) thoroughly cleanse his or her hands immediately before attending to each customer;
 - (c) not perform the duties of a barber while he or she knows or suspects that he or she is suffering from a communicable disease.

7. Health Certificate

(1) A person shall not perform the duties of a barber unless he or she is registered and has a certificate of health issued or renewed by a medical officer of health. *(Substituted by S.I. 37/2020)*

(2) A person who performs the duties of a barber shall register and make an application to the Ministry responsible for health for a certificate of health. *(Substituted by S.I. 37/2020)*

(3) A person may obtain a certificate of health by registering with the Ministry responsible for health and must submit —

- (a) two passport sized photos;
- (b) a valid Government issued identification card;
- (c) the following fees to be paid to the Accountant General —
 - (i) a registration fee of \$20 for new applicants,
 - (ii) a fee of \$20 for a renewal, and
 - (iii) a fee of \$30 for a replacement certificate, if the certificate is lost or damaged.

(Inserted by S.I. 37/2020)

(4) A certificate of health issued by a medical officer of health must be in the form set out in Form 3 of the Schedule and stamped by the medical officer of health issuing the certificate, and must be returned to the Ministry responsible for health for validation, and completion of the registration process. *(Inserted by S.I. 37/2020)*

(5) A certificate of health expires on the 30th day of June or the 31st day of December in each year. *(Inserted by S.I. 37/2020)*

(6) A barber shall keep a certificate of health at the barber shop and make it available for inspection by an authorized officer of the Ministry responsible for health. *(Inserted by S.I. 37/2020)*

8. Employment of other persons to conform with Regulations

No proprietor shall knowingly employ any person in his or her establishment unless such person conforms to the conditions prescribed by these Regulations.

9. Power of medical officer of health to call for Examination of Barbers

(1) Any person who intends to engage or is engaged in the trade of a barber shall, when called upon by the medical officer of health submit himself or herself to such medical examination at such time and place as may be specified by the medical officer of health. After such examination the medical officer of health, if it is so found, shall issue free of charge to the person examined a certificate stating that at the time of the examination he or she was free of any communicable disease. The validity of such certificate shall be for the duration stated thereon.

(2) When the medical officer of health discovers a person to be suffering from a communicable disease such person shall cease to be engaged in the trade of a barber, he or she shall immediately deliver up his or her licence to the medical officer of health until such time as he or she has been certified by the medical officer of health that the disease is no longer communicable.

10. Display of licence

(1) The licence of a barber shop shall be conspicuously located in the barber shop. (Amended by S.I. 37/2020)

(2) Copies of regulations 8 and 9 shall be placed in a conspicuous place on the wall of the barber shop.

(Amended by S.I. 37/2020)

11. Non Compliance

Where in respect of any premises any act or thing is by any of these Regulations either declared to be prohibited or prescribed to be done, the duty rests upon the applicant who holds a certificate of registration and where the prohibition or prescription is one in which a failure or non compliance thereof can be fairly attributed to the person who holds the certificate then both the applicant and that person is liable to be prosecuted.

12. Penalty

Any person who commits an offence against the regulations is liable on summary conviction to a fine not exceeding five thousand dollars or in default to imprisonment with hard labour for a term not exceeding six months. *(Amended by S.I. 37/2020)*

Schedule

FORM 1

(Regulation 3(2))

BARBER SHOP INSPECTION FORM

**MINISTRY OF HEALTH
ENVIRONMENTAL HEALTH DIVISION
DEMERIT SCORE SHEET**

Name of Facility
Address
Owner/Operator Number of Operators
Number of chairs Number of Tables
Operators Names:
1 3
2 4

		REMARKS
I	FLOORS	

1	(a) Easily cleanable construction, smooth, good repair	
1	(b) Clean	
1	(c) Receptacles covered	
3	Separate label receptacles for sharps and biomedical waste	
II	WALLS AND CEILINGS	
1	All clean light coloured	
1	Good repair	
III	VENTILATION AND LIGHTING	
1	(a) Well lighted 100-foot candles	
1	(b) Well ventilated	
1	(c) Free from odors and condensation	
		REMARKS
IV	CHAIRS AND EQUIPMENT	
2	(a) Easily cleaned and disinfected	
1	(b) No open seams or tears	
1	(c) Cases, shelves, tables, mirrors etc. clean and free of dust and powder	
1	(d) In good repair	
V	LAVATORY (SINKS) FACILITIES	
1	(a) Adequate in number and convenient for use	
1	(b) Clean	
1	(c) Soap or detergent, hand-drying device provided at each station	
1	(d) Free of soiled linen	
VI	WATER SUPPLY	
2	(a) Adequate supply of both portable hot and cold running water	
VII	TOILET FACILITIES	
1	Number, convenient, accessible, designed	
2	Enclosed, self-closing doors, fixtures in good repair, clean, hand drying devices and waste receptacle provided	
2	Ventilation adequate	
2	Separate washrooms for both sexes	
VIII	LINEN	
1	(a) Adequate supply of clean linen/ disposable table sheets	
1	(b) Clean linen stored in closed cabinet	
1	(c) Towels or washcloths used only on one patron	
1	(d) Soiled linen stored in covered containers	
		REMARKS
VIII	LINEN	
1	(e) Protection placed around neck to prevent haircloth from contacting patron's skin	
1	(f) All linen free from holes, tears and stains	
2	(g) Separate sterile compartment for the storage of	

	cotton, gauzes etc.	
IX	SHOP SANITATION	
2	Facility in residence or business separated by a partition from floor to ceiling	
1	No food served or consumed in shop	
4	Waste container kept clean and sanitary	
X	PERSONAL APPEARANCE AND CLEANLINESS	
2	Neat and clean	
2	Valid certificate of health	
2	Clean outer garments and used only for work	
2	Hands and fingernails clean	
XI	HEADREST	
2	(a) Properly stored when not in use	
2	(b) Protected with fresh clean paper	
XII	TOOLS AND EQUIPMENT	
5	(a) All tools and equipment free of bodily fluids	
3	(b) Adequate supply to ensure proper sterilization (minimum of two sets)	
2	(c) Adequate supply of personal protective equipment (PPE)	
XIII	STERILIZATION	
5	(a) All tools and instruments are sterilized before reuse on another patron	
		REMARKS
XIII	STERILIZATION	
5	(b) Sterilization cabinets and wet sterilizers contain adequate fresh disinfectant	
5	(c) Tools kept in sterilizers at all times when not in use	
2	(d) Tools not kept in pocket of uniform	
3	(e) Sterilizing cabinet airtight and free from letters, papers, and articles and to be sterilized	
5	(f) Adequate equipment and supplies for sterilization	
XIV	LICENCE	
5	(a) Valid licence to operate	
1	(b) Posted in a conspicuous location to view	

Total Score

Other Remarks/

Recommendations

.....

.....

An inspection of your barber shop was made today by the signing Environment Health Officer. All items marked, indicates an unsatisfactory condition which must be corrected to comply with Public Health Regulations.

.....

ENVIRONMENTAL HEALTH OFFICER

(Inserted by S.I. 37/2020)

FORM 2

(Regulation 3)

LICENCE TO OPERATE

..... 20

THIS IS TO CERTIFY THAT
of is licensed in accordance with
the Public Health Regulations and is given permission to operate a
valid until December 31st
This Licence is issued with the understanding that the operator adheres to the Public Health Act
failing which the Licence may be revoked by the Public Health Board.

.....
CHAIRPERSON
PUBLIC HEALTH BOARD

Note: Licence must be conspicuously displayed on the premises.

(Inserted by S.I. 37/2020)

FORM 3

(Regulation 7(5)(a))

CERTIFICATE OF HEALTH

Name of Holder
Address of Holder
Trade of Business
Date Issued

REMARKS

.....
.....
.....
.....
.....

RENEWAL (Back)

RENEWED TO DATE	MEDICAL OFFICER OF HEALTH		RENEWED TO DATE	MEDICAL OFFICER OF HEALTH

(Inserted by S.I. 37/2020)

Public Health (Water Quality Control) Regulations – Section 9

(Statutory Instruments 14/1978 and 58/2020)

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Non impairment of quality of water
4. Permission for conveyance of water for domestic use
- 4A. Fees
5. Water supply systems to be satisfactorily constructed and maintained
6. Well to be located, constructed etc. to prevent contamination
- 6A. Licence for conveyance in water tank or other receptacle
- 6B. Application for licence for conveyance in water tank or other receptacle
- 6C. Issue and duration of licence for conveyance in water tank or other receptacle
- 6D. Cancellation or suspension of licence for conveyance in water tank or other receptacle
- 6E. Delivery of licence on suspension, cancellation or cessation
7. Water tanks etc., for the conveyance of water to be impervious, easily cleaned and sanitized
- 7A. Licence for water bottling plant
- 7B. Application for water bottling plant licence
- 7C. Application of regulations 6C to 6E
- 7D. Certificate of health
8. Quality of drinking water etc., to be prescribed
9. Chlorinating machinery etc., to be kept working efficiently
10. Testing of chlorinated water by authorised persons
11. Notice to desist from contamination of water supply
12. Closure of water supply
13. Penalty
- Schedule 1
- Schedule 2
- Schedule 3
- Schedule 4

PUBLIC HEALTH (WATER QUALITY CONTROL) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Water Quality Control) Regulations.

2. Interpretation

For the purposes of these Regulations—

“Authority” (*Deleted by S.I. 58/2020*)

“gathering ground” means any surface of land or other device which collects the rainfall for the purposes of the Waterworks;

“private water supply” means a water supply other than a public water supply;

“public water supply” means any main, valve, tap, standpipe or any other appliance, used or intended to be used for or in connection with the supply of water to the public;

“water bottling plant” means a facility in which bottled water is treated and bottled for sale; *(Inserted by S.I. 58/2020)*

“water supply system” includes a gathering ground, filter, gutter, pipe or any tank, cistern or other receptacle, reservoir or other place used for the collection, storing and supplying of water for domestic purposes.

These Regulations shall apply to public and private water supplies.

3. Non impairment of quality of water

(1) A person shall not commit or cause to be committed any act which may impair the quality of water in any river, stream, spring, well, pond, reservoir or any other place.

(2) A person shall not commit or cause to be committed any act which may impair the quality of any underground water by the discharge of any sewage, industrial or trade waste, filth, or any other matter into any well or abandoned well, hole or other opening in the ground.

(3) A person shall not discharge or cause to be discharged into any river, stream, water course or sea any sewage, industrial or trade waste or any other matter likely to be injurious to health, whether or not a presumptive right has been acquired to any such discharge, except in accordance with the terms and conditions of a permit issued by the Public Health Board.

(4) A person shall not swim, bathe, wash clothes or other materials, wash animals, cleanse utensils or vehicles in any river, stream spring, well or other water contributing to a public or private water supply.

(5) A person shall not erect any building, septic tank, absorption pit or other sanitary convenience in any area declared a gathering ground or within 200 feet of any public or private water supply except an engineering plan has been submitted and approved in writing by the Public Health Board and such construction complies with the approved plan before being put into service.

4. Permission for conveyance of water for domestic use

A person shall not sell, or offer for sale, or convey water for domestic use in tanks or other receptacles except by written permission of the Public Health Board.

4A. Fees

For the purposes of these Regulations, the following fees must be paid to the Accountant General —

- (a) in the case of a permit for use of a water tank or other receptacle, \$50;
- (b) for conducting an inspection of a water tank or other receptacle, \$100; and
- (c) for conducting an inspection of a water bottling plant —

“A fee of 40 c/sq. ft. for the first 100 sq. ft. of operative space and 20 c/sq. ft. for the next 500 sq. ft. and 10 c/sq. ft. for the remaining space.”

(Inserted by S.I. 58/2020)

5. Water supply systems to be satisfactorily constructed and maintained

All water supply systems and any place or receptacle in which water is stored shall be free from sanitary defect and shall be constructed, placed, protected and maintained to the satisfaction of the Public Health Board.

6. Well to be located, constructed etc. to prevent contamination

(1) Wells shall be so located, constructed, protected and maintained as to prevent contamination.

(2) Well tops shall be of concrete and so constructed as to divert waste water and provided with a substantial base on which a pump or other means of raising water can be secured.

6A. Licence for conveyance in water tank or other receptacle

(1) A person shall not convey water in a water tank or other receptacle used for the conveyance of water unless he or she has first been granted a licence by the Board.

(2) A person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 or to a term of imprisonment not exceeding 6 months.

(3) A licence that has expired under regulation 6C may be renewed on written application made before the 31st day of January next after the date of expiry.

(Inserted by S.I. 58/2020)

6B. Application for licence for conveyance in water tank or other receptacle

(1) An application for a licence or for the renewal of a licence is in the form set out in Schedule 1.

(2) An application under paragraph (1) must set out the name and address of the person and the name of the business where the person is employed.

(3) On receipt of an application for a licence or renewal of a licence the Board shall cause the water tank or other receptacle for the conveyance of water to be inspected by an environmental health officer.

(4) After an inspection under paragraph (3), an environmental health officer shall submit to the Board an inspection report in the form set out in Form 1 of Schedule 2.

(Inserted by S.I. 58/2020)

6C. Issue and duration of licence for conveyance in water tank or other receptacle

(1) Whenever the Board approves an application, it shall issue to the person a licence in the form set out in Schedule 3.

(2) A licence is valid, unless cancelled or suspended, until the 31st day of December next after the date of issue.

(Inserted by S.I. 58/2020)

6D. Cancellation or suspension of licence for conveyance in water tank or other receptacle

The Board may cancel or suspend a licence on being satisfied that —

- (a) a breach of these Regulations has been committed;
- (b) the continuation of the licence is detrimental to the public health.

(Inserted by S.I. 58/2020)

6E. Delivery of licence on suspension, cancellation or cessation

(1) When a person to whom a licence has been issued ceases to convey water in a water tank or other receptacle used for the conveyance of water, he or she shall within 7 days of so doing give notice to the medical officer of health or environmental health officer and at the same time deliver to him or her the licence.

(2) When a licence has been suspended or cancelled the person to whom the licence was issued shall immediately deliver up the licence to the medical officer of health or environmental health officer.

(Inserted by S.I. 58/2020)

7. Water tanks etc., for the conveyance of water to be impervious, easily cleaned and sanitized

All water tanks or other receptacles used for the conveyance of water shall be impervious and maintained in a clean and sanitary condition. Any opening into a water tank or other receptacle shall be covered and all water drawn from a suitable tap. Buckets, pumping equipment and other appurtenances with which the water comes in contact shall be maintained in good repair and in clean condition.

7A Licence for water bottling plant

(1) A person shall not operate a water bottling plant unless he or she has first been granted a licence by the Board.

(2) A person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 or to a term of imprisonment not exceeding 6 months.

(3) A licence that has expired may be renewed on written application made before 31st day of January next after the date of expiry.

(Inserted by S.I. 58/2020)

7B. Application for water bottling plant licence

(1) An application for a licence or for the renewal of a licence must be in the form set out in Schedule 1 and must be lodged in the office of the medical officer of health.

(2) An application under paragraph (1) must set out the name and address of the person and the name of the business where the person is employed.

(3) On receipt of an application for a licence or renewal of a licence the Board shall cause the water tank or other receptacle for the conveyance of water to be inspected by an environmental health officer.

(4) After an inspection under paragraph (3), an environmental health officer shall submit to the Board an inspection report in the form set out in Form 2 of Schedule 2.

(Inserted by S.I. 58/2020)

7C. Application of regulations 6C to 6E

Regulations 6C to 6E apply to a licence for a water bottling plant with such modifications as is necessary.

(Inserted by S.I. 58/2020)

7D. Certificate of health

(1) A person shall not —

- (a) convey water in a water tank or other receptacle used for the conveyance of water; or

- (b) work in a water bottling plant,

unless he or she is registered with the Ministry responsible for health and has a valid certificate of health.

- (2) A person who —

- (a) conveys water in a water tank or other receptacle used for the conveyance of water; or

- (b) works in a water bottling plant,

may make an application for a certificate of health to the Ministry responsible for health.

- (3) An application for registration under paragraph (2) must be submitted with —

- (a) two passport sized photographs;

- (b) a valid Government issued identification card; and

- (c) the following fees to be paid to the Accountant General —

- (i) a registration fee of \$20 for new applicants,

- (ii) a fee of \$20 for a renewal,

- (iii) a fee of \$30 for a replacement certificate, if the certificate is lost or damaged.

- (4) A certificate of health must be —

- (a) in the form set out in Schedule 4;

- (b) stamped by the medical officer of health issuing the certificate of health; and

- (c) returned to the Ministry responsible for health for validation and completion of the registration process.

(5) A person shall keep a certificate of health at the place of employment and make it available for inspection by an authorised officer of the Ministry responsible for health.

(Inserted by S.I. 58/2020)

8. Quality of drinking water etc., to be prescribed

The quality of water for drinking or domestic purposes, food processing or manufacture, or in any business or industry shall meet such standards of purity as are prescribed by the Public Health Board and it shall be the duty of the owner or person in charge of the premises to see that the standards are met.

9. Chlorinating machinery etc., to be kept working efficiently

Where chlorine or any of its compounds is used in the sterilization of water, all chlorinating machinery and equipment shall be maintained in efficient working order. Such spare parts as may be necessary shall be kept for use in case of emergency.

10. Testing of chlorinated water by authorised persons

All water chlorinated shall be tested by a person authorised for the purpose at specified intervals during the operation of the plant for free residual chlorine using tests as may be designated by the Public Health Board and the person carrying out such test shall keep a record thereof which shall be furnished each month to the medical officer of health.

11. Notice to desist from contamination of water supply

Where any accumulation of refuse, filth, garbage or other matter is found in close proximity to any water supply and the medical officer of health is of the opinion that such accumulation is likely to cause contamination of the water therein he or she shall forthwith in writing require the property owner or the person in charge of the property to desist from depositing the same and to remove all such material within a time specified.

12. Closure of water supply

The Public Health Board on the recommendation of the medical officer of health may order the temporary or permanent closure of any water supply if in their opinion the quality water therein is impaired or likely to become so.

13. Penalty

Any person failing to comply with these Regulations or with any notice served thereunder commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months, and in addition in the case of a continuous offence to a fine not exceeding \$150 for each day the offence continues after a conviction is first obtained. *(Amended by S.I. 58/2020)*

Schedule 1

(Regulations 6B(1) and 7B(1))

APPLICATION FOR LICENCE

TO: THE SAINT LUCIA PUBLIC HEALTH BOARD

Application for a licence to operate a
(Type of business)

I/We
(Name of business or firm)

of Address)

hereby make an application for a
licence (Type of licence)

in respect of premises situated at
(Address of proposed premises)

Signature of Applicant:

.....

Date

(Inserted by S.I. 58/2020)

Schedule 2

FORM 1

(Regulation 6B(4))

MINISTRY OF HEALTH ENVIRONMENTAL HEALTH DIVISION

DEMERIT SCORE SHEET WATER TANK OR OTHER RECEPTACLE INSPECTION FORM

Inspecting Officer:

Time:

Date:

Name and address of Operator:

Phone No.:

Owner/Operator:

Supervisor/operator on duty at time of inspection:

		YES	NO	REMARKS
I	PERSONAL			
*5	Haulers must be in possession of a valid Health Certificate, which must be renewed twice yearly in June and December.			
II	OPERATION			
10	Delivery hoses, outlet valves etc. must be protected against contamination (especially when not in use) with suitable watertight caps.			
10	Vehicle tank, (both interior and exterior) and appurtenance devices such as hoses, pumps etc. must be routinely cleaned and sanitize.			
10	Interior of metal water tank must be coated with a suitable asphalt paint or bitrimastic enamel or coal tar product to reduce the occurrence of corrosion.			
10	Tank manhole (s) must be covered with a watertight cover (s) constructed of impervious material. Manhole cover (s) must be kept secured with a locking device.			
10	Overflow(s) and vent(s) of tank must be effectively screened. All other openings in tank must be so designed and constructed to prevent the entrance and exposure of stored water to contamination.			
5	Manhole(s) must be constructed with overlapping covers, designed and constructed to prevent the entrance of surface rainwater and other potential contaminants.			
*10	At all times water offered for sale to the general public must be obtained from an approved Water and Sewerage Company source.			
		YES	NO	REMARKS
*10	Holding tank mounted on a truck is thoroughly cleaned, sanitized and tested for bacteriological and chemical contamination whenever — (a) non-potable water or other contaminants are stored or comes into contact with their interior			

	surfaces of the tank; (b) a new holding tank is installed on the truck; (c) tank has not been utilized for an extended period of time.			
*10	Certificate of analysis from a certified laboratory.			
*5	Valid public health licence			
5	Identification number is required to be inscribed (in a conspicuous area) on holding tank (s) that are not permanently attached to the water truck.			

Tank No.:

Score:

Comments:

.....

ENVIRONMENTAL HEALTH OFFICER

(Inserted by S.I. 58/2020)

FORM 2

(Regulation 7B(4))

WATER BOTTLING PLANT INSPECTION FORM

Date of Inspection:

Name of Business:

Distribution of Product:

☐

Only local

☐

Locally and Overseas

Treated Capacity of Plant:

Design Actual

Year Started Operation:

Security of Plant

Fenced

Yes

☐

No

☐

Security Guard

Yes

☐

No

☐

Person in Charged:

Payment of public Health License for Year

Yes

☐

No

☐

No. of Employees: Male Female

I	PERSONNEL
5	Workers with infections restricted/valid Health certificate All employee properly clad with:
1	• Hair Restraint
1	• Apron
1	• Face mask
1	Hand washed and clean, good hygiene, practices
II	EQUIPMENT AND UTENSILS
2	Proper handling and storage of sterilized container and closures.

2	Bottle area completely separated from other areas of the plant and has self-closing doors.
2	Equipment, containers and closure are sanitized with steam or chemical agent
2	Residue of chemical sanitizing agents thoroughly rinsed from equipment and containers.
II	EQUIPMENT AND UTENSILS – continued
5	Surfaces of all equipment, utensils, pipes-lines and valves that come into contact with treated water clean and sanitized
2	Reusable retail plastic container and closure thoroughly cleaned and sanitized prior to reuse
III	TREATMENT PROCESS
5	Filtration, activated carbon, ultraviolet disinfection, reverse osmosis, ozonation, storage.
1	Schematic - site (facility) diagram
1	Schematic - water treatment diagram/process
1	Schematic - bottling process diagram
1	Equipment specifications
5	Recall plan
5	Storage tank holding the product before, during and after processing clean, adequately protected from contamination
IV	TOILET FACILITIES
2	Number, Convenient, Accessible, Designed and Installed
2	Toilet rooms enclosed, Self – Closing doors, fixtures good repair, clean hand cleanser, hand drying device provided, proper waste receptacles.
V	GARBAGE/REFUSE DISPOSAL
1	Containers covered and adequate number
1	Outside storage are enclosed, properly constructed, clean
VI	PEST CONTROL
4	Presence of insects/rodents: outer openings protected, pest control measures applied
VII	PHYSICAL PLANT
2	Bottling room and plant constructed and design
2	Floors constructed, drained, clean, good repair, covering installed, dustless cleaning methods walls, ceiling, attached equipment constructed, good repair, clean surfaces, dustless cleaning methods
	Lighting
1	Fixtures shielded
1	Lighting provided as required
	Ventilation
1	Ventilation in plant sufficient to prevent condensation
	Dressing Room
1	Room clean, lockers provided
1	Facilities clean
VIII	QUALITY ASSURANCE
5	Regular performance of bacteriological and chemical analysis:

	(a) In house (b) Third party laboratory
2	Preventive Maintenance
1	Record keeping
2	Source and product water quality test results and records
2	Batch number and expiration date indicated on each container
IX	STORAGE FACILITIES
1	Faulty Tanks/Reservoir
2	Leaks in the pipe line
2	Site(s) adequately secured
2	Surface coating in contact with water acceptable
2	Tanks/Reservoir protected against corrosion
2	Tanks/reservoir are cleaned frequently
1	Air vents and overflow protected by screen
2	Are tanks disinfected after repairs
X	SOURCES
2	Springs: Source protected by masonry box to reduce contamination Municipal: No other appurtenances connected to taps used for filling storage tanks
X	SOURCES
2	Spring: Masonry protecting the spring source faulty Municipal: Tap head free of leaks
1	Spring: Air vented and overflow on masonry box Municipal: Tank vents and overflow protected
2	Spring: Limited animal access to within 30ft./(10m) radius of the spring source Municipal: Limited access to tank filling area. (Only authorized individuals)
3	Spring: Absence of pollution source above the spring Municipal: The extraction or collection of water conducted safely hence preventing other than the intended water from entering the tank
XI	TRANSPORTATION
2	Vehicles used to transport finished products adequate, clean, and in good repair
*Critical items requiring immediate action	
Rating score ("100") Less weight of items violated	

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ENVIRONMENTAL HEALTH OFFICER

(Inserted by S.I. 58/2020)

Schedule 3

(Regulation 6C(1))

LICENCE TO OPERATE

..... 20

THIS IS TO CERTIFY THAT
of is licensed in accordance
with the Public Health Act and is given permission to operate a
..... valid until December 31st
This Licence is issued with the understanding that the operator adheres to the Public
Health Act failing which the Licence may be revoked by the Public Health Board.

.....
Chairperson Public Health Board

Note: Licence must be conspicuously displayed on the premises.

(Inserted by S.I. 58/2020)

Schedule 4

(Regulation 7D(5)(a))

CERTIFICATE OF HEALTH

Name of Holder
Address of Holder
Trade or Business
Date Issued

--

REMARKS

.....
.....

RENEWAL (back)

RENEWED TO DATE	MEDICAL OFFICER OF HEALTH		RENEWED TO DATE	MEDICAL OFFICER OF HEALTH

(Inserted by S.I. 58/2020)

Public Health (Apartments, Guest Houses and Hotels) Regulations – Section 9

(Statutory Instruments 15/1978, 26/1983 and 35/2020)

S.I. 15/1978 .. in force 1 April 1978
Amended by S.I. 26/1983 .. in force 30 April 1983
Amended by S.I. 35/2020 .. in force 23 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Apartment or guest house or hotel to be registered
4. Application for registration
5. Licence to operate
6. Notice on cessation of operation
7. Operation of guest house and hotels
8. Provision of clean linen etc
9. Plumbing fixtures
10. Provisions for guest house or hotel
11. Provisions for apartment houses
12. Rooms for sleeping purposes
13. Floor space etc., of room for sleeping purposes
14. Notice on owner or occupier
15. Grounds for cancellation of licence
16. Penalty

Schedule 1

Schedule 2

PUBLIC HEALTH (APARTMENTS, GUEST HOUSES AND HOTELS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Apartment Houses, Guest Houses and Hotels) Regulations.

2. Interpretation

In these Regulations—

“**apartment house**” means any building or part of a building used or intended for use for residential occupancy and consist of more than one suite or self contained dwelling unit;

“**guest house**” means any building or part of a building used as a dwelling in which persons are lodged or accommodated for the purpose of sleeping for a single night or for periods not exceeding one month, but does not include a hotel;

“**family**” means 2 or more persons living together as a single housekeeping unit;

“**hotel**” means any building or part of a building used as an hotel other than an apartment house, or a guest house;

“**suite**” or “self contained dwelling unit” means one or more connected rooms used as a residence and having plumbing fixtures or cooking facilities for the sole use of the occupants of such suite or self contained dwelling unit.

3. Apartment or Guest House or Hotel to be registered

(1) A person shall not operate an apartment house, guest house or hotel unless such apartment house, guest house or hotel has been registered by the Public Health Board.

(2) Despite subregulation (1) a person who has operated an apartment house, a guest house or hotel before the date on which these Regulations come into operation shall within 6 weeks thereafter apply for registration.

4. Application for registration

(1) Every application for registration shall be in writing in such form as the Board may from time to time require and shall be lodged in the office of the medical officer of health.

(2) On receipt of an application, the Public Health Board shall cause the apartment house, guest house or hotel to be inspected by an environmental health officer who shall use the inspection form set out in Schedule 1 for the purpose of seeing that the provision of these Regulations are complied with and issue a licence to the applicant. There shall be a charge of \$50 for the issue of the licence. (Amended by S.I. 35/2020)

(3) The Board after consideration of the application may—

- (a) grant application conditionally;
- (b) grant the application subject to such conditions as may be considered appropriate; or
- (c) refuse the application.

5. Licence to operate

(1) Whenever the Public Health Board has approved an application there shall be issued to the applicant on payment of \$100 into the Treasury or sub-collector's office, a licence to operate in the form set out in Schedule 2. (Amended by S.I. 35/2020)

(2) Every certificate of registration shall—

- (a) be signed by the Board;
- (b) state the number of guests who may be accommodated at such apartment house, guest house or hotel;
- (c) bear on its face the date of issue;
- (d) be unless previously cancelled or suspended valid from the date of issue to 31 December of every year; and
- (e) be non-transferable to any person, or in respect of any location.

(Amended by S.I. 26/1983 and by S.I. 35/2020)

6. Notice on cessation of operation

(1) When a person, at whose instance a licence to operate has been issued ceases to operate or use the building to which the registration relates as an apartment house, guest house or hotel, he or she shall within 7 days of so doing give notice to the Board through the office of the Chief medical officer of health and deliver up to him or her the licence to operate. (Amended by S.I. 35/2020)

(2) Whenever a licence to operate has been cancelled or suspended the person to whom the same was issued shall immediately deliver up the licence to operate to the Chief Medical Officer of health. (Amended by S.I. 35/2020)

(3) The appropriate entry in respect of non-use, cancellation or suspension in respect of guest house shall be made in the register.

7. Operation of Guest House and Hotels

(1) Where a premises is operated as a guest house or hotel such operation shall be conducted as the case may be in accordance with the following regulations—

- (a) all windows in bedrooms are equipped with blinds, curtains or any other device for ensuring privacy;

- (b) the furniture, beds, bedsprings, pillows, mattresses, bed linen, blankets and bed covers are maintained in good repair and in a clean and insect free state;
- (c) each bedroom is designated by a legible number placed on the door and each door fitted with a lock and key so that the door may be securely fastened from the inside;
- (d) in a guest house or hotel which provides accommodation for persons of both sexes there shall be separate toilet facilities for each sex and the facilities shall be separated by a partition extending from the floor to the ceiling and each compartment shall be provided with a door capable of being securely protected by the person using the facilities and in each case the compartment for each sex should be clearly marked thereon.

Provided that the provisions of this regulation shall not apply to the bedroom of a hotel where each bedroom of that hotel is provided with its own toilet facilities.

(2) In any place operated as a guest house or hotel there shall be available on the immediate floor or place where guests are in the habit of using—

- (a) an adequate supply of water;
- (b) an adequate supply of potable water;
- (c) an adequate supply of toilet paper and soap;
- (d) at least such number of baths or showers and water closets and wash basins as the environmental health officer requires taking into account the number of persons frequenting that floor or place at any one time, and the possibility of the same facilities in other parts of the building as may deem fit and that the facilities made available under this regulation apply to the provision of such facilities. *(Amended by S.I. 35/2020)*

8. Provision of clean linen etc.

A person shall not cause to be operated any hotel or guest house unless—

- (a) a sufficient supply of separate clean towels is provided for each person;
- (b) each bed is provided with pillows in clean pillow slips, sheets, blankets and bed covers;
- (c) freshly laundered bed linen is provided for each guest.

9. Plumbing Fixtures

All plumbing fixtures installed in any apartment house, guest house or hotel shall—

- (a) be located so as to be accessible to all tenants at all times;
- (b) be kept in a clean and sanitary condition;
- (c) be maintained in good working order at all times.

10. Provisions For Guest House or Hotel

Every person who causes to be operated any guest house or hotel shall to the satisfaction of an environmental health officer—

- (a) provide adequate lighting in all corridors, halls, stairways and compartments containing plumbing fixtures;
- (b) maintain the floors, walls and ceiling surfaces in a clear condition and in good repair;
- (c) keep cellars and basements clear of waste and combustible matter;

- (d) ensure that the premises contents and furnishings are kept free from rodents, lice, fleas, bedbugs, cockroaches and other insect pests;
- (e) keep every yard, area, forecourt or other open space within the curtilage of the premises at all times maintained in good repair and thoroughly cleaned and in a sanitary condition;
- (f) provide and maintain in good condition sufficient and suitable refuse and garbage bins.

(Amended by S.I. 35/2020)

11. Provisions for Apartment Houses

In every apartment house there shall be in every suite at least one sink, one water closet, one bath or shower, and one wash basin, all supplied with running water.

12. Rooms for sleeping purposes

(1) No hot water or electrical appliance of any kind shall be installed or operated in any room used for sleeping purposes. Every such appliance shall only be installed in another room, and a person shall not use or be allowed to use for sleeping purposes any room containing any such appliance.

(2) A person shall not occupy or let for occupation for sleeping purposes any room which is used as a hall, dining room, kitchen or pantry.

13. Floor Space etc., of Room for Sleeping Purposes

Every room used for sleeping purposes shall have a floor area of at least 40 square feet for each person accommodated therein. The height of the walls must not be less than 8 feet.

14. Notice on Owner or Occupier

The medical officer of health may by notice in writing require the owner or operator of any apartment house, guest house or hotel to carry out within such time as is stated in the notice any work which may be necessary under the provisions of these Regulations.

15. Grounds for Cancellation of Licence

The Board may cancel or suspend a registration granted in accordance with these Regulations—

- (a) for overcrowding of the hotel or guest house;
- (b) where a notice has been served under section 10 of the Act and there has been no appeal therefrom, or the appeal has been dismissed and the owner or occupier of the apartment house, guest house or hotel has not within the time specified in the notice, or within the time specified by the Judge on the dismissal of the appeal, carried out the work required by the notice;
- (c) for failure to comply with regulations 7 to 8;
- (d) for failure to comply with the requirements of a notice served under regulations.

16. Penalty

An owner operator or any person who contravenes paragraph (1) of regulation 3 or regulations 7 to 8 or who fails to comply liable on summary conviction to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months. *(Amended by S.I. 35/2020)*

Schedule 1

(Regulation 4(2))

**HOTEL GUESTHOUSE/APARTMENT INSPECTION FORM
MINISTRY OF HEALTH****ENVIRONMENTAL HEALTH DIVISION
DEMERIT SCORE SHEET**

Undertaken by

From To
Date

Type of facility

Name and address of hotel/guesthouse

.....

.....

.....

Tel. No.

Supervisor on duty at time of inspection

Manager:

Maximum Capacity

No. of Rooms

Single

Double

Other (Specify)

		Remarks
I	ROOMS	
2	Windows equipped with blinds curtains or other devices	
2	Furniture, beds, pillows and matters linen blankets in good repair, clean and insect free	
2	Legal number placed on doors fitted with lock and key	
4	Separate toilet facilities provided and marked for each gender partition to ceiling	
3	Sufficient supply of clean towels provided for each person	
3	Beds provided with clean freshly laundered linen	
II	PLUMBING FIXTURES	
4	Accessible to all tenants at all times	
5	Clean and sanitary condition Good working order	
III	GENERAL	
5	Adequate lighting in all corridors, halls stair-ways and compartments containing plumbing fixtures	
5	Floors, walls and ceiling in good repair	
10	Cellar and basements, clear of waste and combustible matter	

10	Premise contents and furniture free from insect pests/pits	
5	Yard, forecourt and other open spaces clean and in a sanitary condition	
10	Adequate and suitable refuse and garbage bins/clean and in a sanitary condition	
10	Sanitary sewage and waste water disposal	
		Remarks
IV	PROVISIONS FOR APARTMENT	
10	Each suite with at least one sink, water closet, bath and shower, wash basin/supplied with running water	
V	PROVISIONS FOR SLEEPING ROOMS	
3	No hot water or electricity appliances installed	
3	Hall, dining room, kitchen or pantry used for sleeping	
2	40 sq. floor area for each occupant	
2	Wall 8" high	

Score:

Pest Control Programme by:

Additional Information:

.....

.....

.....

.....

Environmental Health Officer

(Inserted by S.I. 35/2020)

Schedule 2

(Regulation 5(1))

LICENCE TO OPERATE

..... 20.....

THIS IS TO CERTIFY THAT

of is licensed in accordance

with the Public Health Regulations, and is given permission to operate a

valid until December 31st

This Licence is issued with the understanding that the operator adheres to the Public Health Act failing which the Licence may be revoked by the Public Health Board.

.....

CHAIRPERSON
PUBLIC HEALTH BOARD

Note: Licence must be conspicuously displayed on the premises.

(Inserted by S.I. 35/2020)

Public Health (Swimming Pools) Regulations – Section 9

(Statutory Instruments 16/1978, 27/1983 and 36/2020)

S.I. 16/1978 .. in force 1 April 1978
Amended by S.I. 27/1983 .. in force 30 April 1983
Amended by S.I. 36/2020 .. in force 23 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Interpretation
 3. Regulation of construction or alteration of a swimming pool etc
 4. Approval of construction
 5. Permit for operation of swimming or wading pool
 6. Provision in respect of construction operations and maintenance
 7. Lighting and electrical equipment to be rendered danger free
 8. Provisions in respect of walls of swimming pool
 9. Water depths
 10. Overflow gutters and automatic devices
 11. Filters and filtration
 12. Cycling or circulation of water system
 13. Provisions in respect of recirculating system
 14. Diving towers or boards
 15. General safety
 16. Disinfection of pool
 17. Persons forbidden use of swimming pool
 18. Spitting or blowing of noses forbidden
 19. Power to close swimming pool
 20. Cancellation or suspension of permit of operation
 21. Penalty clause
- Schedule 1
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PUBLIC HEALTH (SWIMMING POOLS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Swimming Pools) Regulations.

2. Interpretation

For the purposes of these Regulations—

“swimming pool” or “pool” means a structure made entirely or in part of concrete, masonry, metal, plastic or other impervious material, located either indoors or outdoors, and provided with a water supply together with the buildings and appurtenances used in connection therewith, which is available to the public for swimming, bathing, wading or diving and for the use of which persons are either directly or indirectly charged a fee, and includes such places or premises where operated as part of or in connection with a club, motel, hotel, school or similar institution;

“wading pool” means an artificial basin or tank constructed of impervious material used for wading by small children and having a maximum depth of 18 inches at the deepest point and 12 inches at the shallowest point.

3. Regulation of construction or alteration of a Swimming Pool etc.

(1) A person shall not construct or alter any swimming or wading pool unless he or she has first—

- (a) submitted to the Public Health Board, the plans and specifications and a certificate from the Ministry responsible for electrical inspections and the information set out in Part A of Schedule 1; and (*Amended by S.I. 36/2020*)
- (b) obtain from the Public Health Board written approval for its construction.

(2) The Minister may require a medical officer of health to furnish him or her with such information and particulars relating to swimming and wading pools within the State, as the Minister thinks fit.

(3) The swimming or wading pool and its facilities shall be inspected by an environmental health officer who shall complete the inspection form set out in Part B of Schedule 1 and certified by the medical officer of health before it is put into operation. A charge of \$50 shall be levied on the applicant for the inspection and the issue of a certificate by the medical officer. (*Amended by S.I. 36/2020*)

(*Amended by S.I. 27/1983*)

4. Approval of Construction

The Public Health Board may approve the construction of a swimming or wading pool subject to such terms and conditions set out in Schedule 2. (*Amended by S.I. 36/2020*)

5. Permit for operation of swimming or wading pool

(1) A person shall not operate a swimming or wading pool unless he or she holds a valid permit for the purpose issued by the medical officer of health.

(2) The medical officer of health may issue such a permit for a fee of \$100 to be paid into the Government Treasury or any sub-collector's office or part thereof subject to such terms and conditions as he or she may prescribe. (*Amended by S.I. 36/2020*)

(3) The permit to operate a swimming pool shall be in such form as the Chief Medical Officer may direct.

(4) Unless a permit is cancelled or suspended it shall be valid until 31 December next after the date of issue.

(*Amended by S.I. 27/1983*)

6. Provision in respect of Construction Operations and Maintenance

Subject to regulation 5, every swimming pool shall—

- (a) be made of impervious materials with a smooth surface, free from cracks and joints, and shall be constructed so as to be water-tight and to facilitate cleaning;
- (b) if constructed after the date on which these regulations come into operation have rounded corners at the wall-floor junction;
- (c) have not less than 2 ladders or steps with handrails at the deep end and 2 ladders or steps with handrails at the shallow end, and all such ladders or steps shall be provided with non-slip treads;
- (d) be provided with hand-holds not more than 9 inches above the normal water level, and in the case of a pool used for instruction or competitive swimming, a hand-hold at water level similar to the rim of an over-flow gutter, or in the alternative, a bull-nosed coping not exceeding 2½ inches in thickness for the outer 2 inches;

- (e) if an area for spectators is provided, be separated from the pool in order to prevent the risk of contamination of the pool;
- (f) be provided with outlets, one of which is capable of draining the entire pool within 8 hours situated at the deepest point and with drain outlets properly covered with gratings and designed to reduce suction and prevent the reversal of the water flow from the drain to the pool;
- (g) be provided with dressing rooms, toilets and showers in such numbers and of such type and construction as the medical officer of health may approve; not applicable to private swimming pools operated for family and guests without a fee;
- (h) be surrounded by a clear unobstructed paved walk-way or deck not less than 4 feet wide extending from the pool side, edge or lip of the coping of the pool;
- (i) have permanent markings showing the depth of the shallow and deep ends and the diving depths, and such markings shall be in numerals of at least 4 inches in height and of a colour which contrasts with the background.

7. Lighting and Electrical Equipment to be Rendered Danger Free

When lighting or other electrical equipment is provided in the pool area, such lighting or equipment shall be installed so as not to be dangerous to persons using the pool, and shall be subject to the approval of the Government electrical inspector.

8. Provisions in respect of walls of swimming pool

The wall of the swimming pool shall be—

- (a) vertical from deck to the pool bottom;
- (b) if sloped at the deep end, the upper 6 feet of the wall shall not deviate more than 1 foot horizontal in 6 feet vertical; or
- (c) if a ledge is provided on vertical walls in the deep portion of the pool, it shall be fixed not less than 4 feet 6 inches below water level, and be not more than 6 inches wide with a ½ inch slope towards the pool.

9. Water depths

(1) The water depth at the shallow end of the swimming pool shall not exceed 3½ feet.

(2) If steps extend for more than ½ the width of the shallow end the depth of the wall at the base of the lowest step shall not be greater than 3½ feet.

(3) From the shallow end, the bottom of the pool shall be sloped at a rate not exceeding—

- (a) for pools more than 20 feet wide, 1 foot vertical in 12 feet horizontal; and
- (b) for pools 20 feet or less in width, 1 foot vertical in 10 feet horizontal.

(4) A pool sloped in accordance with subregulation (3) shall extend to a depth of not less than 5 feet except that when rope and buoys are provided, the slope shall extend to a depth of not less than 4½ feet.

10. Overflow gutters and Automatic Devices

(1) A pool shall have around the perimeter an overflow gutter or automatic skimming devices, (hereinafter referred to as skimmers), or such other devices as may be approved by the medical officer of health.

(2) Where overflow gutters are used, they shall be built into the wall extending around the pool except where steps require interruption, and the gutter shall be not less than 3 inches deep; the overflow edge shall be round and shall not exceed to a thickness or 2½ inches for the top 2 inches.

(3) Skimmers may be used as an overflow device on pools with a surface not exceeding 4000 square feet and shall comply with the following requirements—

- (a) they shall be built into a recess in the wall of the pool;
- (b) the rate of flow through the skimmer shall be adjustable up to at least 50% of the capacity of the recirculating systems of the swimming pool;
- (c) the skimmer shall be provided with a device to prevent air lock in the recirculation system of the suction line;
- (d) they shall be provided with a screen which is capable of being easily removed and cleaned to trap large solids.

11. Filters and Filtration

(1) Swimming pool filters shall be designed, constructed and operated to the satisfaction of the medical officer of health.

(2) Despite subregulation (1) filtration surfaces shall be so constructed that they may be easily restored to the designed capacity. Facilities shall be provided so that the restoration of such surfaces can be accomplished without contamination of the pool and so that—

- (a) filtration surfaces are easily available for inspection; and
- (b) structural or functional failures will not occur permitting passage of unfiltered water.

(3) In the case of rapid sand filters, the filtration rate shall not exceed 3 gallons per square foot per minute, and the backwash shall be at a rate of not less than 12 gallons per square foot per minute.

(4) Filter piping shall be valved so that filters can be washed individually allowing each filter to be isolated for repairs while the other units are in service.

(5) Diatomaceous earth filters shall be designed so that the filtration rate shall not exceed 2 gallons per square foot per minute, with maximum rates of 2½ gallons per square foot per minute for filters designed for continuous feeding of filter aid.

(6) Provisions shall be made for all filters to be cleaned by means of back washing or in a manner which is satisfactory to the medical officer of health.

(7) For pressure type units the pump shall be capable of delivering full required capacity at a head loss of 60 feet and 60 percent or more of such capacity at 70 feet head loss.

(8) There shall be at least one skimmer for each 500 square feet of pool surface area or part thereof, except that for pools which do not exceed 600 square feet in surface area, one skimmer only may be provided.

12. Cycling or Circulation of Water System

(1) Every swimming pool shall have inlets of such size and spaced so as to facilitate uniform circulation of water throughout the pool.

(2) There shall be no direct connection between the piping system of the pool and the domestic water supply system unless there is a device which protects against back-flow in a manner approved by the medical officer of health.

(3) The inlets in pools constructed after the commencement of these Regulations shall be sufficiently submerged so as to prevent the loss of chlorine or other disinfectant solution.

13. Provisions in respect of Recirculating System

(1) Every recirculating pool shall have a water recirculating system consisting primarily of piping, pumps, filters and disinfecting equipment as well as such other accessory equipment as shall adequately purify and disinfect within 8 hours, an amount of water equal to the water capacity of the pool.

(2) The pipes used for different purposes shall be of different colours to facilitate identification.

(3) The recirculating system shall have a flow meter to indicate the rate of pumpage and which shall be kept in operation 24 hours a day while the pool is in use.

(4) Disinfectant shall be introduced into the recirculating system by methods that are approved by the medical officer of health.

14. Diving towers or boards

(1) If a diving tower or board is provided, such board or tower shall be rigidly constructed and properly anchored so as to ensure stability.

(2) No diving board or tower over 10 feet in height shall be used in the swimming pool.

(3) If diving platforms are more than—

- (a) five feet but less than 8 feet above the water the minimum depth at that point shall not be less than 11 feet;
- (b) eight feet but less than 10 feet the minimum depth at that point shall not be less than 12 feet.

(4) There shall be not less than 15 feet of unobstructed headroom above every diving board extending 10 feet in front of the board.

15. General Safety

Without limiting the generality of subregulation (2) of regulation 5, a person shall not operate a swimming or wading pool unless the following requirements are complied with—

- (a) there is kept in a place readily available to persons using the pool, ropes, lifebouys and reaching poles;
- (b) there is kept readily available on the premises a first aid kit containing aromatic spirits of ammonia, a recognised skin antiseptic other than tincture of iodine, sterile gauze, absorbent cotton, adhesive plaster, bandages of various widths and such other articles as the medical officer of health may specify;
- (c) the number of persons bathing or swimming in the pool is not permitted to exceed 1 for each 25 square feet of water surface;
- (d) steps are taken to effectively prevent persons using the pool from sunset to sunrise unless the pool is lighted in a manner approved by the medical officer of health;
- (e) when chlorine gas is used as a disinfectant there is provided at least one gas mask in good operating condition and of a type approved by the medical officer of health as suitable for high concentrations of chlorine gas and the mask is kept at a readily accessible point near to chlorinators and outside the chlorinator room;
- (f) the person in charge of the pool or some person authorised by him or her is present at the pool at all times during the period when the pool is in use and such person is qualified to administer first aid and artificial respiration and in the case of a swimming pool, other than a flow-through pool, is

capable of operating the purification equipment, the water recirculating system of the pool and all other appurtenances connected thereto;

- (g) water in the pool is treated and maintained so that not more than 15% of water samples contain more than 200 bacteria per millilitre and so that no bacteria of the coliform group is found in any of five ten-millilitre;
- (h)
 - (i) the water in a pool is sufficiently clear when in use to permit a black disc 6 inches in diameter on a white field placed on the bottom of the pool at the deepest point 10 feet from the side to be clearly visible from the walk-way around the deep area of the pool, and
 - (ii) in the case of a wading pool the water is kept sufficiently clear so that the bottom is visible at all times, and
 - (iii) the water is recirculated at a 2-hour turnover rate;
- (i) tests such as may be required by the Chief Medical Officer are made by the operator as frequently as necessary throughout each day so as to maintain the standards required;
- (j) the pool and its surroundings and the dressing rooms, toilets and showers are maintained in a clean, sanitary and safe condition;
- (k) diving towers, spring boards, floats, slides and other equipment are properly maintained, and the floors, steps and walks are washed daily when in use;
- (l) the owner or person in charge keeps such daily records of the operation of the pool as the Chief Medical Officer may require and such records are made available to the medical officer of health or environmental health officer on request and are kept available for scrutiny for a period of at least 6 months commencing from the date of recording. *(Amended by S.I. 36/2020)*

16. Disinfection of pool

(1) Swimming pools when in use, shall be continuously disinfected with a chemical which imparts a residual effect.

(2) When chlorine is used, a chlorine residual of 0.5 p.p.m. or not less than 0.7 p.p.m. chloramine shall be maintained throughout the pool whenever it is open or in use.

(3) If other halogens such as bromine or iodine are in use residuals or equivalent disinfecting strength shall be maintained.

(4) A testing kit for measuring the concentration of the disinfectant accurate to within 0.1 p.p.m. shall be provided at each pool

(5) The medical officer of health may accept other disinfecting methods if he or she is satisfied that they—

- (a) provide a residual which is easily measurable;
- (b) are as effective as the chlorine concentration required by subregulation (2), and
- (c) are not dangerous to the public health.

(6) The pH value of the water in any pool shall be between 7.5 and 8.4 and a pH testing kit accurate to the nearest 0.2 pH unit shall be provided at each swimming pool.

17. Persons forbidden use of swimming pool

No person with a sore, inflamed eye or throat, a cold, any nasal or ear discharge, or any cuts, boils or other evident skin or other bodily infection shall be allowed in a swimming pool, and the person in charge of the pool at the time shall exclude any such person from use of the pool or premises.

18. Spitting or blowing of noses forbidden

A person shall not spit or blow his or her nose in any swimming pool.

19. Power to close swimming pool

(1) Whenever a medical officer of health considers any condition existing at any swimming pool to be dangerous to the public health he or she may order that the swimming pool be closed.

(2) Unless the permit to operate the swimming pool is cancelled or suspended, an order of closure made under paragraph (1) shall remain in force for not more than 72 hours from the time notice thereof is first given to the operator or person in charge of the pool and a person shall not operate or use the swimming pool at any time during the period of suspension of the permit.

20. Cancellation or suspension of permit of operation

The Chief Medical Officer may cancel or suspend any permit to operate a swimming pool for—

- (a) failure to comply with regulation 3 and regulations 5 to 16; and
- (b) failure to comply with an order made under subregulation (1) of regulation 19.

21. Penalty Clause

A person who contravenes these Regulations or fails to comply with any notice or directive issued or given in accordance with these Regulations or who hinders or obstructs any authorized person in carrying out his or her duties commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months, or to both such fine and imprisonment. (*Amended by S.I. 36/2020*)

Schedule 1

(Regulation 3(1)(a))

PART A INFORMATION FOR SWIMMING OR WADING POOL

1. Capacity of pool
2. Type of disinfectant used
3. Specification on apparatus used (manual/automatic)
4. Frequency of backwash
5. Chlorine and other residual testing
6. Method of backwash discharge (gravity/pump)
7. Pump capacity
8. Specifications (gravity/pump)
9. Of equipment/personal protective equipment
10. Filtering process
11. Issues: storage of chemicals/protective equipment
12. Other information as may be required.

.....
Applicant's signature

PART B

(Regulation 3(3))

**SWIMMING OR WADING POOL INSPECTION FORM
MINISTRY OF HEALTH**

**ENVIRONMENTAL HEALTH DIVISION
DEMERIT SCORE SHEET**

Inspecting Officer:

Time:

Date:

Name and Address of Facility:

Phone No.:

Manager:

Supervisor/Operator on duty at time of inspection:

		REMARKS
I	GENERAL	
5	Life guard present	
5	Operation records and testing	
3	Structure defects absent	
II	SAFETY	
3	At least 2 ladders/steps present at deep and shallow end of pools	
5	Permanent depth marking present at least 4 inches high	
3	Life line pole and first aid kit provided and used	

5	Electrical hazards absent	
2	Spectator area separate from pool	
5	Chemicals properly stored	
5	Gas mask available outside of chlorinator room	
		REMARKS
III	OPERATIONS	
5	Proper disposal of filter backwash waste water	
2	Absence of cross connection	
2	Air gap provided	
2	Adequate skimmers functioning	
2	Flow meters operable	
IV	WATER QUALITY	
5	Pool clarity/black disc on pool bottom	
5	Records Maintained	
5	Residual chlorine 2.0 – 3.0 ppm	

	pH 7.5 – 8.4	
5	Bacteriological quality, 0 FC in 100ml of water.	
4	Chemical treatment equipment operable	
2	Proper operation of recirculation system	
4	Bottom/sides/gutter and deck clean/ non-slip type	
V	BATH HOUSE/OTHER FACILITIES	
4	Adequate number of showers for each sex/operable clean	
4	Toilet facilities adequate separate sex/operable/clean	
3	Soap, suitable hand washing facilities (towels, soap, dispensers etc.)	
5	Suitable sign(s) exempting certain persons from bathing in pool/forbidding spitting	
5	Valid permit to operate	

(Inserted by S.I. 36/2020)

Schedule 2

(Regulation 4)

TERMS AND CONDITIONS FOR APPROVAL OF SWIMMING OR WADING POOL

A. Location Design and Construction

1. Pools must be designed and constructed to withstand anticipated loads.
2. Construction materials must be non-toxic, impervious and able to withstand design stresses.
3. Pool deck must be well above ground level.
4. Pool surface must be made to a smooth finish.
5. Pool must have at least two ladders or steps with hand rails at deep and shallow end.
6. Pool must have a proper filtration system.
7. Trees/plants must be located so that leaves and other organic materials do not fall into the pool.
8. Pools must be so constructed to prevent storm and other surface drainage from entering the pool.
9. Pool must be located at a site where dirt, dust and debris will not be carried or blown into the pool.

B. Cleaning of Pool

1. The pool must be free of visible dirt.
2. Visible scum and floating matter must be immediately removed.
3. Algae growth must be removed from the sides.
4. Cleaning may be done by draining the pool and scrubbing the sides and bottom or by the use of suction cleaners.

C. Other Parameters

Free chlorine residual must be 2.0 – 3:00 ppm
ppm pH optimal 7.2 – 7.8
Alkalinity: 80 – 120ppm
Calcium hardness: 150 – 400ppm.

(Inserted by S.I. 36/2020)

Public Health (Notification of Births) Regulations – Section 9
(Statutory Instruments 17/1978 and 29/2020)

S.I. 17/1978 .. in force 1 April 1978
Amended by S.I. 29/2020 .. in force 16 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Interpretation
 3. Notice of the birth of a child and still-birth to Chief Medical Officer
 4. Chief Medical Officer to keep register of births and still-births
 5. Saving
-

PUBLIC HEALTH (NOTIFICATION OF BIRTHS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Notification of Births) Regulations.

2. Interpretation

For the purposes of these Regulations—

“**birth**” includes “still-birth”;

“**still-birth**” means any child which has issued forth or been removed from its mother after the twenty-eighth week of pregnancy and which did not, at any time after being completely expelled or removed from its mother, breathe or show any other sign of life.

3. Notice of the birth of a child and still-birth to Chief Medical Officer

(1) Within 36 hours of the birth of any child or still-birth, the following persons shall give or cause to be given to the Chief Medical Officer notice of the birth of the child or still-birth—

- (a) the person in charge of an hospital or other institution in which the mother is confined;
- (b) the doctor, nurse or other person performing midwifery services for the mother at the time of delivery or within 6 hours thereafter, where delivery does not take place at an hospital or other similar institution.

(Amended by S.I. 29/2020)

(2) The notice required to be given by subregulation (1) shall be in such form as the Chief Medical Officer may prescribe and shall state—

- (a) the day of birth of the child and whether such birth was a live birth or still-birth;
- (b) the sex of the child; and
- (c) the name and place of ordinary residence of mother.

(3) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to a fine not exceeding \$250. *(Amended by S.I. 29/2020)*

(4) Despite subregulation (3), a person shall not be convicted for failing to comply with this regulation if he or she satisfies the court that he or she has a reasonable excuse for such failure.

(Amended by S.I. 29/2020)

4. Chief Medical Officer to keep register of births and still-births

(1) The Chief Medical Officer shall—

- (a) cause to be kept a register of births and still-births for his or her district;
(Amended by S.I. 29/2020)
- (b) subject to paragraphs (2) and (3), enter in the register the particulars contained in every notice given to him or her under regulation 3.

(2) Where a notice given under regulation 3 and the place of ordinary residence of the mother of the child to whose birth or still-birth the notice relates is stated in the notice to be in a district other than that in which the birth or still-birth occurred, the district medical officer to whom the notice is given shall, without complying with subregulation (1)(b), immediately transmit the notice to the Chief Medical Officer in which the place of ordinary residence of the mother is situated. *(Amended by S.I. 29/2020)*

(3) The district medical officer shall, upon receipt of a notice transmitted to him or her under subregulation (2), forthwith enter the particulars contained in that notice in the register kept by him or her under subregulation (1)(a).

(Amended by S.I. 29/2020)

5. Saving

Nothing in these Regulations affect any other enactment relating to the registration of births.

Public Health (Bakeries) Regulations – Section 9

(Statutory Instruments 18/1978, 25/1983 and 59/2020)

S.I. 18/1978 .. in force 1 April 1978

Amended by S.I. 25/1983 .. in force 30 April 1983

Amended by S.I. 59/2020 .. in force 14 April 2020

ARRANGEMENT OF REGULATIONS

- 1. Citation
- 2. Interpretation
- 3. Licence for operation of bakeries
- 4. Application for licence
- 5. Cancellation or suspension of registration
- 6. Form and contents etc., of licence
- 7. Register of bakeries
- 8. Delivery of licence on cessation, cancellation or suspension
- 9. Walls and ceilings etc., paintings and washing of
- 10. Hygienic or sanitary requirements etc., in place where bakery is carried on
- 11. Certificate of health
- 12. Power of medical officer etc., to compel baker to take medical examination
- 13. Deportment and dress and personal hygiene of persons in bakery

14. Storage and keeping of bakery material and the placement of bread and bread products
 15. Power to close bakery where operation is dangerous to health
 16. Liability
 17. Penalty
- Schedule

PUBLIC HEALTH (BAKERIES) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Bakeries) Regulations.

2. Interpretation

For the purposes of these Regulations —

“**bakery**” means any room, building or place in which bread is baked, manufactured or prepared for sale;

“**bread**” includes biscuits, cakes, confectionery, pastry or other similar product;

“**inspector**” means the environmental health officer, Director of Medical Service, medical officer of health or his or her authorized representative or Chief Medical Officer. *(Amended by S.I. 59/2020)*

(Amended by S.I. 25/1983)

3. Licence for operation of bakeries

(1) A person shall not on behalf of himself or herself or of any other person operate a bakery unless he or she has first been granted a licence by the Public Health Board.

(2) The owner or operator of any bakery which is in operation on the date these regulations come into force shall apply for a licence within 6 weeks of such date, and any licence which has expired in accordance with the provisions of regulation 6 (2) (d) may be renewed on written application made before 31 January next after the date of expiry.

4. Application for Licence

(1) Every application for a licence or for renewal of a licence shall be in writing in the form set out as Form 1 in the Schedule and shall be lodged in the office of the medical officer of health. *(Amended by S.I. 59/2020)*

(2) Every application made under subregulation (1) shall set out the name and address of the owner or operator of the bakery, the address of the place used or intended to be used as a bakery and the number of persons to be employed therein.

(3) On receipt of an application for licence or renewal of a licence the Public Health Board shall cause the bakery to be inspected by an environmental health officer for the purpose of seeing that the provisions of these Regulations are complied with. A charge of \$50 shall be levied on the applicant for the said inspection. *(Amended by S.I. 59/2020)*

(4) An environmental health officer who inspects a bakery under paragraph (3) shall complete an inspection report in the form set out as Form 2 in the Schedule. *(Inserted by S.I. 59/2020)*

(Amended by S.I. 25/1983)

5. Cancellation or Suspension of Registration

The Public Health Board may at any time cancel or suspend the licence upon being satisfied that—

- (a) a breach of these regulations has been committed;
- (b) the continuation of the licence is detrimental to the public health.

6. Form and contents etc., of Licence

(1) Whenever the Public Health Board approves an application it shall issue to the applicant a licence in the form set out as Form 3 in the Schedule. *(Amended by S.I. 59/2020)*

(2) Every licence shall—

- (a) bear the date of issue;
- (b) state the number of persons that may be employed in the bakery;
- (c) specify the premises in which the bakery is being carried on;
- (d) be valid, unless cancelled or suspended, until 31 December next after the date of issue;
- (e) not be transferable from the licence to any other person.

A charge of 40 c/sq. ft. for the first 100 sq. ft. of operative space and 20 c/sq. ft. for the next 500 sq. ft. and 10 c/sq. ft. for the remaining space shall be paid for the licence or any renewal thereof. All monies for licences shall be paid to the Government Treasury or sub collector's office. *(Amended by S.I. 59/2020)*

(3) A licence shall be valid only in respect of the premises specified therein.

7. Register of Bakeries

(1) Each environmental health officer shall keep a register of all bakeries in his or her area. *(Amended by S.I. 59/2020)*

(2) In respect of each bakery the register shall contain—

- (a) the name and address thereof;
- (b) the name and address of the owner or operator thereof;
- (c) the number of persons that may be employed therein;
- (d) the date of issue of the licence.

8. Delivery of licence on cessation, cancellation or suspension

(1) When a person to whom a licence has been issued ceases to operate the building or place to which the licence relates as a bakery, he or she shall within 7 days of so doing give notice thereof, to the medical officer of health or environmental health officer and at the same time deliver to him or her the licence. *(Amended by S.I. 59/2020)*

(2) Whenever a licence has been cancelled or suspended the person to whom the licence was issued shall immediately deliver up the licence to the medical officer of health or environmental health officer. *(Amended by S.I. 59/2020)*

9. Washing and paintings of Walls and ceilings etc.

The inside walls of the rooms of a bakery and the ceiling or tops of such rooms, whether such walls, ceilings, or tops be plastered or not, and all passages and

staircases of such bakery, shall be painted, varnished, or limewashed; and the paint or varnish shall be renewed once at least in every 2 years and shall be washed with water and soap once at least in every 3 months; when limewashed; the limewashing shall be renewed every 6 months.

10. Hygienic or Sanitary requirements etc., in place where bakery is carried on

A person shall not use or operate any room, building, or place as a bakery unless the following requirements are complied with—

- (a) no sanitary convenience, toilet or privy shall communicate directly with the bakery;
- (b) no garbage can or dust bin shall be kept within the bakery;
- (c) any cistern or pipe for supplying water to the bakery shall be separate and distinct from any cistern or pipe for supplying water direct to any sanitary convenience, toilet or privy;
- (d) no drain or pipe for carrying off faecal matter or sewage shall have an opening within the bakery;
- (e) every bakery shall be efficiently lighted and ventilated to the satisfaction of the appropriate medical officer of health or environmental health officer; *(Amended by S.I. 59/2020)*
- (f) every work-room in the bakery shall have an impervious floor and all floors shall be constructed so as to be damp-proof, and shall at all times be kept in a clean and sanitary condition to the satisfaction of the medical officer of health or environmental health officer; *(Amended by S.I. 59/2020)*
- (g) all tables, utensils, dishes, pans, troughs, cloths, towels and machinery used in the bakery shall be kept in a clean and sanitary condition to the satisfaction of the medical officer of health or environmental health officer; *(Amended by S.I. 59/2020)*
- (h) no bakery shall be used as a sleeping place or living room;
- (i) no room or place in the same building and immediately adjacent to a bakery shall be used as a sleeping place or living room unless such place or room is separated from the bakery by a partition of wood, masonry or other substantial material extending from floor to ceiling and unless such place or room is adequately ventilated to the satisfaction of the medical officer of health or environmental health officer; *(Amended by S.I. 59/2020)*
- (j) no cat, dog, bird or other animal shall be permitted to enter a bakery.

11. Certificate of Health

(1) A person shall not be employed in a bakery unless he or she has a Certificate of Health issued by a medical officer to the effect that he or she is not suffering from tuberculosis or other infectious or contagious disease.

(2) A person may obtain a certificate of health by registering with the Ministry responsible for health and must submit —

- (a) two passport sized photos;
- (b) a valid Government issued identification card;
- (c) the following fees to be paid to the Accountant General —
 - (i) a registration fee of \$20 for new applicants,
 - (ii) a fee of \$20 for a renewal, and

- (iii) a fee of \$30 for a replacement certificate, if the certificate is lost or damaged.

(Substituted by S.I. 59/2020)

(3) A certificate of health issued by a medical officer of health must be in the form set out in Schedule 4 and stamped by the medical officer of health issuing the certificate, and must be returned to the Ministry responsible for health for validation, and completion of the registration process. *(Inserted by S.I. 59/2020)*

(4) A certificate of health expires on the 30th day of June or the 31st day of December in each year. *(Inserted by S.I. 59/2020)*

(5) A baker shall keep a certificate of health and make it available for inspection by an authorized officer of the Ministry responsible for health. *(Inserted by S.I. 59/2020)*

12. Power of medical officer etc. to compel baker to take medical examination

(1) Despite regulation 11(1) if a medical officer of health or an environmental health officer has reason to believe that any person employed in a bakery is suffering from any infectious or contagious disease he or she may require such person to submit to a medical examination by a medical officer of health who shall issue a certificate of health stating whether the person is fit or unfit to be employed in a bakery and if the person refuses to submit to such examination or if the certificate states that the person is unfit, the person shall immediately cease to work. *(Amended by S.I. 59/2020)*

(2) A person who has ceased work under the provisions of this regulation shall not resume work unless he or she has obtained a certificate of good health from a medical officer of health or Chief Medical Officer.

13. Deportment and dress and personal hygiene of persons in bakery

(1) A person shall not sit or lie on any of the tables or shelves which are intended for use for the dough or baked articles.

(2) A person shall not be allowed in any bakery in an unclean or dirty condition and bakers and other persons preparing bread shall be clad in white overall gowns and white caps or other suitable head covering.

(3) Before beginning work in a bakery and before preparing or mixing the ingredients, the persons engaged in the work shall wash their hands and arms thoroughly in clean water and for this purpose sufficient wash basins together with soap, nail brushes and towels shall be provided.

14. Storage and keeping of bakery material and the placement of bread and bread products

(1) All flour and other materials as well as the finished products shall be put in perfectly dry and airy rooms so arranged that the shelves, floors and all other places for storing the same can be easily and perfectly cleaned and so that when stored no such flour, material or product shall be less than 6 inches from any floor or wall.

(2) Bread, pastry or confectionery shall not be placed on the floor.

(3) Cream, cream filling, fish, meat or any other fillings used for pies or pastries shall, until so used, be kept in a proper refrigerator or in a clean, well ventilated fly-proof room, store or enclosure at a temperature of not more than 45 degrees Fahrenheit.

(4) A person shall not use any deleterious material in the making of bread or offer for sale any bread containing any such deleterious material.

(5) A person shall not take back or exchange any bread which shall have been taken from the bakery for a longer period than 6 hours.

(6) All bread and other products of a bakery in the course of being transported for delivery shall be protected by such a wrapping as will protect it from dust, dirt, flies or other contamination and shall be conveyed in closed vehicle and for that purpose and no other and subsequent deliveries to purchasers shall be made in baskets or other receptacles.

(7) All vehicles used for the delivery of bread shall have the name of the owner legibly printed therein in a conspicuous place.

15. Power to close bakery where operation is dangerous to health

Despite regulation 3(4), the medical officer of health or environmental health officer may order the closure of a bakery within a specified time, if in his or her opinion conditions are such as to endanger the health of persons working therein or those consuming the products therein and by notice in writing direct to the occupier of the bakery within such reasonable time to execute such work or take such measures as appears necessary to make the bakery comply with these Regulations. *(Amended by S.I. 59/2020)*

16. Liability

Where any act or thing is by these Regulations prohibited or prescribed the duty of seeing that such prohibition or prescription is complied with shall, unless otherwise provided in these regulations, rest upon both the owner of the bakery and upon the person in charge thereof and in the event of a breach of these Regulations either the owner or the person in charge or both are liable to be prosecuted.

17. Penalty

Any person who contravenes these Regulations commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment. *(Amended by S.I. 59/2020)*

Schedule

FORM 1

(Regulation 4(1))

TO: THE SAINT LUCIA PUBLIC HEALTH BOARD

Application for a licence to operate a
(Type of business)

I/We
(Name of business or firm)

of
(Address)

hereby make an application for a licence
(Type of licence)

in respect of premises situated at
(Address of proposed premises)

Signature of Applicant:

.....

Date:

(Inserted by S.I. 59/2020)

FORM 2

(Regulation 4(4))

BAKERY INSPECTION REPORT
ENVIRONMENTAL HEALTH DIVISION
SAINT LUCIA

Establishment Name		Owner's Name		Date	
Address		Phone		Time	
Type of Establishment	Staff	Male	Female	Permit Status	
Based on an inspection this day, the items marked below identify the violation in operations or facilities which must be corrected by the next routine inspection or such shorter period of time as may be specified in writing by the regulatory authority. Failure to comply with any time limits for corrections specified in this notice may result in cessation of your FOOD SERVICE OPERATIONS.					
Item No.	Item	Weight	Item No.	Item	Weight
*001	Source sound condition, no spoilage	5	16	Dishwashing facilities: designed constructed, Maintained, installed, located, operated	2
02	Original container properly labelled	1	17	Accurate thermometers, chemical test kits Provided, gauge cock (3/4" jps Valve)	1
*03	Potentially hazardous food meets temperature requirements during storage, preparation, display, service, transportation	5	18	Prepare flushed, scraped, soaked	1
*04	Facilities to maintain product temperature	4	19	Wash, rinse water clean, proper temperature	2
05	Thermometers provided and conspicuous	1	*20	Sanitize rinse clean, temperature, concentration, exposure time, equipment utensils sanitized	4
06	Potentially hazardous food properly thawed	2	21	Wiping clothes clean, stored, restricted	1
			32	Toilet rooms enclosed. Self-closing doors. Fixtures: Good repair, clean, hand cleanser, sanitary towels/tissue, hand drying devices provided. Proper waste receptacles.	2
				GARBAGE & REFUSE DISPOSAL	
			33	Containers or receptacles, covered adequate number, insect/rodent proof, frequency clean	2
			34	Outside storage are enclosures properly constructed, clean, controlled incineration	1
				INSECT, RODENT, ANIMAL CONTROL	
			*35	Presence of insect/rodents- outer openings protected, no birds, turtles, other animals	4
				FLOORS, WALLS AND CEILING	
			36	Floors constructed, drained, clean, good repair, covering installation, dustless cleaning methods	1
			37		

FOOD EQUIPMENT AND UTENSILS 14 Food/ice contact surfaces: designed, constructed, maintained, installed, located	2	29 Installed, maintained	1	48 Complete separation from living/sleeping quarters, laundry	1	
		*30 Cross-contamination back splash, back flow	5			
15 Non-food contact surfaces: designed, constructed, maintained, installed, located	1	WATER AND WASTE DISPOSAL *31 Number convenient, accessible, designed, installed		4	49 Cleaned, solid line properly stored	1
* CRITICAL ITEMS REQUIRING IMMEDIATE ACTION		Rating Score: ("00") Less Number of items Violated				
		Inspected by				

PART B MINISTRY OF HEALTH FOOD HANDLING ESTABLISHMENT INSPECTION REPORT OBSERVATIONS & RECOMMENDATIONS		☐ Routine Inspection ☐ Re-inspection ☐ Stress suspected ☐ Complaint
NAME OF ESTABLISHMENT INSPECTED		DATE OF INSPECTION
NAME OF INDIVIDUAL TO WHOM REPORT GIVEN		TIME OF INSPECTION
ITEM NO.		
INSPECTED BY:		REPORT RECEIVED BY: (SIGNATURE)

(Inserted by S.I. 59/2020)

FORM 3

(Regulation 6)

LICENCE TO OPERATE

..... 20

THIS IS TO CERTIFY THAT
of is licensed in accordance
with the Public Health Act and is given permission to operate a
..... until December 31st

This Licence is issued with the understanding that the operator adheres to the Public Health Act failing which the Licence may be revoked by the Public Health Board.

.....

Chairperson Public Health Board

N.B. Licence must be conspicuously displayed on the premises.

(Inserted by S.I. 59/2020)

FORM 4

(Regulation 11(4))

CERTIFICATE OF HEALTH

Name of Holder

Address of Holder

Trade or Business

Date Issued

REMARKS

.....
.....
.....
.....

RENEWAL (back)

RENEWED TO DATE	MEDICAL OFFICER OF HEALTH		RENEWED TO DATE	MEDICAL OFFICER OF HEALTH

(Inserted by S.I. 59/2020)

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Interpretation
 3. Documents necessary for transportation of human remains
 4. Conditions prerequisite for transportation
 5. Human remains to be transported in Impervious Coffin
 6. Transportation of impervious coffin
 7. Wreaths and flowers etc., accompanying, to comply with other laws of country
 8. Transportation of human ashes
 - 8A. Clearance for human remains
 9. Penalty
- Schedule
-

PUBLIC HEALTH (TRANSPORTATION OF HUMAN REMAINS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Transportation of Human Remains) Regulations.

2. Interpretation

(1) For the purpose of these Regulations—

“**impervious coffin**” means any container or box, of whatever material, which can be hermetically sealed and so maintained by plastic or rubber gasket or by metal or similar material which has been soldered or welded;

“**non-scanable container**” includes a container that is metal, stone or ceramic;
(*Inserted by S.I. 31/2020*)

“**scanable container**” includes cardboard, fiberboard, cloth, plastic, transparent glass, wood or other non-metallic receptacle; (*Inserted by S.I. 31/2020*)

“**transportation of human remains**” means the transportation of the body from the country where the death occurred to the country of its final destination after either death or disinterment. (*Amended by S.I. 31/2020*)

(2) For the purpose of these Regulations where a body is encased in a plastic container which has been sealed by heat or by adhesive material before being placed in a non-impervious coffin, that coffin shall be considered an impervious coffin.

3. Documents necessary for transportation of human remains

(1) Any person desiring to transport the remains of a deceased person shall furnish the Chief Medical Officer or any medical officer appointed by him or her for the purpose with the following documents—

- (a) an official certificate of cause of death issued by the local registrar of deaths or similar authority;
- (b) a statement by the person authorised to prepare the remains, certified by an appropriate authority, indicating the manner and method in which the body was prepared and indicating that the coffin contains only the body in question and necessary clothing and packing;

- (c) a transmit permit stating the surname, other name or names, and age of the deceased person issued by the competent authority for the place of death, or the place of burial in the case of exhumed human remains.
- (2) Copies of the documents required under paragraph (1) —
 - (a) must accompany the transportation of human remains or must be provided to the environmental health officer within 24 hours of the transportation of the human remains; and
 - (b) must be in the official language of the country to which the human remains are being transported.

(Substituted by S.I. 31/2020)

(3) The outside of the coffin shall bear an immovable plaque or other appropriate marking, in a conspicuous place, indicating the name, age and place of the final destination of the body.

(4) A fee of \$250 must be paid to the Accountant General for transportation.
(Inserted by S.I. 31/2020)

(Amended by S.I. 31/2020)

4. Conditions prerequisite for transportation

(1) It is not lawful for anyone to transport the remains of a deceased person unless such remains—

- (a) are thoroughly washed with an effective disinfectant and all the orifices thereof are disinfected and packed with cotton saturate with an effective disinfectant; and
- (b) are wrapped in a sheet saturated with an effective disinfectant and placed in an impervious coffin; or
- (c) are properly embalmed (arterial and cavity) and placed in an impervious coffin; or
- (d) are properly embalmed (arterial and cavity) and encased in a plastic container which has been sealed by heat or by adhesive material before being placed in a non-impervious coffin.

(2) In cases where the deceased at the time of his or her death was suffering from a quarantinable disease which would have rendered him or her liable to isolation in accordance with the provisions of the Quarantine Act or any enactment replacing the same the human remains shall be properly embalmed (arterial and cavity) and placed in an impervious coffin.

(3) The transportation of the remains of a deceased person must be carried out to the satisfaction of the Chief Medical Officer whose certificate to this effect shall appear on the outside of the coffin. *(Inserted by S.I. 31/2020)*

(4) The remains of a deceased person must not be accompanied by a person or article which has been exposed to infection from a disease, unless certified by the Chief Medical Officer to have been properly treated or disinfected. *(Inserted by S.I. 31/2020)*

(5) The required documents furnished under regulation 3 must be properly treated and executed. *(Inserted by S.I. 31/2020)*

5. Human remains to be transported in Impervious Coffin

Human remains prepared for transportation shall be placed in a hermetically sealed impervious coffin and may be transported without any covering except in the case of transportation by sea, but for protective purposes such remains may be fitted in a box made of wood or other material, so as to prevent movement or may be wrapped in a specially designed fabric. *(Amended by S.I. 31/2020)*

(Amended by S.I. 31/2020)

6. Transportation of Impervious Coffin

Where human remains are transported—

- (a) by sea, then in order to prevent movement, the impervious coffin shall be packed in an ordinary wooden case, or in a case made of any other material, or shall be placed in a specially designed container made of fabric;
- (b) by road, the impervious coffin shall be conveyed on a closed hearse, closed van or other motor vehicle and shall be so placed as to prevent movement;
- (c) by air, the impervious coffin may be conveyed in the baggage compartment of a passenger aircraft or in a cargo aircraft and may be equipped with a vent or safety valve if precautions are taken to prevent the escape of liquids or noxious gases.

7. Wreaths and flowers etc., accompanying, to comply with other laws of country

Whatever may be the method of transportation of human remains, wreaths, flowers and other similar funeral articles may be sent with the coffin only if it is permitted by the law in force in the country to which such remains are being sent.

8. Transportation of human ashes

(1) Where human ashes are being transported the ashes must be properly double-packaged and labelled.

(2) Human ashes that are being transported into Saint Lucia or outside Saint Lucia must be placed —

- (a) in a scanable container; and
- (b) in a plastic bag inside the scanable container for added protection.

(3) Human ashes must be accompanied by a death certificate, cremation certificate and photograph of the deceased.

(Substituted by S.I. 31/2020)

8A. Clearance for human remains

(1) Human remains must not be removed from a port of entry unless clearance for the transportation of the human remains has been issued by an environmental health officer.

(2) Clearance under subregulation (1) is in the form set out under the Schedule.

(Inserted by S.I. 31/2020)

9. Penalty

Any person failing to comply with these Regulations or committing a breach thereof commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment. *(Amended by S.I. 31/2020)*

Schedule

(Regulation 8A(2))

TRANSPORTATION OF HUMAN REMAINS CLEARANCE FORM

ARRIVAL DATE:

EXAMINATION DATE:

I have examined the human remains of the late
which arrived at Airport/Seaport on
Ship no./Aircraft no.

Consigned to funeral home for internment not later than

Approved

☐

Not Approved

☐

I am satisfied that there is compliance with the provisions of the Public Health (Transportation of Human Remains) Regulations, Cap. 11.01 and that there are no major public health risks involved.

Please be guided accordingly.

.....

Environmental Health Officer

(Inserted by S.I. 31/2020)

Public Health (Barracks and Tenements) Regulations – Section 9

(Statutory Instruments 20/1978 and 26/2020)

S.I. 20/1978 .. in force 1 April 1978

Amended by S.I. 26/2020 .. in force 9 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Approval in respect of barracks or tenement buildings
4. Specifications to hygiene
5. Sleeping accommodation
6. Separate accommodation to be provided for sexes
7. Maintenance of barracks and tenement building
8. Non-compliance
9. Penalty

PUBLIC HEALTH (BARRACKS AND TENEMENTS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Barracks and Tenements) Regulations.

2. Interpretation

In these Regulations “**barracks**” means any housing accommodation provided for the lodging of persons employed at any estate, plantation, pen, factory, works or other place, not being a dwelling house occupied by one family. “tenement building” means any building or part thereof wherein rooms are occupied by unrelated individuals or families not being a hotel, or apartment house, or lodging house or rooming house or barracks.

3. Approval in respect of barracks or tenement buildings

A person shall not erect, alter or make addition to any barracks or tenement building, or alter or convert any other building into a barracks or tenement building except with the prior approval in writing of the Public Health Board.

4. Specifications to hygiene

All barracks and tenement buildings shall be—

- (a) constructed with walls not less than eight feet in ceiling height from floor to plate;
- (b) constructed and maintained so that they are water proof and capable of being thoroughly cleaned and dried at all times when in use;
- (c) provided with proper and sufficient means of ventilation to the satisfaction of the environmental health officer. Such means of ventilation shall have a minimum opening of 20 sq. ft. of floor area; *(Amended by S.I. 26/2020)*
- (d) provided with a suitable water supply, shall be within a reasonable distance from such barracks or tenement building;
- (e) provided with suitable bathing or washing accommodation to the satisfaction of the environmental health officer; *(Amended by S.I. 26/2020)*
- (f) provided to the satisfaction of the environmental health officer with a sufficient number of sanitary conveniences properly constructed and suitably located and separate for each sex; *(Amended by S.I. 26/2020)*
- (g) provided to the satisfaction of the environmental health officer with connected or adjacent suitable and adequate kitchens suitably located and constructed and sheltered by such means that will enable fires to be safely and readily lighted, and food to be properly cooked. *(Amended by S.I. 26/2020)*

5. Sleeping Accommodation

No greater number of persons shall be permitted in any barracks or tenement building for the purpose of sleeping therein than is compatible with a minimum allowance of 40 square feet of floor space in respect of each person and no room used as a kitchen, wash room or pantry shall be used for sleeping purposes. For the purposes of computation no account shall be taken of a child under one year of age, but a child over one year of age and under 10 shall be reduced as half a unit.

6. Separate Accommodation to be Provided for Sexes

Every room or part of a barracks which may be appropriate to reception of adult persons of different sexes shall be so furnished or provided that there is separate accommodation for each sex and each and every bed shall be properly separated from any adjoining bed by a suitable screen or partition of such material, construction and size, as to secure adequate privacy to the occupant of such bed.

7. Maintenance of Barracks and Tenement Building

(1) All barracks and tenement building shall be maintained in good order and habitable condition.

(2) The interior of all barracks and tenement and of any cooking house, sanitary convenience, or other premises used in connection therein shall at all times be kept properly cleaned. The walls and ceiling or every room shall be painted every 2 years. No filth or offensive or noxious matter shall be deposited or allowed to accumulate on any such habitation or premises or on the land immediately surrounding or adjoining the same.

8. Non compliance

The owner or person in charge of any barracks or tenement building shall be responsible for the observance or neglect of the same and commits an offence against these Regulations.

9. Penalty

Any person who contravenes the provisions of these Regulations commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment.
(Amended by S.I. 26/2020)

Public Health (Disposal of Offensive Matter) Regulations – Section 9 (Statutory Instruments 21/1978 and 27/2020)

S.I. 21/1978 .. in force 1 April 1978
Amended by S.I. 27/2020 .. in force 9 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Restriction in the deposit of filth night soil etc
4. Carriage of night soil in street restricted to prescribed hours
5. Cart and vehicle etc., for carriage of offensive matter to be effectively secured
6. Falling or dropping of offensive matter carried on public road to be removed
7. Approval of carriage and licence of person for the carriage of filth and night soil
8. (Revoked)
9. Restrictions for burying night soil
10. Provision for a sufficient and suitable sanitary convenience
11. Restriction on the discharge of effluent into sea from public sewerage system
12. Restriction discharge of effluent from private sewerage system
13. Disposal of dead animal
14. Burying of sea egg shells
15. Penalty

PUBLIC HEALTH (DISPOSAL OF OFFENSIVE MATTER) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Disposal of Offensive Matter) Regulations

2. Interpretation

For the purposes of these Regulations—

“**filth**” includes any decomposing animal or vegetable matter;

“**night soil**” means human excreta.

3. Restriction in the deposit of filth night soil etc.

A person shall not throw, deposit, let out or place any filth, night soil, dead animal or other offensive matter or thing of any kind on or about—

- (a) the premises of another person;
- (b) any watercourse or beach;
- (c) any public street, road, lane, alley, passage or thoroughfare;
- (d) any other premises or place,

where such filth, night soil, dead animal or other offensive matter may create a nuisance or be detrimental to the public health.

4. Carriage of night soil in street restricted to prescribed hours

A person shall not, except with the approval of a Chief Medical Officer, medical officer of health or environmental health officer, carry any night soil through any public street, road, lane, alley, passage or thoroughfare in any cart, vehicle or receptacle of any kind before the hour of 10:00 in the evening and after the hour of 6:00 in the morning. (*Amended by S.I. 27/2020*)

5. Cart and Vehicle etc., for Carriage of Offensive Matter to be effectively secured

A person shall not use any cart, vehicle or receptacle of any kind for the conveyance of any filth, night soil or other offensive matter of any kind unless such cart, vehicle or receptacle is staunch, tight and closely covered as to prevent smell or leakage in or upon any street, road, lane, alley, passage, thoroughfare of place on or through which such cart, vehicle, or receptacle may pass.

6. Falling or dropping of offensive matter carried on public road to be removed

Any person causing or permitting any filth, night soil or other offensive matter to fall or drop from any cart, vehicle or receptacle on to any street, road, lane, alley, passage, thoroughfare or place shall forthwith—

- (a) remove or cause to be removed such filth, night soil or offensive matter, and
- (b) clean or cause to be cleaned such street, road, lane, alley, passage, thoroughfare or place to the satisfaction of the medical officer of health.

7. Approval of carriage and licence of person for the carriage of filth and night soil

(1) A person shall not convey any filth, night soil or other offensive matter of any kind in any cart, vehicle or receptacle unless—

- (a) such cart, vehicle or receptacle is first approved by a medical officer of health or environmental health officer; (*Amended by S.I. 27/2020*)
- (b) the person conveying such filth, night soil or other offensive matter first receives a licence so to do from a Public Health Board.

(2) Any approval or licence issued by a Public Health Board in accordance with the provisions of subregulation (1) shall be valid for a period which shall expire on 31 December next after issue, but may be renewed for a like period.

(3) Despite the provisions of subregulation (2) the Public Health Board may at any time cancel or revoke any licence or approval issued in accordance with subregulation (1) should he or she consider it in the interest of the Public Health so to do.

8. *(Revoked by S.I. 27/2020)*

9. Restrictions for burying night soil

A person shall not bury any night soil in any place except at such sites and in such manner as the Public Health Board may approve, and unless such night soil is covered by earth to a depth of not less than eighteen inches below the level of the surrounding ground.

10. Provision for a sufficient and suitable sanitary convenience

(1) The owner of any premises which are or are likely to be used—

(a) as a place of—

- (i) human habitation, or
- (ii) habitual employment; or

(b) by any members of the public as a place of—

- (i) entertainment,
- (ii) refreshment,
- (iii) instruction, or
- (iv) worship,

shall to the satisfaction of a medical officer of health and environmental health officer—

- (A) provide any such premises with sufficient and suitable sanitary conveniences for the disposal of human excreta, and
- (B) provide any such premises to which the public are or are likely to be admitted or where persons of both sexes are or are likely to be employed or in attendance, with sufficient and suitable separate sanitary conveniences for persons of each sex.

(Amended by S.I. 27/2020)

(2) For the purpose of this regulation a suitable sanitary convenience shall be—

- (a) a properly constructed water closet;
- (b) a properly constructed pit latrine;
- (c) a properly constructed earth closet;
- (d) a properly constructed chemical closet; or
- (e) a properly constructed pail latrine,

as may be approved by a medical officer of health and environmental health officer.

(Amended by S.I. 27/2020)

(3) A person shall not dispose of sewage from a water closet except by one of the following systems or into one of the following places for which the prior approval of a medical officer of health is required—

- (a) into a properly constructed public or private sewerage system;
- (b) into a properly constructed suck well or cess pit;
- (c) into a properly constructed septic tank; or

(d) into the sea.

11. Restriction on the discharge of effluent into sea from public sewerage system

A person shall not cause or permit the effluent from any public sewerage system to flow into the sea or on into any other place except as such sites and in such manner as the Public Health Board may approve.

12. Restriction discharge of effluent from private sewerage system

A person shall not cause or permit the effluent from any private sewerage system or from any septic tank to flow into the sea or on or into any other place except at such sites and in such manner as may be approved.

13. Disposal of dead animal

The owner or occupier of any premises where an animal dies or is found dead or the owner of any animal found dead in any public place shall cause the body of such animal to be promptly removed and disposed of to the satisfaction of a medical officer of health or environmental health officer. *(Amended by S.I. 27/2020)*

14. Burying of sea egg shells

Any person who brings or causes to be brought on to any beach whether above or below high water mark the shells or entrails of sea-egg shall as soon as is practicable thereafter, dispose of the said shells or entrails by burial to a depth of not less than 3 ft. or in such manner as may be approved by a medical officer of health or environmental health officer to avoid injury to any person using the beach and to prevent the breeding of flies or the occurrence of a nuisance. *(Amended by S.I. 27/2020)*

15. Penalty

Any person contravening these Regulations commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment. *(Amended by S.I. 27/2020)*

Public Health (Sewage and Disposal of Sewage and Liquid Industrial Waste Works) Regulations – Section 9

(Statutory Instruments 22/1978 and 79/2020)

S.I. 22/1978 .. in force 1 April 1978

Amended by S.I. 79/2020 .. in force 2 June 2020

ARRANGEMENT OF REGULATIONS

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PUBLIC HEALTH (SEWAGE AND DISPOSAL OF SEWAGE AND LIQUID INDUSTRIAL WASTE WORKS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Sewage and Disposal of Sewage and Industrial Waste Works) Regulations.

2. Interpretation

For the purposes of these Regulations—

“**activated sludge**” means flocculent sludge produced by the growth of bacteria and other organisms in raw or settled sewage when it is continuously aerated;

“**activated sludge process**” means a biological sewage treatment: process in which a mixture of sewage and activated sludge is agitated and aerated. The activated sludge is subsequently separated from the treated sewage by sedimentation and may be re-used;

“**absorption**” means the adherence of dissolved, colloidal or finely divided solids on the surface of solid bodies with which they are brought into contact;

“**aeration**” the bringing about of intimate contact between air and liquid by one of several methods, i.e. spraying the liquid in the air, forcing air through the liquid, agitating the liquid to promote surface absorption of air;

“**biochemical oxygen demand (BOD)**” means the amount of dissolved oxygen consumed by chemical and micro-biological action when a sample is incubated at 20°C for a period of 5 days;

“**biological filter**” means an artificial bed or inert material over which sewage is distributed and through which it penetrates to under drains, thus giving an opportunity for the formation of biological slimes which bring about oxidation and clarification of the sewage;

“**chemical oxygen demand**” (COD) means the amount of oxygen used in the chemical oxidation of the matter present in a sample by a specified oxidising agent under standard conditions;

“**colloidal material**” means finely divided solids which will not settle but which may be removed by coagulation;

“**combined sewer**” means a sewer designed to carry both sewage and surface water;

“**crude sewage**” means sewage which has received no treatment;

“**datum**” means a place of reference for a system of levels;

“**detritus tank**” means a tank in which sand, grit and other heavy inorganic materials are removed by sedimentation from sewage;

“**digestion**” means the biochemical decomposition of organic matter using anaerobic bacteria, which results in the formation of simpler and less offensive compounds;

“**dilution**” means the ration of the volume of a stream to the volume of sewage effluent discharging to it;

“dry weather flow” (d.w.f.) means the daily rate of flow of sewage, together with infiltration if any, in a sewer in dry weather – measured after a period of 7 consecutive days of dry weather during which the rainfall has not exceeded 0.25 mm;

“effluent” means any liquid which flows out of a containing space, but more particularly the sewage or trade waste, partially or completely treated, which flows out of a treatment plant;

“final settlement tank” means a tank through which the effluent from a biological filter, or aeration tank, flows for the purpose of separating settleable solids. When used with a biological filter it is often called a humus tank;

“industrial effluent” means the fluid discharge, with or without matters in suspension, resulting wholly or in part from any manufacturing process, and including farm and research institution effluents;

“outfall sewer” means the final sewer of a system which carries the sewage to a treatment works or to a point of discharge;

“oxidation” means the chemical change which a substance undergoes when it takes up oxygen;

“pumping station” means an installation of pumps to lift sewage from a low level to a higher level;

“Royal Commission Standard” means a suspended solids content of not more than 30 mg/l and a BOD of not more than 20 mg/l;

“sedimentation tank” means a tank in which water or sewage containing sediment is retained for a sufficient time at a sufficiently low velocity to remove part of the sediment by gravity;

“sewage” means any water contaminated by domestic waste or trade effluents, water-borne human, domestic and farm waste. It may include effluent, subsoil or surface water;

“sewage treatment” means an artificial process to which sewage is subjected to remove or alter its constituents to render it less offensive or dangerous;

“sewer” means a pipeline to carry sewage or other wastes, and not normally flowing full;

“sewerage” means a system of sewers and ancillary works to convey sewage from its point or origin to a treatment works or other place of disposal;

“sludge” means accumulated suspended solids from sewage deposited in pipes or tanks, mixed with water to form a semi-liquid substance;

“surface water” means natural water from the ground surface, paved areas and roofs;

“suspended solids” mean the solids which are suspended in a sewage or effluent.

3. Administration

The Public Health Board in the absence of any specially appointed Sewage Authority shall be the Authority charged with the administration and enforcement of these Regulations.

4. Discharge of Effluent

(1) A person shall not discharge, or cause to be discharged, any sewer fluid or liquid industrial waste into any water course, river, stream, gulley or in any other place without the Board’s permission.

(2) The Public Health Board may on the application of an owner or occupier permit the discharge of sewage or liquid industrial waste effluent into a water course, river, stream, gulley or in any other place if the quality is so small that dilution prevents nuisances or the sewage or liquid industrial waste is treated to the satisfaction of the Board in such a manner that the purified effluent is not offensive or deleterious when so discharged.

(3) Any person, desirous of discharging liquid effluent of any kind into any water course, river, stream, gulley or in any other place shall apply in writing, to the Public Health Board for consent.

(4) The Board may grant permission as to quality allowable of biological oxygen demand, suspended solids and other chemicals in any effluent to any stream, river, water courses etc. and in any case not below standard laid down by the Royal Commission.

5. Sewage and Industrial Effluent Discharge into Coastal Waters

(1) Any person desirous of discharging sewage liquid industrial waste effluent from industrial works into any coastal water shall make application in accordance with the next succeeding regulation.

(2) A person shall not discharge sewage liquid industrial waste from sewage or industrial works into any coastal waters without first making application in accordance with the next succeeding regulation so to do.

6. Sewage and Industrial Works

A person shall not, construct or cause to be constructed any sewage works, treatment or disposal facilities or any other thing in connection with or pertaining to sewage effluent before first making application to the Board in accordance with the next succeeding regulation requiring permission so to do.

7. Application

(1) An application is the form set out in Schedule 1. *(Substituted by S.I. 79/2020)*

(1A) An applicant shall pay the Board the application fee for the assessment and processing of a development plan, as specified in Schedule 2. *(Inserted by S.I. 79/2020)*

(1B) On receipt of an application, the Board shall cause an inspection to be conducted of the place for construction of the sewage works, treatment or disposal facilities or thing in connection with or pertaining to sewage effluent. *(Inserted by S.I. 79/2020)*

(1C) After inspection of the place for the construction of the sewerage works, treatment or disposal facilities or thing in connection with or pertaining to sewage effluent, an environmental health officer shall submit an inspection report in the form approved by the Board that includes an Environmental Sanitation Waste Disposal Form set out in Schedule 3. *(Inserted by S.I. 79/2020)*

(2) The Public Health Board shall within a period not exceeding 31 days after receipt of plans for approval of any such works signify in writing to the person submitting the application and plans approval or disapproval of the proposed works and may in case of disapproval signify any alteration before approval can be granted.

9. Waste water treatment plant

The Board shall cause a waste water treatment plant to be inspected by an environmental health officer as frequently as the Board considers necessary and at the end of each inspection, the environmental health officer shall submit to the Board a Waste Water Treatment Plant Inspection form as set out in Schedule 4.

(Inserted by S.I. 79/2020)

10. Operation and Maintenance of Sewage System

(1) All sewers and a sewage system shall be maintained in a good working order and good sanitary manner to the satisfaction of the public health inspectors.

(2) The owner of all sewage system shall keep daily, weekly, and additional records in such forms as may be specified by the regulations officer of the operation and maintenance of the sewage purification plant and any such records shall be open for inspection by the officer.

11. Treatment Plants

The undermentioned treatment plants shall comply with the following requirements—

1. SEPTIC TANKS

- (a) Except with the approval of the Public Health Board it shall be not less than 50 feet from any wall, spring or stream of water used or likely to be used by man for drinking or domestic purposes or for the manufacture or preparation of articles of food or drink for human consumption or for the cleaning of vessels with a view to the preparation for sale of articles and otherwise in such a position as not to render any such water liable to pollution.
- (b) The effluent from every septic tank shall discharge through a drain not less than 6 feet in length into an approved constructed effluent disposal system which shall be not less than 50 feet from any well, spring or stream of water as described in paragraph (a) above.
- (c) Shall have a minimum retention time of 24 hours and effective capacity from holding sludge for a minimum of 2–3 years based on the number of persons discharging to the tank on 1 DMF per person.
- (d) The minimum size of a septic tank should be 3,500 litres or 700 gallons.
- (e) Minimum water depth 1.5 meters (5 feet) to maximum 1.8 meters (6 feet).
- (f) Shall be provided with adequate ventilation.
- (g) The invert elevation of the inlet shall be one inch higher than the invert of the outlet pipe.
- (h) The inlet and outlet of septic tanks shall be fitted dip pipes or dip plates to prevent the disturbances of the scum during normal operation.
- (i) The dip pipes shall extend about 375 mm. (15 inches) below liquid level (below overflow level) but shall not extend more than 450 mm. (18 inches).
- (j) The last section of the outfall drain to a septic tank shall not be laid on a steep gradient, maximum velocity 0.9 m/s or (3 ft./sec.).
- (k) Septic tank construction shall be made with adequate strength to resist earth movement and to support the weight of the tank walls and contents and that the floor and walls be made water tight.

2. IMHOFF TANKS

Settling compartment detention:

2.5 to 3.0 hr. preceding bio-filters

1.0 to 1.5 hr. preceding activated sludge.

Sludge compartment capacity per person:

0.07 to 0.10 m³ for primary sludge

0.085 to 0.11 m³ for primary plus humus sludge.

3. SEWAGE SETTLING TANK

- (a) Sewage settling tank shall not be used for population below 100 and shall only be used for larger population and arrangements must be made for dislodging and disposal of the sludge at a minimum interval of once a week.
- (b) Size of settling tank shall be 5 times the width and a minimum capacity of 12 hours Dry Weather Flow (DWF).
- (c) Maximum horizontal rate of flow 12 to 15 meters per hour or 40 feet to 50 feet/hour at DWF minimum of 2 tanks in parallel.
- (d) Sludge pipe work shall be at a minimum diameter of 150 mm. or 6 inches.

4. SEWAGE BIOLOGICAL FILTERS

- (a) Filters beds may be circular or rectangular in plan. Rectangular filters may be permitted up to a population of 50 persons.
- (b) Sprinklers for biological filters (small treatment works) (300–2,000 population) shall be provided with no jets or small opening. Shall distribute effluent evenly from maximum capacity down to a mere trickle.
- (c) For population over 2,000 persons sprinklers shall be of the rotating type and approved by the Public Health Board.
- (d) Distributer for population over 50 persons and not more than 2,000 shall be of the rotating type with water wheels weir box and tipping trough or alternating siphon arrangement.
- (e) Maximum dosage rate of BOD loading in terms of cubic meters or effluent per cubic meter of medium per day shall be 0.6 cubic meter per cubic meter/day or 0.75 cubic meter of medium per head of population for filter serving up to 10 persons for larger works BOD loading 0.06–.09 kg. BOD per cubic meter/day will be accepted. 0.08 kg. BOD per m² rotating disc surface area.
- (f) Arrangements shall be made to dose filter frequently and continuously and in any case not less than 15 min. interval.
- (g) Re-circulation of effluent shall be provided but may be allowed omission only with the permission of the Board.
- (h) Depth of filter beds shall be 1.8 meters, 6 feet to 2.0 meter, 6 feet 8 inches depth of filter medium and all filtering medium must be approved by the public health officer.
- (i) Filter media must be approved by Public Health Department before placed into use.

5. PACKAGE PLANTS

- (a) Anaerobic-Aerobic:
 - 18 hours anerobic contact retention
 - 2 hours intermediate settling retention
 - 6 to 8 hours aeration at air input of 63 m³/kg. BOD per day
 - 5 hours final settling retention.

(b) *Extended Aeration:*

All plants shall be based on 3 DWF flow. Daily organic loading shall be 0.16 to 0.32 kg. BOD per cubic meter aeration tank capacity. Detention time shall be 24 to 48 hours in aeration tank and 4 to 7 hours in settling tank.

Air supplied shall be 130 to 300 cubic meter/kg. BOD loading.

Excess sludge withdrawal 9 to 10 litres per person/ week.

Excess sludge consolidation tank 6 to 8 weeks storage capacity with air bubble stirring and periodic decantation of supernatant.

(c) Contact — stabilisation:

Contact zone 2 hour retention giving one hour absorption period at 100 per cent recirculation or capacity of 10 m³ per 11 to 16 kg. BOD per day.

Settling 2 hours retention.

Re-aeration 5 hours retention with air supply of 63 m³/kg.

BOD per day.

Aerobic digester 85L/person storage capacity.

6. OXIDATION DITCH

BOD loading shall not exceed 210 mg/1 of ditch capacity per day with:

- (a) A BOD/sludge loading factor near the lower end of 0.05 to 0.15 g. BOD per day per gram activated sludge.
- (b) Oxygen capacity shall be twice the BOD load to be removed.
- (c) Rotor shall maintain the required velocity in order that a velocity of 0.3 m/s (one foot per sec.) of sewage is maintained in ditch.
- (d) Rotor shall be immersed a minimum of 50 mm. (2 inches) and maximum of 225 mm. (9 inches).
- (e) A mixed liquor suspended solids shall be maintained at 4,000 to 4,500 milligrams per litre.
- (f) The volume of ditch 120 to 150 cubic meter length of rotor for small unlined ditch but may exceed that for larger plants if a lining is used 300 litres per person.
- (g) Organic loading shall be maximum of 160 kg. BOD per day per 1,000 cubic meter of ditch (i.e. 160 milligrams per litre).
- (h) Final settling retention time shall not be less than 1.5 hours and a maximum upward velocity of 0.9 to 1.2 meter/hour.
- (i) Depth of ditch shall not exceed 1.0 to 1.5 meter.

7. OXIDATION PONDS

Oxidation Ponds shall comply with the following:

- (a) All oxidation ponds shall be a minimum distance of 532 meters or 1,750 feet from any housing area.
- (b) There shall be strict control by the owner of vegetation and embankment erosion and mosquito breeding.
- (c) Arrangement shall be made *re* circulation of effluent.

- (d) No pond depth shall be less than 600 mm. (2 feet) and not more than 1,500 mm. (5 feet).
- (e) The loading shall be a maximum of 170 kg/ha or 6,000 to 10,000 persons per hectare 250 and 275 kg BOD hectare/day.
- (f) In special cases the Public Health Board may permit loading of 450 to 550 kg/hectare per day.

8. INTERMITTENT SAND FILTERS

Application rates of 0.10 to 0.15 m³/day per m² of surface area for secondary treatment and 0.5 to 1.0 m³ day per m² for tertiary treatment. A minimum of 2 beds provided to allow alternate dosing.

12. Fees

A fee for a licence shall be such fee as prescribed in Regulations made therefor and shall be paid into the Treasury or Sub-Collector's Office.

13. Penalty

Any person failing to comply with these Regulations or with any notice served thereunder commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months, and in the case of a continuing offence to a fine not exceeding \$150 for each day the offence continues after a conviction is first obtained. *(Amended by S.I. 79/2020)*

Schedule 1

(Regulation 7(1))

APPLICATION FORM

Applicant's Name

Address

Date

I hereby apply for permission to construct a Sewage Disposal System at the location indicated below and submit the information listed below.

I fully understand that if permission is given it will be for carrying out construction work only, and that further approval before the installations can be put into use is required.

Location of site Building type

Average No. of users No. of Bedrooms

No. of Sewage Bowls Urinal Bidet

W/Basins

Yours faithfully

.....

Signature

I have inspected the site and report as follows:

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ENVIRONMENTAL HEALTH OFFICER

Date

(Inserted by S.I. 79/2020)

Schedule 2

(Regulation 7(1A))

APPLICATION FEES

ASSESSMENT AND PROCESSING OF DEVELOPMENT PLAN

1.	Residential Plans	\$100.00
2.	Sub-Divisions	\$250.00
3.	Institutional	\$150.00
4.	Environmental Impact Assessment	\$500.00
5.	Commercial Plans	\$250.00 – less than 2500 sq. ft. \$500.00 – 2500-5000 sq.ft. \$1000.00 – above 5000 sq. ft.
6.	Agricultural Plans	\$250.00

(Inserted by S.I. 79/2020)

Schedule 3

(Regulation 7(1B))

ENVIRONMENTAL SANITATION WASTE DISPOSAL INSPECTION REPORT MINISTRY OF HEALTH ENVIRONMENTAL HEALTH DIVISION

To: SENIOR ENVIRONMENTAL HEALTH OFFICER

I have inspected the site and submit the inspection report as follows:

PREMISES:

Type: Recreational/Commercial/Institutional/Residential/Other

Average No. of users Area of building

SITE

Location size of site

Gradient: Flat/Gentle/Steep

SOIL

Type: Clay/Loam/Sand/Rock/Other

Depth of top soil

Percolation reading

Absorption capacity: excellent/good/poor

SEPTIC TANK/PIT LATERINE/OTHER

No. of chambers design dimension

EFFLUENT DISPOSAL SYSTEM

Soakaway/tile – field/other

Design dimension

Distance from building

Distance from boundary lines

PROPOSED METHOD

A. WASTE WATER DISPOSAL

No. of lines design dimension

Disposal point: Sat Unsat

B. SOLID WASTE DISPOSAL

Method dimension

Adequate/sat

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COMMENTS

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WATER TANK INSPECTION FORM

MINISTRY OF HEALTH
ENVIRONMENTAL HEALTH DIVISION
DEMERIT SCORE SHEET

Inspecting Officer:

Time:

Date:

Name and address of Operator:

Phone No.:

Owner/Operator:

Supervisor/operator on duty at time of inspection:

		YES	NO	REMARKS
I	PERSONAL			
		YES	NO	REMARKS
II	OPERATION			
10	Delivery hoses, outlet valves should be secured and sealed against leakage.			
10	Vehicle tank, (both interior and exterior) and appurtenance devices such as hoses, pumps etc. must be routinely cleaned and maintained.			
10	Interior of metal sludge holding tank must be coated with a suitable material to reduce the occurrence of corrosion.			
10	Tank manhole must be covered with a watertight cover constructed of impervious material. Manhole cover must be kept secured with a locking device.			
10	All openings in tank must be so designed and constructed to prevent spillage of contents.			
5	Manhole must be designed, constructed and maintained to prevent the intrusion of vermin.			
10	At all times sewage should be dumped at the Water and Sewerage Company Inc.			
		YES	NO	REMARKS
10	Holding tank mounted on the truck is thoroughly cleaned, sanitized and tested for bacteriological and chemical contamination whenever – (a) Non-potable water or other contaminants are stored or comes into contact with their interior surfaces of the tank.			

	(b) A new holding tank is installed on the truck. (c) Tank has not been utilized for an extended period of time.			
10	Certificate of analysis from a certified laboratory.			
5	Valid Public Health Licence			
5	Identification number is required to be inscribed (in a conspicuous area) on holding tank that is not permanently attached to the water truck.			

Tank No.:

Score:

Comments:

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(Inserted by S.I. 79/2020)

Schedule 4

(Regulation 11(9))

WASTE WATER TREATMENT PLANT INSPECTION FORM MINISTRY OF HEALTH ENVIRONMENTAL HEALTH DIVISION DEMERIT SCORE SHEET

Inspecting Officer:

Name of Establishment:

Date:

Time:

Type of Plant:

Design Flow:

Operator:

Address:

Phone:

		YES	NO	REMARKS
1	GENERAL CONDITIONS			
1	Condition of landscaping			
1	Condition of roads			
1	Condition of fencing			
1	Condition of drying beds			
	Cleanliness of site			
II	HYDRAULIC STRUCTURES			
2	Significant leakage from structure or pond			

2	Overall condition of structure			
2	Overall condition of lagoons			
2	Overall condition of the wet well			
2	Condition of disinfection chamber			
		YES	NO	REMARKS
2	Condition of discharge structure			
III	CONDITION MECHANICAL ITEMS			
2	Piping			
2	Valves			
2	Weirs			
2	Gates			
2	Bar Screens			
2	Clarifier equipment			
2	Aeration equipment			
2	Disinfection equipment			
IV	CONDITION OF ELECTRICAL ITEMS			
1	Emergency generators			
2	Control Panels			
2	Instrumentation			
2	Meters			
V	EFFLUENT QUALITY			
4*	BOD Compliance			
4*	TSS Compliance			
4*	Faecal Coliform compliance			
2	Phosphate compliance			
4*	Chlorine residual			
3	Nitrate compliance			
2	Absence of noticeable foul odour			
2	Absence of solids, scum, grease, floating oils or suspended materials or weed growth in treatment units			
		YES	NO	REMARKS
VI	HEALTH AND SAFETY			
2	First aids and safety equipment			
2	Emergency plan			
2	Facility secure			
2	Adequate supply of potable water			
2	Adequate sanitation facilities			
2	Functional communication system			

VII	STAFF			
2	Adequately staffed			
3	Staff trained			
VIII	DOCUMENTATION			
2	Operation and maintenance manual			
2	Current maintenance records			
1	Current design plans of facility			
IX	OPERATION AND MAINTENANCE ITEMS			
5*	Operation of wastewater treatment processes			
2	Maintenance proper and current			
1	Spare parts and supplies available			
1	Required tools available			
		YES	NO	REMARKS
X	QUALITY ASSURANCE			
4*	Third party effluent testing results available			
	*Critical items requiring immediate action rating score	("100") less weight of items violated		

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Environmental Health Officer

(Inserted by S.I. 79/2020)

Public Health (Slaughterhouse) Regulations – Section 9

(Statutory Instruments 69/1980 and 30/2020)

S.I. 69/1980 .. in force 1 April 1978
Amended by S.I. 30/2020 .. in force 16 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Registration
4. Certificate of health
5. Persons allowed inside slaughterhouse
6. Other Uses
7. Premises - hygienic requirements
8. Provisions for water and receptacles
9. Repairs
10. Prohibited animals
11. Informing environmental health officer
12. Unfit animals
13. Inspection of carcass
14. Location

15.	Liability
16.	Penalty
Schedule 1	
Schedule 2	

PUBLIC HEALTH (SLAUGHTERHOUSE) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations shall be cited as the Public Health (Slaughterhouse) Regulations.

2. Interpretation

In these Regulations “**slaughterhouse**” means any building or place used for the slaughter of animals for human consumption.

3. Registration

(1) A person shall not use premises as a slaughterhouse unless the premises are registered by the Board and a certificate of registration is issued to that person under these Regulations.

(2) A certificate of registration under paragraph (1) must be issued in the form set out in Schedule 1, on payment of a fee of \$100 and this fee is non-transferable.

(Substituted by S.I. 30/2020)

4. Certificate of Health

(1) Every person working at or for a slaughterhouse or meat stall shall in the months of June and December in every year submit himself or herself to medical examination by a medical officer of health and shall procure a certificate from such medical officer stating that upon such examination such person was found to be free from any infectious disease or tuberculosis, syphilis, erysipelas, lupus, yaws, itch or any open or running sores.

(2) Every certificate so obtained shall be retained and preserved for the period of 6 months from the date thereof by the manager or owner of the slaughterhouse, and shall be produced by him or her whenever so required to do for the information of the Public Health Board or environmental health officer. *(Amended by S.I. 30/2020)*

5. Persons allowed inside Slaughterhouse

A person shall not be allowed in any slaughterhouse or meat stall except—

- (a) the owner or manager thereof and the persons employed therein and certificated in accordance with these Regulations, and
- (b) persons not suffering from any infectious or other disease as mentioned in the immediately preceding regulation.

6. Other Uses

No owner or manager of a slaughterhouse shall use or permit any other person to use any slaughterhouse or portion thereof—

- (a) as a sleeping place;
- (b) for carrying on any other trade; or

- (c) for any other purpose than that of a slaughterhouse.

7. Premises — Hygienic requirements, etc.

For every slaughterhouse—

- (a) the floor ceilings and inside walls and roofings must be kept clean and free from dust to the satisfaction of the environmental health officer;
(Amended by S.I. 30/2020)
- (b) the walls and floors must be washed within 3 hours after any animal has been slaughtered and all the skins, offal and waste substances removed, within the same period;
- (c) the walls and floors must be thoroughly lime-washed every 6 months or oftener, if necessary, to the satisfaction of the environmental health officer;
(Amended by S.I. 30/2020)
- (d) persons employed therein shall be attired in clean clothes and shall before handling any carcass or portion thereof—wash his or her hands with soap and clean water and use a clean towel;
- (e) the owner or manager shall provide sufficient soap, clean water and towel for the use of each person employed at or in connection with any slaughterhouse.

8. Provisions for Water and Receptacles

(1) Every slaughterhouse must be provided with a wholesome water supply kept in good order and always sufficient for all purposes including the cleaning of the premises and all receptacles.

(2) Receptacles of non-absorbent material for the collection of refuse and offal must be provided by the owner or manager of every slaughterhouse and must be—

- (a) kept clean when not in actual use;
- (b) emptied within a reasonable time not exceeding 6 hours after the completion of the slaughtering operations.

9. Repairs

For every slaughterhouse—

- (a) the walls, particularly the internal surfaces; and
- (b) the floor, which must be constructed of impermeable material so as to prevent the absorption of any blood, liquid, refuse, or filth or any other offensive or noxious matter,

must be kept in good order and repair.

10. Prohibited Animals

No dogs shall be permitted to enter or be kept within any slaughterhouse, and no other animal shall be admitted unless it is intended for slaughter for the food of man, and no such animal shall be kept longer than is necessary for the purpose, and shall be confined in a proper lair.

11. Informing environmental health officer

The owner or manager shall inform the environmental health officer of his or her intention to slaughter any animal at least 24 hours in advance. *(Amended by S.I. 30/2020)*

(Amended by S.I. 30/2020)

12. Unfit Animals

In case any animal shall not be passed as fit for slaughtering by an environmental health officer, the person in charge of such animal or the owner thereof upon intimation to that effect shall, within a reasonable time of the inspection remove or cause such animal to be removed from the slaughterhouse. *(Amended by S.I. 30/2020)*

13. Inspection of Carcass

(1) The carcass of every animal slaughtered, shall before removal for sale, be examined by the environmental health officer for the purpose of ascertaining whether the same or any part thereof is fit for human food. *(Amended by S.I. 30/2020)*

(2) If the environmental health officer is not satisfied that the carcass of any animal slaughtered or any part thereof is fit for human food, the said environmental health officer shall condemn same or request a medical officer of health or the Director of Medical Services to examine any such carcass or part thereof. *(Amended by S.I. 30/2020)*

(3) If the medical officer of health or the Director of Medical Services is satisfied that the carcass or any part thereof is unsound or unfit for human food he or she shall condemn and seize the same.

(4) An environmental health officer or a medical officer of health shall issue a certificate in the form set in Part 1 of Schedule 2 on payment of the fee set out in Part 2 of Schedule 2 in respect of the quantity of the carcass or other part of the carcass that has been condemned and seized under paragraph (3). *(Inserted by S.I. 30/2020)*

14. Location

No slaughterhouse shall be erected within the precincts of any dwelling house or in such proximity thereto as to be a nuisance to the occupants thereof.

15. Liability

Where any act or thing is made by these regulations prohibited or prescribed the duty of seeing that such prohibition or prescription is complied with shall, unless otherwise provided in these regulations, rest upon both the owner or manager of the slaughterhouse and in the event of a breach of these regulations the owner or manager is liable to be prosecuted.

16. Penalty

Any person who contravenes these Regulations commits an offence and on summary conviction is liable to a fine not exceeding \$5,000 or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment. *(Amended by S.I. 30/2020)*

Schedule 1

(Regulation 3)

CERTIFICATE OF REGISTRATION

..... 20

THIS IS TO CERTIFY THAT
of is registered in accordance with the
Public Health (Slaughterhouse) Regulations and is hereby given permission to operate
a
at
This Certificate of Registration is valid until
This Certificate of Registration is issued with the understanding that the owner or

manager of the slaughterhouse will adhere to the Public Health (Slaughterhouse) Regulations failing which this Certificate of Registration may be cancelled.

.....
Public Health Board

Note – Certificate of Registration must be conspicuously displayed on the premises at the stated address.

(Inserted by S.I. 30/2020)

Schedule 2

(Regulation 13)

PART 1 CONDEMNATION CERTIFICATE

DATE OF INSPECTION OR CONDEMNATION:

OWNER:

I hereby certify that the following

Weight	Animal	Quantity	Origin	Reason

were examined and condemned by the Department of Environmental Health on the above date, as unfit for human consumption in accordance with the Public Health Act and the Public Health (Slaughterhouse) Regulations.

These goods were condemned at:

Owned by:

Disposed at:

Disposal supervised by:

Date of Disposal:

.....
Environmental Health Officer

CONDEMNATION CERTIFICATE

I am satisfied that the above statement is correct and the [.....]
have been satisfactorily disposed of being supervised by the Environmental Health Officer in accordance with the Public Health Act and the Public Health (Slaughterhouse) Regulations.

.....
Medical Officer of Health /
Environmental Health Officer

PART 2 CONDEMNATION FEE

Based on quantity to be condemned —

- | | |
|---------------------------|-------|
| 1. Under 500 lbs. | \$ 60 |
| 2. 500 lbs. to 4,999 lbs. | \$100 |
| 3. 5,000 lbs. 15,000 lbs. | \$150 |
| 4. Above 15,000 lbs. | \$200 |

(Inserted by S.I. 30/2020)

Public Health (Foods) Regulations – Section 9

(Statutory Instrument 70/1980)

S.I. 70/1980 .. in force 1 April 1978
Amended by S.I. 28/1983 .. in force 30 April 1983

PUBLIC HEALTH (FOODS) REGULATIONS – SECTION 9

Commencement [1 April 1978]

1. Citation

These Regulations may be cited as the Public Health (Foods) Regulations.

2. Interpretation

In these Regulations unless the context otherwise requires—

“adulterated” means any valuable constituent which has been in whole or in part omitted or abstracted therefrom; or any substance which has been substituted wholly or in part therefrom; or damage or inferior substance has been concealed in any manner; or any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength, or make it appear better or of greater value than it is; any article of food that is misbranded and does contain any added poisonous or deleterious ingredient and that otherwise contains any filler or ingredient that debases without adding food value, may not be manufactured or sold if it is branded or tagged so as not to show its contents or consists in whole or in part of any filth, dirt, putrid, or decomposed substance, or if it is otherwise unfit for food; or it has been prepared, packed, or held under insanitary conditions whereby it may have been rendered injurious to health; or it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter; or its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

“advertisement” means any representation for the purpose of promoting, directly or indirectly the sale or disposal of any food;

“business” means the undertaking of a canteen, club, school or institution, whether carried on for profit or not;

“certificate of exemption” means, in relation to a food business, a certificate in force for the time being and granted in accordance with the provisions of these Regulations;

“catering establishment” means an establishment wherein meals, lunches, sandwiches or other refreshments are prepared for consumption elsewhere than on the premises;

“container” means any basket, pail, tray, package or receptacle of any kind, whether open or closed;

“contamination” means contamination by rodent, pest, flies, and other insects, bacteria and by odours;

“eating establishment” means any premises where meals, lunches or other foods are offered for sale to the public for immediate consumption and shall include restaurants, food serving and preparation facilities in a hotel, taverns beverage rooms, shops, eating shops, cafe lunch counters, luncheonettes, sandwich shops, dairy bars, soda fountains, ice-cream parlours and canteen but does not include temporary eating establishment;

"temporary eating establishment" means an eating establishment which operates for a period not exceeding 30 days;

"employee" means any person employed in an eating establishment who may handle food or drink in its preparation, storage or serving or who comes in contact with any utensils used in the preparation or serving of food or drink and include the proprietor or any member of his or her family so employed;

"equipment" means apparatus, furnishings and utensils used for the storage, preparation and distribution of food and drink;

"fish" means cooked and uncooked fish (including cured or smoked fish) and includes any other form of sea-food;

"food" means any living or dead animal or fish or part thereof and any other article including ice used for food or drink, for human consumption other than drugs and water; or any other article which ordinarily enters into or is used in the consumption of preparation of human food or flavouring matters and condiments for human consumption;

"food business" means any restaurant, coffee shop, cafeteria, short-order cafe, grill, luncheonette, tea room, sandwich shop, tavern, bar, cocktail lounge, night club, feeding establishment, whether public or private, or nonprofit organization or institution routinely serving or drink, a catering kitchen, canteen or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for human consumption with or without charges;

"food handling establishment" means any premises in which food is processed or otherwise prepared, packaged, manufactured, or stored;

"food premises" means any premises on or from which there is carried on any food business, and includes stalls and carts;

"food rooms" means any room in which any person engages in handling of food or in the cleaning of equipment for the purposes of a food business;

"inspector" means the public health inspector or Director of Medical Services or medical officer of health or his or her duly authorised representative, or Chief Medical Officer;

"insanitary conditions" means any conditions or circumstances that might contaminate food with dirt or filth or foreign matter that might render food injurious to the health of person consuming it;

"label" means (a) an inspection legend; (b) the true name of the product; (c) a list of ingredients; and (d) accurate statement of the quantity of contents; (e) the name and place of business of the manufacturer or packer;

"meat" means the flesh (including edible offal and fat) of cattle, swine, sheep, rabbits, poultry and goat, which are intended for human consumption, and includes bacon and ham;

"open food" means food not contained in containers and (so closed), as to exclude all risk of contamination;

"poultry processing plant" means any food establishment or portion thereof in which poultry is killed, dressed, processed or stored for sale, or are offered for sale alive;

"package" means a building and any forecourt, yard or place of storage used in connection with a building;

"preparation" in relation to food includes manufacture and any form of treatment, and "prepared" shall be construed accordingly;

"proprietor" means the person in whose name an eating establishment, a temporary eating establishment, or a catering establishment is being operated, or the person keeping or managing same;

"sell" means offer for sale, expose for sale;

"single service utensils" means cups, containers, lids, or closures plates, knives, forks, spoons, stirrers, paddles, straws, place mats, napkins, doilies, wrapping materials, and all similar articles which are constructed wholly or in part from paper, paperboard, moulded pulp, foil, wood, plastic, synthetic, or other readily destructible materials, and which are intended by the manufacturers and generally recognised as for one usage only, then to be discarded;

"stall" means any stand, tent or mobile canteen;

"suitable lighted" when used in respect to kitchen and food preparation rooms means any intensity of light equal to at least 50 feet candles on working surfaces, or at a distance of 30 inches from the floor, and in storage and refrigeration areas at least 10 feet candles;

"utensils" mean any kitchenware, table-ware, glassware cutlery utensils, containers or other equipment with which food or drink comes in contact during storage preparation, distribution or serving.

PART 1 FOOD GENERAL

3.

- (1) It shall be an offence for any person to sell any food which was manufactured, prepared, preserved, packaged or stored for sale under insanitary conditions.
- (2) The burdens of proving that any article of food was not intended for human consumption shall rest upon the person charged with the offence.
- (3) A person shall not label, package, treat, process, sell or advertise any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.
- (4) A person shall not store, transport, or keep in the same a compartment, room or place where food is stored, transported or kept, any live animal, live poultry, or hides, or any articles or materials of any kind which in the opinion of the inspector is liable to contaminate such food or render it unfit for human consumption.
- (5) No food shall be stored, sold, offered for sale in the open air, or hawked about in any street or elsewhere unless such food is adequately protected from flies, dust or animals by being placed in a dust proof box, cabinet, utensils or any conveyance which shall be kept closed except when temporarily opened for the purpose of withdrawing the contents or part thereof or of stocking it with new material.
- (6) Where food is stored or sold or offered for sale outside of any store, shop or public building or in open doorways or windows thereof, or in any street or public place it shall be kept elevated at least 2 feet above the ground or floor and shall be kept properly covered or otherwise protected from animals, dust, dirt, insects, vermin and rodents.
- (7) Refreshments shall not be sold from tents, stalls or other erections unless there is provided covered receptacles or drums for holding refuse; (garbage or waste material, and where no system of garbage collection is operated) the person in charge of the tent, stall or other erection shall remove and destroy the refuse, garbage and waste to the satisfaction of the inspector.
- (8)
 - (a) Where liquid refreshment in bulk including water kept for sale or served to the public it shall be drawn from a covered container by

means of a tap, and the container shall be kept clean and sanitary at all times.

- (b) The liquid refreshment referred to in paragraph (a) of regulation 8 shall be served in individual cups. If paper cups are used they shall not be used for more than one person. It shall not be an offence to use a water cooler of a type approved by the medical officer of health or public health inspector.
- (c) A person shall not employ a coin operated or other mechanical dispensing device for the sale of unpacked food or for the sale of beverages other than in closed bottles or containers unless the requirements of paragraph (a) of regulation 8 have been complied with and in addition, the device is free from lead, cadmium or any other substance which may be so affected by the food or beverages as to form dangerous or deleterious compounds or as to render food or beverage which comes into contact with substance unwholesome or detrimental to health.
- (d) Where a dispensing device is connected to a water supply system it shall be so designed and constructed to prevent contamination of the water supply system.
- (e) Devices which dispense carbonate beverages shall not have any copper or copper lined component in contact with the beverage.
- (f) A person shall not sell or distribute, rent or lease coin operated or other mechanical dispensing devices intended to be used in the dispensing of packaged or unpacked food or beverage unless such devices meet the design and construction requirements of these Regulations.

(9)

- (a) Every article of food being transported shall be protected from dust, dirt, flies or other contamination by a clean covering or enclosure.
- (b) The inspector shall direct that any perishable food in the course of being transported shall be kept at a temperature not higher than 45 degrees Fahrenheit (7° C).
- (c) All frozen foods in the course of being transported in bulk shall be kept at a temperature not higher than 5 degrees Fahrenheit (minus 15° C).
- (d) All vans, carts, barrows or other vehicles used for transporting food shall be kept in a clean state and in good repair to the satisfaction of the inspector.

(10) No food container, other than glass bottles for drink, shall be used more than once for such purpose. Glass bottles before re-use shall be thoroughly cleansed and sterilized in a manner satisfactory to the inspector.

(11) A person shall not sell an article of food that—

- (a) has in or upon it any poisonous or harmful substance;
- (b) is unfit for human consumption;
- (c) consists in whole or in part of any filth, putrid, rotten, decomposed, diseased animal or vegetable substance or any animal found dead;
- (d) is adulterated;
- (e) is from any sick or unwholesome meat, fish, bird or fowl.

(12) A person shall be deemed for the purpose of these Regulations to engage in the handling of food if for the purpose of a food business he or she

carries out or assists in the carrying out of any process or operation in the sale of food or in the preparation, transport, storage, packing, wrapping, exposure for sale, serving or delivery of food.

- (13) For the purpose of these Regulations the supply of food otherwise than by sale, at, in or from any place where food supplied in the course of business, shall be deemed to be a sale of that food and references to purchasing and purchasers shall be construed accordingly.

ADMINISTRATION

4.

- (1) For the purpose of exercising any powers under this Part of these Regulations, an inspector may at any reasonable time enter and inspect premises used in connection with the carrying on of a food business.
- (2) Where an inspector has reasonable cause to believe that any premises are used in connection with the manufacture, preparation, preservation, packaging, storage or sale of any foods, he or she may at any reasonable time enter and inspect those premises and inspect any foods found on them and take sample thereof.
- (3) Where an inspector has information or has reasonable ground for suspecting that an offence in connection with these Regulations is being, has been or is about to be committed on any premises or that evidence of such offence is to be found there, the inspector may—
- (a) enter those premises, after giving due notice to Manager/Proprietor and inspect them;
 - (b) open and examine any food receptacle or package;
 - (c) seize and detain any samples of foods for such time as may be necessary.
- (4) Where an inspector has entered premises under regulation 4, the manager/proprietor or occupier of the premises and every person found therein, shall give the inspector all reasonable assistance and furnish him or her with such information as the inspector may require.
- (5)
- (a) A person shall not remove, alter or interfere in any way with any article seized under these Regulations without the permission of the inspector.
 - (b) Any article seized under these Regulations may at the option of an inspector be kept or stored in the building or place where it was seized or may at the direction of an inspector be removed to any other proper place.
 - (c) An inspector shall release any article seized under these Regulations when he or she is satisfied that the provisions thereof with respect thereto have been complied with.
- (6) The expenses incurred in destroying or otherwise disposing of any food condemned in accordance with the provisions of these Regulations shall be a debt due by the Manager/Proprietor from the person who is in possession of any such food.
- (7) No person having in his or her possession any food which is diseased, unsound, unwholesome or unfit for human consumption shall give, sell or consign any such food to any other person or to any firm, business, organization, institution or association.

- (8) Every person having in his or her possession any food which is diseased, unsound, unwholesome or unfit for human consumption shall destroy or dispose of such food to the satisfaction of the inspector.
- (9) In any proceedings under these Regulations an inspector shall issue a certificate respecting the state or condition of any article of food which is subject of a prosecution and such certificate shall be tendered in evidence.
- (10) An inspector whenever he or she thinks necessary, may require any person engaged in the production, preparation, sale distribution or delivery of food or drink to present himself or herself for medical examination at such time and place as may be specified and after such examination the medical officer (health) shall issue free of charge to the person examined, a certificate stating that at the time of examination and in the opinion of the medical officer of health the person is a fit and proper person to be so employed, if in fact the medical officer of health was of that opinion at the time of the examination.

5.

- (a) Every person working in a food handling establishment or business shall possess a valid health certificate from a medical officer according to the prescribed schedule, that he or she is in a fit state of health to engage in such occupation. Such certificate shall be renewable on 30 June and 31 December every year.
- (b) A fee of \$2 shall be paid to the medical officer making the Medical examination and issuing the certificate. Such certificate shall be kept at the place of employment and shall be available for inspection by any authorised officer of the Ministry of Health.

6. No manager/proprietor or any person operating a food handling establishment shall knowingly employ any person unless such person conforms to the conditions prescribed by these Regulations.

7.

- (1) Subject to the following provisions of these Regulations as soon as any person engaged in the handling of food becomes aware that he or she is suffering from fever, vomiting, diarrhoea, dysentery or other bowel disease shall forthwith give notice of the fact—
 - (a) to the occupier of the food premises, if he or she is engaged in the handling of food at food premises;
 - (b) to the manager/proprietor of the business, if he or she is engaged in the handling of food otherwise than at food premises; and the manager/proprietor or occupier, as the case may be, shall, immediately after being notified of such fact, cause such person to cease work forthwith and notify the medical officer of health or public health inspector in which the said premises of business are situated.
- (2) When the person referred to in subregulation (1) is himself or herself the occupier of the food premises or the Manager of the food business, as the case may be, he or she shall immediately cease work and give the notice immediately to the medical officer of health or public health inspector in which the said premises or business are situated.
- (3) Without prejudice to the provisions of regulation 9(1), if the inspector has reason to believe that a person engaged in the preparation or handling of food is suffering from any disease liable to cause food poisoning, he or she may require such person to submit a medical examination by a medical officer of health, who shall issue a certificate stating whether the person is fit or unfit to engage in such work and if the certificate states that the person is unfit for work the person shall cease work forthwith.

- (4) Any person who has ceased work under the preceding subregulation (3) shall not resume work unless he or she has obtained a certificate of good health from a medical officer of health.

8. Where any act or thing is by any of these Regulations prohibited or prescribed the duty of seeing that such prohibition or prescription is complied with shall rest upon both the owner and occupier for the time being and in the event of a breach on the Regulations, either the owner or the occupier or both is liable to prosecution.

PART 3

FOOD HANDLING ESTABLISHMENT REGULATIONS

9. No operator of food handling establishment shall allow the premises, machinery, implements of trade, utensils, equipment and receptacle to be in any insanitary condition or poor repair.

10. Every person operating a food handling establishment shall provide in the establishment such facilities and equipment as in the opinion of the inspector are necessary for the operation of the food handling establishment and the same are of such materials and design as are satisfactory to the inspector.

11. There shall be maintained adequate equipment and measures to prevent the entry of flies, insects, rodents and vermins into food handling establishment and to keep the premises free from such pests.

12. A person shall not operate a food handling establishment unless the following standards are complied with:

- (a) is suitably ventilated;
- (b) has walls and floors that are durable, impervious to water and easily cleanable;
- (c) is in a clean and sanitary condition;
- (d) is provided with adequate toilet facilities that are conveniently located, accessible, clean, sanitary and in good repair;
- (e) is provided with adequate hand washing facilities;
- (f) is provided with an adequate supply of hot water;
- (g) is provided with an adequate supply of potable water under pressure;
- (h) is provided with suitable storage cupboards for the storing of personal wearing apparel of the staff; and
- (i) is suitably lighted.

13. All sanitary conveniences, compartments, and rest rooms, shall be well ventilated and lighted and kept clean at all times and in good sanitary and working condition. Such compartments shall not open directly into any room where food is handled but must be separated therefore by a well ventilated and lighted and kept clean at all times and in good sanitary and working condition. Such compartments shall not open directly into any room where food is handled but must be separated therefore by a well ventilated intervening room, space or passage.

14. A person shall not use any room in which food is prepared, stored or offered for sale as a living room, washing room, sleeping room, or for the storing of personal wearing apparel. No bedroom shall open directly into any room where food is prepared, stored or offered for sale.

15.

- (1) No operator or person in charge of a food handling establishment shall permit any live animal to enter or remain in the food handling establishment.
- (2) The preceding sub-regulation shall not apply to that portion of market premises on which animals are tethered or sold.

16.

- (a) A person shall not convey or deliver from house to house, sell or offer for sale inside or outside any building or in any street to square, any articles of food, drink or ice unless wearing clean garments.
- (b) Every person working in a food handling establishment shall:
 - (i) be neat and tidy and keep his or her hands clean,
 - (ii) wear clean garments,
 - (iii) wear caps and other suitable head covering if so directed by the inspector,
 - (iv) be free from any disease, infection or illness which may be spread through the medium of food and from any condition of the skin which may contaminate food, and
 - (v) refrain from spitting or the use of tobacco in any room where food is prepared, stored, offered for sale or sold.

17.

- (a) Foods in food handling establishment shall be stored in such manner as to ensure no transfer of flavour or odour.
- (b) No food shall be stored, kept or prepared in any room through which a vent or waste pipe, primary closet or urinal is carried.

18.

- (a) All perishable foods in a food handling establishment shall be kept in a refrigerated space at a temperature of not higher than 45 degrees (45°F) Fahrenheit (7°C) or in a clean and well ventilated store-room or enclosure as may be approved by the inspector.
- (b) A person shall not sell or offer to sell frozen foods in food handling establishment unless the temperature of such foods is maintained below (15°F) degrees Fahrenheit or (–10°C).

19. Where glassware or other utensils are used in connection with the serving of drinks in bars, retail spirit shops or from snowball or ice-cream carts or at any other place, there shall be provided adequate means for cleaning such glassware and utensils, to the satisfaction of the inspector.

20.

- (1) A person shall not employ a coin operator or other mechanical dispensing device for the sale or package food or beverage in closed bottled or containers unless—
 - (a) the device shall be designed and constructed as to allow effective cleaning and maintenance and to remain free from insect and rodent harbourage and other nuisances;

- (b) the device shall be designed and constructed as not to become a hazard to children or others in use, or under forceable conditions of abuse;
- (c) where the device is unattended and is intended to dispense unheated readily perishable foods, it shall be equipped with refrigeration so that food is kept at 45 degrees Fahrenheit or less;

(2)

- (a) The device and the area around shall be kept clean and sanitary at all times.
- (b) There shall be provided in the immediate vicinity of all coin operated or other mechanical dispensing device receptacles for the disposal of food or beverage containers.

21. No person suffering from any disease, infection or illness which may be spread through food or primary conditions of the skin which may contaminate food shall work or engage in any occupation connected with the production, preparation, sale, distribution or transport of any article of food or drink.

PART 4 REGULATION IN RESPECT OF EATING AND FOOD ESTABLISHMENTS

22. A person shall not operate an eating establishment, temporary eating establishment, catering establishment or food handling establishment, unless a licence to do so is first obtained from the Public Health Board.

23.

- (1) Before issuing such a licence, the Public Health Board shall require a plan or plans and other particulars of building, the equipment to be used therein and a valid certificate issued by the inspector in regard to the cold storage facilities provided therein. (*Substituted by S.I. 28/1983*)
- (2) All managers/proprietors or operators of Eating and Food Handling Establishments operating on the date these Regulations come into force shall apply in writing, for a licence within 6 weeks of such date.
- (3) All licence shall expire on 31 December and shall be renewed if approved on written application form before 31 January next after the date of expiry.
- (4) The licence be valid unless cancelled or suspended until 31 December next after the date of issue and not transferable to any other premises or person.
- (5) There shall be a charge of \$0.20 per square foot for the first hundred square feet of operative space and \$0.10 per square foot for the next 500 square feet and \$0.5 per square foot for the remaining space.
- (5A) There shall be a charge of \$40 for the issue of a certificate referred to in paragraph (1) of this Regulation.
- (6) All fees for licences shall be paid to the Government Treasury or sub-collector's office.
- (7) Where a licence to carry out an Eating and Food Handling Establishment is refused, suspended or withdrawn, the Manager/Proprietor or agent as aforesaid may appeal to the Board of Health and the Board shall make such order as appears to be just.
- (8) The licence shall be displayed in a conspicuous place in the premises and if the licence is removed, damaged, hidden or obscured or allowed to become illegible the person to whom it has been granted or his or her

agent, if any, in charge of the food business commits a breach of these Regulations.

- (9) Where a licence to operate an eating establishment, food handling or catering establishment has—
 - (a) been refused or cancelled as the case may be that these establishments shall not operate until such time as provision or provisions of Regulations as the case may be are fully complied with and before a licence is granted or reissued;
 - (b) where a licence has been cancelled, the Public Health Board may direct the placement of a notice on the premises to this effect.
- (10) A person shall not operate an eating or food handling establishment unless—
 - (a) all floors and coverings are tight, smooth and easily cleaned for the preparation and storage of foods or the washing of utensils and toilet fixtures are located;
 - (b) the walls and ceilings of all rooms where food is stored, prepared or served are kept clean and in good repair;
 - (c) the walls and ceilings or rooms in which food is prepared have a washable surface, finished in a light colour;
 - (d) the surface or serving tables, counters and food preparation tables are smooth, washable and free from cracks and crevices;
 - (e) all rooms and passageways are suitably lighted and ventilated;
 - (f) a separate room, compartment, locker or cupboard is provided for keeping the wearing apparel of employees.
- (11) Every catering establishment or food handling establishment shall be provided with:
 - (a) adequate toilet facilities which shall be conveniently located, accessible, clean, sanitary and in good repair, to the satisfaction of the inspector;
 - (b) adequate hand washing facilities which shall include—
 - (i) a hand wash basin,
 - (ii) an adequate supply of hot and cold water,
 - (iii) a constant supply of soap in a suitable container or dispenser,
 - (iv) clean towels, and
 - (v) a suitable receptacle for used towels and waste material.
- (12) A person shall not operate an eating establishment or food handling establishment unless such establishment is provided with an ample supply of
 - (a) potable water;
 - (b) hot water of at least 160 degrees Fahrenheit (82°C); and
 - (c) cold water.
- (13) Every eating establishment or Food Handling Establishment shall be provided with refrigerated space equipped with removal racks and trays for the storage of perishable foods.
- (14) The refrigerated space referred to in Regulations 18 shall be maintained at a temperature of 45 degrees Fahrenheit (7°C) or lower except for frozen

foods which shall be stored at a temperature of 20 degrees Fahrenheit (6°C) with a tolerance of 5 degrees Fahrenheit (2°C).

- (15) A person shall not operate an eating establishment or food handling establishment unless—
 - (a) suitable racks or shelves are provided for the storage of food and no shelves or racks shall be placed less than 18 inches above the floor level;
 - (b) all foods shall be protected against contamination, and stored on racks or shelves;
 - (c) all foods shall be stored in such manner to ensure that odours and flavours are not transferred.
- (16) Where food which has been served to a patron and is consumed shall be destroyed. It shall not be reserved or used again for human consumption.
- (17) All perishable foods shall be kept in a safe refrigerated space provided for in Regulation 13 of these Regulations unless approved by the inspector.
- (18) The storage and disposal of all waste shall be stored or disposed in accordance with the Public Health (Collection and Disposal of Refuse) Regulations.
- (19) In every eating establishment each employee shall comply with the following standards—
 - (a)
 - (i) be neat, tidy and keep hands clean,
 - (ii) wear clean garments, and
 - (iii) be free from
 - (A) any disease or infection which may be spread through the medium of food;
 - (B) any condition of the skin which may contaminate food and to be;
 - (C) in possession of a valid Health Certificate from a medical officer of health or medical officer.
 - (b)
 - (i) All cooks and others preparing food shall wear suitable head covering, and
 - (ii) All waitresses shall wear caps or hair nets.
- (20) All utensils and equipment shall be maintained in good repair and stored in a sanitary manner.
- (21)
 - (a) It shall be prohibited to use dishes, glasses, cups or utensils that are cracked or so badly worn that they cannot be cleaned.
 - (b) The inspector shall order the destruction of such articles.
- (22) The re-use of single service utensils is prohibited.
- (23) All cooking units shall be provided with a ventilated shaft or other suitable devices to carry off all smoke, steam or odour and shall be constructed and maintained as to work efficiently under all weather conditions.
- (24)

- (a) There shall be facilities and equipment for the cleaning and bacterial treatment of utensils.
 - (b) The method of cleaning shall be done either by—
 - (i) mechanical equipment designed and operated that all utensils are cleaned and bacteriacidally treated, or
 - (ii) of manual equipment consisting—
 - (A) a 3 compartment sink of non-corrodible metal or other suitable material or satisfactory alternative equipment which will allow the results, and
 - (B) drainage racks of non-corrodible material as received by the inspector.
- (25) All utensils for preparing or serving food shall be cleaned and bacteriacidally treated after each use.
- (26) All utensils shall be washed in hot detergent solution which is capable of removing germs and food particles and rinsed and bacteriacidally treated in accordance with these Regulations.
- (27) Utensils shall be bacteriacidally treated by either of the following methods—
- (a) immersion for at least 2 minutes
 - (i) in clean water at a temperature of at least 180 (82°C) degrees fahrenheit, or
 - (ii) in a chlorine solution of at least 100 parts per million available chlorine, or
 - (b) other bacteriacidal treatment which is approved by the inspector.
- (28) The bacteriacidal solution shall be changed as often as is required to provide effective bacteriacidal strength.
- (29) Where mechanical equipment is used for washing and rinsing bacteriacidal treatment of utensils, the inspector shall be provided with satisfactory evidence of the effectiveness of operation of such machines.
- (30) A person shall not sleep in any room used for preparing, storing or cooking food, nor shall any such rooms be used for the storing of personal wearing apparel, toilet requisites or other articles which are not required in the preparation or cooking of food.
- (31) Floors of all rooms in which food is stored, prepared or served shall be kept free from litter, and floors shall be cleaned in those periods when the least amount of food or drink is exposed.
- (32) Smoking or other use of tobacco, or spitting, shall not be permitted in kitchen, or other rooms where food is prepared.
- (33) A person shall not operate a temporary eating establishment unless—
- (a) the concession-booth or structure is maintained and operated in a clean and sanitary manner to the satisfaction of the inspector;
 - (b) refrigeration is provided for all perishable foods;
 - (c) all foods, cooking facilities and utensils are protected from dust, dirt, insects and all forms of contamination;
 - (d) single service utensils shall be used and all utensils washed and bacteriacidally treated in a manner satisfactory to the inspector.
- (34) Hot dogs, hamburgers and sandwiches shall be served in paper serviettes.

- (35) Water or liquid refreshment, kept in bulk for use or sale shall be drawn from a suitable covered container, and the container shall be of non-corrodible material and kept in a clean and sanitary condition at all times.
- (36) There shall be provided covered metal refuse containers of non-corrodible or other suitable material.
- (37) No person in charge of an eating establishment, temporary eating establishment or catering establishment shall comply or keep in employment any person who—
 - (a) is suffering from any disease or infection which may be spread through the medium of food; or
 - (b) has any condition of the skin which may contaminate food.
- (38)
 - (a) All multi-use utensils used for preparing, serving, or drinking of food shall be thoroughly cleaned and sanitized after each usage.
 - (b) Single service containers shall be used only once.
 - (c) Drying cloths, shall not be used for wiping utensils.
 - (d) No articles, polish or other substance containing any cyanide preparation or other poisonous material shall be used for cleaning or polishing of any utensil which is used for the preparation, storage or serving of food.
- (39) A person who engages in the handling of food shall, while so engaged—
 - (a) Keep clean as reasonably practicable all parts of his or her person.
 - (b) Keep as clean as reasonably practicable all parts of his or her clothing or overall.
 - (c) Keep any open cut or abrasion covered with a suitable water-proof dressing.
 - (d) Refrain from the use of tobacco (including snuff) while he or she is handling any food or is in any food room in which there is food.
 - (e) Refrain from spitting.
 - (f) After using the toilet, wash hands before resumption of duties.
- (40) No person with any septic or infected cut or abrasion on any exposed part of his or her body shall engage in the handling or preparation of food.
- (41) There shall be provided a sufficient quantity of water in all eating and food handling establishments.
- (42)
 - (a) There shall be provided and maintained in all eating and food handling establishments for the use of all persons engaged in the handling of food suitable and sufficient hand washing basins with an adequate supply of hot and cold water, soap or other suitable detergent, nail brushes, clean towels or other suitable drying facilities, in a position conveniently accessible to such persons.
 - (b) The hand wash basins and the taps thereof referred to in the preceding sub-regulations shall be kept clean and in efficient working order.
- (43) There shall be provided and maintained suitable and sufficient bandages, dressing and antiseptic for first aid treatment in all food premises, in a readily accessible position, for the use of persons engaged in the handling of food on those premises.

- (44) Except where adequate provision is made elsewhere than in a food room, suitable and sufficient cupboards or locker accommodation shall be provided and maintained in all food premises, for the clothing and footwear not worn during working hours of all persons engaged in the handling of food on those premises.
- (45)
- (a) There shall be provided and maintained to the satisfaction of the inspector, in all food premises suitable and sufficient sinks or other facilities (not being hand wash basin mentioned in regulation (42) above, for washing food and equipment used in the food business).
 - (b) With an adequate supply of hot and cold water or of water at a suitably controlled temperature, but a supply of water shall be sufficient for any sink or other facility used only for the washing of fish, tripe, animal carcasses, fruits, or vegetables to the satisfaction of the inspector.
 - (c) All sinks and other facilities available for the said purpose shall be kept clean and in good working order.
- (46) There shall be provided and maintained suitable and sufficient ventilation in every room to the satisfaction of the inspector.
- (47) The walls, floors, doors, windows, ceiling, woodwork and all other parts of the structure of every food room shall, at all times, be kept clean and shall be kept in such good order and condition as to enable them to be effectively cleaned, and prevent the risk of contamination by rats, mice, insects and the entry of birds.
- (48) No refuse of filth, whether solid and liquid, shall be deposited or allowed to accumulate in a food room except so far as may be unavoidable for the proper carrying on of the trade or business, and any such refuse or filth shall be removed as soon as is practicable and in any case before the end of each working day.

PART 5 REQUIREMENTS RELATING TO STALL

24.

- (1) Every stall from which a food business is carried on shall—
- (a) bear conspicuously the name and address of the person carrying on the business;
 - (b) be kept clean and in such good order, and condition as to enable it to be effectively clean;
 - (c) be provided with suitable and sufficient means of lighting to the satisfaction of the inspector.
- (2) No food shall be exposed for sale on any sidewalk, platform, street, road or other thoroughfare unless such food is placed on a stall or other elevation of at least one foot above ground.
- (3) No such stall shall be used as a sleeping place.

25.

- (1) Every stall from which meat or fish is sold or exposed for sale for human consumption—
- (a) shall suitably be covered and be screened at the sides and back thereof in such a manner as to prevent any flies, mud, filth or other

contaminating substance from being deposited upon any meat or fish therein;

- (b) shall be provided with a sufficient number of suitably covered receptacles for waste trimmings, refuse and rubbish.
- (2) Any covered receptacle shall be constructed of impervious material or shall be replaced as often as may be necessary to prevent the accumulation of obnoxious matter, and shall be kept apart from any meats or fish intended for sale.

26. There shall be provided and maintained in every stall for the use of all persons engaged in the handling of food, suitable and sufficient hand washing basins with an adequate supply of hot and cold water, soap or other suitable detergent, nail brushes, clean towels or other suitable drying facilities, in a position conveniently accessible to such persons.

PART 6 REQUIREMENTS RELATING TO AERATED WATER FACTORIES

27.

- (1) No premises shall be used as an aerated water factory unless the same have been duly licenced annually by the Public Health Board and for this purpose, and any person who intends to use any premises as a factory shall apply in writing to the Public Health Board.
- (2) Before issuing such a licence the Public Health Board shall require a plan and other particulars of building and the equipment to be used therein. The Board, being satisfied that the premises are fit to be used and are in compliance with the provisions of these Regulations, shall issue a licence to the applicant.
- (3) The licence shall be exhibited by the applicant in a conspicuous place on the premises during the term for which it shall have been granted.
- (4) Where any person carries on an aerated water factory without obtaining a licence commits an offence.

28. Every factory shall have its supply of water taken directly from a service main and such water must first be filtered before being used in the manufacture of any aerated drinks or for cleaning any bottle intended for holding the water or any filters, tanks or other vessels used in the process of manufacture.

29. The water used in any factory where a service main cannot be installed for any of the purposes mentioned in the preceding regulation shall be taken from protected spring or other place approved by the Public Health Board.

30. No bottles shall be used to contain aerated drinks which have not been properly cleansed and sterilized either by boiling for not less than 20 minutes in boiling water or immerse in a solution of chlorine of a strength of 100 parts per million. Brushes and any other appliances used for cleaning bottles shall be sterilized immediately before use by boiling them for not less than 20 minutes in boiling water.

31. No sugar or other articles shall be used in the manufacture of any aerated drinks unless the sugar or other articles be cleaned and free from deleterious matter.

32. All filters used in a factory must be approved by the Public Health Board. Where a manager/proprietor uses a filter after he or she has been waived intimation in writing that the inspector disapproves of, commits an offence.

33. Where any manager/proprietor of a factory knowingly employ therein, any person suffering from a contagious or infectious disease or from any ulcer, or abrasions of the skin he or she commits an offence.

34. Any person employed at or in any factory shall (a) be attired in clean uniform; (b) use only clean hands and forearms while engaged in cleaning any bottles or other vessels or in mixing any preparation to be aerated or in bottling or selling any manufactured drinks; (c) not expectorate in or about the said factory; (d) be provided with a certificate by a registered medical officer, that he or she is in a fit state of health to be employed in an aerated water factory.

35. The inspector shall once a month visit every factory in his or her district and he or she shall report to the Public Health Board the conditions of the factory and of the equipment thereof.

PART 7 REQUIREMENTS RELATING TO THE TRANSPORT AND CARRYING OF MEAT, FISH AND FROZEN PRODUCTS

36.

- (1) The following provisions shall apply with respect to all vehicles used in the course of food business for the transport of meat and fish or either of them, being meat and fish when transported as "Open Food".
- (2) In the case of a closed van, the vehicle shall be covered by canvas or other washable material supported on frames or poles so as to enclose completely that part of the vehicle in which meat or fish is placed and so far as is reasonably practical the cover shall not be allowed to come into contact with the meat or fish.
- (3) The floor of the vehicle shall be impervious and fitted with movable duck boards in such a manner as to prevent the meat or fish or its wrapping from touching the floor of the vehicle.
- (4) Any receptacle or duck board in or on which meat or fish is placed and parts of any slings implements or other equipment used for the loading of meat or fish shall be kept clean and in a proper state of repair.
- (5) Every such vehicle shall be provided with a sufficient number of suitable receptacles to contain separately all offal (other than offal that has not been detached from the carcass) transported in the vehicle, such receptacles shall be constructed of impervious materials and kept clean and in good order, and conditions as to enable them to be thoroughly cleaned.

Milk

Definitions

37. In these Regulations—

"cow-keeper" means the person in whose name any milking place or pasture in which he or she keeps milking cows, is registered;

"dairy" includes any place where milk is kept for sale, and includes every room where such milk is stored;

"dairyman" means the person in whose name any "dairy" is registered;

"milk" means wherever the context permits butter, cheese, cream, and other milk products;

"milking place" means a place where cows are milked as a source or milk sale.

PART 8 REGISTRATION OF DAIRIES

38. The applicant to register a dairy shall—

- (a) state his or her name, the location or such dairy and the names of all persons employed in handling the milk;
- (b) furnish a certificate from the medical officer of health that he or she is and all persons handling the milk are apparently free from any infectious or contagious disease, and are fit to be employed. The fee for such certificate shall be \$2;
- (c) furnish a certificate from an inspector that the dairy to be registered is in such a condition as to comply with these Regulations;
- (d) state the name of the cow-keeper from which the milk is obtained and the situation of the pasture or cattle-pen.

38A. There shall be paid to the Government Treasury or Sub-Collector's office a fee of \$40.00 for the issue of a certificate referred to in regulation 38(c). (*Inserted by S.I. 28/1983*)

REGISTRATION OF MILKING PLACES

39. The applicant to register a milking place shall—

- (a) state his or her name, location of the milking place, the maximum number of cows to be kept therein, and the names of the milkers employed;
- (b) furnish a certificate from a medical officer that he or she is, and every person employed in milking or attending the cows are apparently free from any infectious or contagious disease, and are fit to be so employed. The fee for such certificate shall be \$2;
- (c) furnish a certificate from an inspector that the cattle-pen if any complies with the prescribed requirements and is situated on an approved site.

LICENCES OF MILK SELLERS

40. The applicant for a licence shall—

- (a) State the name of the cow-keeper from whom his or her milk is obtained, and the location of the milking place;
- (b) Furnish a certificate from a medical officer that he or she is apparently free from any contagious or infectious disease and is fit to be so employed. The fee for such certificate shall be \$2.

41. The Public Health Board issuing the licence shall endorse on each licence the name of the cow-keeper, and the location of the milking place from which the milk is to be obtained.

42. If any licensee desires at any time to obtain milk from other sources he or she shall before so doing make application and submit the particulars aforementioned to the Public Health Board, who if satisfied, shall cause the licence to be endorsed accordingly.

43. Every licensee shall whenever he or she ceases to take milk from any source which has been approved, immediately notify the Public Health Board who shall endorse his or her licence accordingly.

44. It shall not be lawful for any licensee to obtain milk from any other source except that endorse on his or her licence.

45. It shall not be lawful for any person to carry or offer milk for sale without first having taken out a licence to sell milk.

POWERS AS TO REGISTRATION AND LICENCES

46. The Public Health Board shall refuse to make any registration or to issue any such licence until satisfied that the provisions of these Regulations have been complied with and it may on good grounds at any time cancel any registration made by it.

47. No registration shall be made or renewed where any well-founded complaint of nuisance to the neighbourhood, arising from any milking place, has been made, or where due cleanliness has not been observed.

48. The Public Health Board issuing the licence may on good grounds at any time cancel any licence issued by it under these Regulations or strike out the name of any person previously permitted to supply milk to a licensed dealer.

CATTLE-PENS IN TOWNS, VILLAGES AND PRESCRIBED AREAS

49. Every cattle-pen in a town or such other area as may be prescribed by the Public Health Board by notice in the Gazette shall, for every cow, heifer, ox or steer or other animal kept therein, contain not less than 40 square feet floor area, and 300 cubic feet capacity of air space, or less than 2 square feet ventilating space in window, jalousie, lattice or other area as may be prescribed without the permission and approval of the Public Health Board.

50. Every such cattle-pen shall be floored with concrete tiles, bricks laid in cement or asphalt, or other approved material, so graded towards the "grip" or channel gutter at the back, that no liquid matter can remain on the floor. The "grip" or channel shall be formed with a proper uniform fall. Satisfactory lawful provision having regard to the local conditions must be made for any discharge of liquid matter.

51. The walls, if any, shall be made of impervious material other than wood for a height of 4 feet from the floor. The walls, if any, and drains shall be adequately and regularly flushed with water and cleansed. Every such cattle-pen shall be provided with a properly constructed and water-tight roof.

52. Every such cattle-pen shall be provided with a proper receptacle or dungstead for the reception of dung or other refuse. Every such receptacle or dungstead shall not be less than 10 feet distance from the cattle-pen, and shall be maintained to the satisfaction of the inspector. The dung shall be cleared as often as may be necessary, and removed from inside the cattle-pen at least once daily.

53. Every cow-keeper shall to the satisfaction of the inspector cause each such cattle-pen to be thoroughly clean and disinfection shall be done at least once every 3 months.

REPORT ON MILKING PLACES AND PASTURES

54. The inspector must report to the Public Health Board any milking place which he or she may find during the course of his or her inspections that is not in conformity with these Regulations.

55. He or she must similarly report any pasture, the condition of which is not satisfactory.

INSPECTION AND CLEANLINESS OF ANIMALS

56. All cows shall be inspected and examined by an inspector free of cost to the owners of the animals at intervals of not longer than 6 months. Whenever notice has been given by an inspector of his or her intention to inspect the cows of a cow-keeper, the cow-keeper shall for the purpose of such inspection keep all his or her cows penned for tethered.

57. No cow-keeper shall cause or suffer any cow in a milking place to be or to remain in a filthy condition, so as to expose the milk to infection or contamination.

DISEASES AMONG ANIMALS

58. If at any time disease exists among the cattle in any place the cow-keeper shall immediately notify the Public Health Board of the existence of the same. The inspector may cause the immediate removal of such diseased animal, which shall be kept isolated. All milk from such diseased animal and from such milking place shall be destroyed or otherwise disposed of to the satisfaction of the inspector until the milking place is adequately disinfected.

59. A cow-keeper or dairyman or any other person shall not milk cows or handle vessels used for containing milk for sale, or in any way take part or assist in the conduct of such trade or business if at any time he or she appears to be suffering from any contagious or infectious disease.

60. A cow-keeper or dairy man shall not—

- (a) cause or suffer any person to milk cows or to handle vessels used for containing milk for sale, or in any way to take part or assist in the conduct of such trade or business, unless such person has been certified as fit by a medical officer;
- (b) cause or suffer any person, although he or she has been duly certified as aforesaid, who at any time appears to be suffering from any contagious or infectious disease, to milk cows, or to handle vessels used for containing milk for sale or in any way to take part or assist in the conduct of such trade or business;
- (c) cause or suffer any cow to be milked until its udder and hands of the milker have been cleaned and the utensils thoroughly cleaned and scaled.

DAIRIES

61. A dairyman shall not —

- (a) permit any water-closet, earth-closet, privy, cesspool or urinal to be situated within, communicate directly with, or ventilate into any dairy;
- (b) use any dairy, or permit the same to be used, as a sleeping apartment, or for any purpose incompatible with the proper preservation of the

cleanliness of such dairy, and of the milk vessels and milk therein, or in any manner likely to cause contamination of the milk therein;

- (c) convey or carry, or permit to be conveyed or carried, through the dairy, any excremental or offensive matter or any soiled bed, body or other clothing;
- (d) wash, or permit any other person to wash, any bed, body or other clothing, or permit the same to be hung up to dry in any dairy;
- (e) carry on within any dairy, any trade or business of such a nature as would tend to contaminate the milk;
- (f) keep milk for sale or storage in any place where it would be liable to become infected or contaminated by gases or effluvia arising from any sewer, drain, cesspit or closet, or by any offensive effluvia from putrid or offensive substances, or by impure air, or by any offensive or deleterious gases or substances;
- (g) permit milk to be stored or carried in lead vessels;
- (h) keep or allow any swine to be or remain in or about any dairy.

POWERS OF INSPECTION

62. The members of the Public Health Board and the inspector shall at all times have the right of inspecting dairies, pastures, cattlepens and milking places for the purpose of seeing that the provisions of these Regulations are complied with; and all persons refusing admission to any such person or in any way obstructing or impeding any such person or inspection, commits an offence against these Regulations.

63.

- (1) Any person who shall sell or offer for sale as milk or pure milk adulterated or impoverished milk commits an offence against these Regulations :
Provided that this sub-regulation shall not apply to —
 - (a) skimmed milk provided that the receptacle or container in which such milk is sold or offered for sale is conspicuously marked with a name or description indicating that the milk has been so treated; or
 - (b) milk reconstituted by the addition of water or other substance to dried milk powder or to evaporated or condensed milk provided that the manufacturer's directions for reconstituting the milk are adhered to and that the receptacle or container in which the milk is sold or offered for sale is conspicuously marked with a name or description indicating that the milk has been reconstituted.
- (2) Despite the provisions in the preceding sub-regulations, all raw milk for sale or intended for human consumption shall first be pasteurized.
- (3) Pasteurization — The terms "**pasteurization**," "**Pasteurized**", and similar terms shall mean the process of heating every particle of (a) milk or milk products to at least 161°F., and holding it continuously at or above this temperature for at least 15 seconds, in properly designed and operated equipment which approved by the Public Health Board.

Provided, that milk products which have a higher milk fat content than milk and/or contain added sweeteners shall be heated to at least 166°F and held continuously at or above this temperature for at least 15 seconds (b) condensed or concentrated milk or condensed or concentrated milk products to at least 175°F and holding it continuously at or above this temperature for at least 25 seconds.

Provided further, that nothing in this definition shall be construed as barring any other pasteurization process which has been recognized, by the Environmental Health Branch to be equally efficient and which is approved by the Public Health Board.

- (4) The inspector may stop any person conveying or having in his or her possession any milk which he or she suspects is intended for sale, and may at all reasonable times enter into any dairy and may examine and test any milk being conveyed or found in such dairy and may take samples thereof.
- (5) The inspector or any other person authorised in that behalf by the Public Health Board may require any dairyman to deliver to him or her a sample of the milk usually offered by him or her for sale for the purpose of testing. On such test having being made and having regard to the quality of such samples, the conditions obtaining in the dairy where the milk has been produced and the manner in which such milk is usually offered for sale a certificate shall be issued, signed by the inspector or the Agricultural Superintendents designating the product of such dairy fit for human consumption.
- (6) Every licensee shall, whenever requested so to do by the Public Health Board, furnish within a reasonable time fixed by the Public Health Board, a complete list of all dairies or places from which his or her supply of milk is derived or has been derived during the last 6 weeks.
- (7) Any milk which, when tested by an inspector or a Government veterinary surgeon or other person appointed for the purpose by the Public Health Board which does not contain at least 3 percent of milk fat, and which fails to satisfy any other test prescribed by the Public Health Board, shall be presumed, until the contrary is proved, to be improverished or adulterated milk.
- (8) The burden of proving that any milk being conveyed or found in the possession of any person or found in any dairy was not intended for sale shall be upon the defendant.
- (9) Where any person is charged with having in his or her possession or conveying in any manner milk which it is suspected has been sold or offered for sale and declares that they purchased or received the same from some other person, or that he or she was employed as a carrier, agent, or servant, or to convey the same for some other person, the court is authorised, if practicable, to cause every such other person, and also, if necessary, every farmer, or other person through whose possession such milk has passed, to be brought before it and to examine witnesses upon oath touching the same, and if it appears to the court that any such person has had possession of such milk, every such person shall be deemed to have had possession of such milk at the time and place when and where the same was found or seized, and he or she is liable to punishment accordingly.
- (10) Possession by any servant or agent shall be deemed to be the possession of both the manager/proprietor.
- (11) Any person who shall obstruct or hinder any person acting under authority of this regulation commits an offence against these Regulations.

64. Milk shall only be kept or offered for sale in a receptacle of a pattern approved by the Public Health Board.

65. Any such receptacle shall be closed by a well fitted lid properly secured by padlock or other approved means or manner, the milk to be drawn therefrom by a tap or otherwise as may be approved.

66. Any licensee or other person who unlawfully opens or tampers with such receptacle or its milk contents commits an offence against these Regulations.

67. Milk in transit and intended for sale shall be conveyed in a suitable container closed by a well fitting lid properly secured by padlock or other approved means or manner.

MEASURES FOR SALE OF MILK

68. Measures for the sale of milk shall be of a material and pattern approved by the Public Health Board.

69. A milk seller must keep his or her measures in a clean and satisfactory condition at all times, and shall not cause or suffer the same to be exposed to infection or contamination.

70. Any person contravening any of these Regulations or found guilty of any breach of the same is liable to a penalty not exceeding \$250.

Certificate under Regulations 64(b), 66(b)

I hereby certify that I have examined
residing at and that he/she is apparently free from any infectious or
contagious disease, and is fit to be employed in attending on or in milking cows, or in handling
milk vessels.

Date:

Certificate under Regulation 64(c)

I hereby certify that I have inspected the dairy belonging to and
that it is in such a condition as to comply with the Public Health Regulations.

Date:

Certificate under Regulation 65(c)

I hereby certify that I have inspected the milking place and/or cattle-pen belonging to
..... at and that it complies with the requirements of the Public
Health Regulations. It is on an approved site and constructed to hold
cows.

Date:

Public Health (General) Regulations – Section 22

**(Statutory Instruments 4/1935, 57/1936, 39/1940, 8/1942, 67/1946,
33/1952, 65/1953, 27/1954, 18/1955, 15/1956 and 26/1960)**

Statutory Instrument 4/1935 .. in force 6 July 1935

Amended by S.I. 57/1936, 39/40, 8/1942, 67/1946, 33/1952, 65/1953, 27/1954, 18/1955,
15/1956

PUBLIC HEALTH (GENERAL) REGULATIONS – SECTION 22

1. These Regulations may be cited as the Public Health (General) Regulations and shall be construed with reference to the Public Health Act.

General

1A. In these Regulations -

"local authority" save where otherwise prescribed in writing by the chairperson of the sanitary authority means the sanitary inspector within such inspector's district, subject to the supervision and directions of the district medical officer;

"street" means any way or road in any town and includes the side walks and drains thereof;

"road" means any public road or bridge, and includes all drains, trenches, and waterways, along and across such road.

2. The sanitary inspectors shall enforce these and all other Regulations of the Authority and shall send in to the sanitary authority monthly, written reports on the sanitary condition of the several towns and districts of the Island and shall obey all instructions which may be issued to them by the sanitary authority.

3. The sanitary inspectors within their respective districts, shall, and the members of the sanitary authority may, inspect the streets, roads, drains, yards, premises and lots and shall cause to be removed therefrom all matters or things offensive to the neighbours, or injurious to health; and any person whose duty it is to remove such matter or thing shall forthwith do so on being so directed by a sanitary officer, or any member of the sanitary authority.

4. If the owner or occupier of any premises fails to carry out any such directions, any sanitary officer is empowered, at all reasonable times, to enter any such premises, wherein such nuisance exists, and to abate or remove the same, and to do all things as may be necessary for removing or abating the same; and the owner or occupier may, in addition to any penalty incurred under these Regulations, be sued and levied upon at the instance of any sanitary inspector, for any sum which may have been spent for the removal or abatement of any nuisance complained of: Provided that if it shall appear to the magistrate, before whom any suit for the recovery of any such sum of money shall be brought, that the abatement or removal of any nuisance was beyond the means of any owner or occupier, it shall be competent for the magistrate to relieve the defendant from payment of the said sum and of any penalty incurred.

5.

(1) The owner or occupier of any premises within any town in Saint Lucia and within 2 miles thereof, who shall allow to remain in such premises—

- (a) any filth, offal, or decaying or offensive animal or vegetable matter;
- (b) any waste or stagnant water which might reasonably be drained;
- (c) any foul or offensive trench, gutter, privy or cesspool, or any trench or gutter harbouring or likely to harbour mosquito larvae;
- (d) any rank grass, weed, bush or underwood of a character to be injurious to health; or
- (e) any vessel, bucket, tin, bottle, broken piece of bottle or other receptacle whatsoever, whether of a like nature to those before-mentioned or otherwise, capable of holding water, in such premises or in or upon the walls thereof, to hold water for a longer period than 7 days; except receptacles used for storing water under the provisions hereinafter prescribed;
- (f) any tank, barrel, cistern or other receptacle whatsoever, whether of a like nature to those before-mentioned or otherwise, used for storing water, to remain in such a state as to allow of the breeding of mosquitoes therein,

and who shall fail to abate or remove any of such nuisance forthwith or within a reasonable time on being required to do so by a sanitary inspector, commits an offence against these Regulations: and should such owner or occupier as aforesaid permit the same or a similar nuisance to recur within a period of 6 months after being required to abate the same he or she commits an offence against these Regulations.

Provided that for the purposes of the last preceding paragraph (f), wells and other such receptacles from which river water is drawn by a bucket or other similar vessel shall be deemed nuisances; and provided that every other receptacle used for storing water shall be deemed a nuisance unless the following requirements are fulfilled: (i) water shall be drawn from any such receptacle by means of a tap, spigot or pump and not otherwise; (ii) the intake pipe shall not be led into any such receptacle but shall stop at least one inch short of any hole or opening in the same, and such hole or opening and all wire gauze of copper, brass or galvanized iron of not less than 17 meshes to the inch, in such a manner as effectually to prevent the access of mosquitoes to the water in such receptacle: Provided further that if in the opinion of any medical officer the access of mosquitoes to the water in any such receptacle is effectually prevented otherwise than as above prescribed then and in such case such receptacle shall not be deemed a nuisance.

(2)

- (a) The owner of any such premises who shall fail to make or cause to be made proper and efficient drains to carry off water from such premises; and
- (b) The owner or occupier of any such premises who shall fail to fill up or cause to be filled up all drains, ditches, pools, holes, pits, irregularities and depressions, in the ground or surface of such premises or lot which may be of such a nature as to cause or allow of the accumulation or stagnation of water therein,

on being required to do so by a sanitary inspector, commits an offence against these Regulations.

6. Any medical officer or sanitary inspector shall have power, at any time between 7:00 a.m. and 6:00 p.m., if he or she thinks fit, to enter into any such premises and pour oil or cause oil to be poured, on the surface of water contained in any receptacle in such premises.

7.

- (1) The owner, or occupier, or manager or person in charge of any estate or plantation or land situated wholly or in part within 2 miles of the boundaries of any town shall cause the whole of such estate, plantation or land or such part thereof as lies within the aforesaid limit to be efficiently drained and kept in such a state as not to be injurious or dangerous to health.
- (2) Such owner, occupier, manager or person in charge as aforesaid shall not allow to remain on any part of such land as aforesaid—
 - (a) any waste or stagnant water;
 - (b) any foul or offensive hole, pit, trench, gutter, drain, latrine, privy, or cesspool;
 - (c) any collection of water harbouring or likely to harbour mosquito larvae;
 - (d) any dead animal or any collection of animal excreta or rubbish likely to be injurious or dangerous to health.

8. All premises in any town shall be properly enclosed to prevent rubbish or filth being thrown therein.

9. The occupier of any premises adjoining any street, or other public place in any town, shall keep all footways and drains belonging to and leading from such premises, and the side-walk in front of such premises properly swept and clean, and at all times free from stagnant water, dirt, or rubbish of any kind.

10. The owner of every premises in any town shall keep the yard and grounds attached thereto properly filled up with such materials as may be placed at his or her disposal by a sanitary inspector to prevent the lodging of water therein.

11. Every person commits an offence against these Regulations who—

- (a) throws or lays any dirt, manure, litter, rubbish, urine, night soil, carrion, offal, trees, brushwood, bush, decayed vegetables, fish, or meat, or any other dirty or offensive matter or fluid whatsoever, in or on any street, road, stream or public place, or near to any inhabited building;
- (b) throws or causes to be thrown any of such matters or things into any street, road or public place, or near to any inhabited building or so as to fall or run into any street, road, stream or public place;
- (c) permits any offensive matter or thing to run from any manufactory, slaughter-house, butcher's shop, yard, premises or other place whatsoever into any street, road, stream, or public place, or into the premises of any other person, or so as to be a nuisance to any person passing on any street or road;
- (d) neglects to keep all privies, drains, cesspools and other like places cleaned and disinfected to the satisfaction of the sanitary inspector;
- (e) deposits night soil, sweepings, rubbish and any other kind of refuse matter in any other place than the place specially set apart for such purpose.

12. Any premises which is in a filthy state, and, in the opinion of a sanitary inspector is injurious to health, shall be thoroughly cleaned and disinfected in such manner and within such reasonable time, as the sanitary inspector shall direct.

13. The occupier of every house shall keep thoroughly clean such house, and all yards, cellars, and all other places attached or belonging to such house, and shall deposit all sweepings of yards and other places aforesaid, and all rubbish, at any place appointed for that purpose by the sanitary authority, or by any sanitary inspector.

14. In all cases where one or more persons occupy the same premises, or where any houses or premises are let out in tenements where there is a common yard, cellar, basement, entrance, lane or alley, the owner, and each and all tenants thereof using such yards, cellars, basement, entrance, lane or alley shall be responsible for their good order and cleanliness, and is liable for any offence against these Regulations.

15. In all cases where, by these Regulations, the occupiers of premises are bound to perform any act, if there shall be no occupier or if there is a difficulty in ascertaining who is the occupier, the owner of such premises is liable.

16. In the case of buildings, yards, and places of a public character, such as churches, chapels, schools, grave yards, and other places of a similar nature, whether in use or not, the persons in charge of such buildings, yards, or other places, shall be deemed to be the occupiers.

17. The senior non-commissioned officer of police in castries and the police officer or constable in charge of any police station in the out-districts shall be *ex officio* sanitary officers under the Public Health Act.

18. A person shall not deposit, within the limits of any town, human faeces on to or in any premises or place other than into a properly constructed closet, or into a privy of such description and construction as is approved by the sanitary authority.

19.

- (1) The owner or occupier or person in charge of every house situate within the limits of any town shall provide and maintain a properly constructed closet, or privy, or latrine of such description and construction as is approved for the time being by the sanitary authority.
- (2) Where it appears to the sanitary inspector that any such house is not provided with a suitable closet or privy or latrine, or that having been so

provided it has not been maintained as the sanitary authority requires, the sanitary inspector may, by notice in writing, served upon the owner or occupier or person in charge of such house, require him or her within a time specified in such notice, not being less than 14 days from the day of service thereof, to provide or efficiently maintain the same. If such owner or occupier or person in charge fails to comply with the requirements of this notice, within the time specified, he or she is liable to a penalty for every day he or she fails to comply as aforesaid.

20.

- (1) A person shall not deposit, outside the limits of any town human faeces on to or in any premises or place other than into a pit, hole or trench, of such description and construction as the sanitary authority may require.
- (2) Any such faeces when deposited in such pit, hole or trench as has been approved by the sanitary authority shall be effectually covered on every occasion of a deposit, and shall be kept effectually covered.

21. The owner, or occupier or person in charge, of any plantation, house or premises, having a latrine or privy or closet, used with or belonging to such plantation, house or premises, shall so construct and maintain it as to prevent access thereto by any animal or poultry, and it must be of such description and construction as is approved for the time being by the sanitary authority.

22. Every building where persons are employed or are intended to be employed in any trade, business, or manufacture, shall be provided with sufficient and suitable accommodation in the way of sanitary conveniences, of such description and construction as is approved for the time being by the sanitary authority, having regard to the number of persons employed or in attendance at such building, and also, where persons of both sexes are employed, or intended to be employed, or in attendance, with proper separate accommodation for persons of each sex.

23.

- (1) Where it appears to a sanitary inspector or to a medical officer that any such building or any school is not provided with such sufficient and suitable sanitary conveniences as the sanitary authority requires, the sanitary authority may, by notice in writing served by their inspector or servant upon the owner, occupier or person in charge of such building, or the manager of or person keeping such school, require him or her, within a time specified in such notice, not being less than 14 days from the day of service thereof, to provide the same.
- (2) If such owner, occupier or person in charge of such building or manager of or person keeping such school shall fail to comply with the requirements of such notice, within the time specified, he or she is liable to a penalty for every day that he or she fails to comply as aforesaid.

24. The owner, or occupier or person in charge of any premises shall not permit human faeces to lie exposed or uncovered thereon.

25. Every person who, within the limits of any town shall deposit human faeces on to the premises of another, or, without the limits of any town shall deposit human faeces on to the lands of another, without effectively covering the same, commits an offence against these Regulations.

26. A person shall not deposit human faeces into or upon any road, highway, beach, river, ravine, water-course, or any other place.

27. Every privy, latrine or closet, hole, pit or trench, when a public character, constructed and being of such description as is approved for the time being by the sanitary authority, shall be maintained in an efficient state, and be kept at all times in a sanitary condition.

Specific provisions with respect to Ankylostomiasis

28.

- (1) It shall be the duty of every sanitary inspector to report to the sanitary authority whenever he or she has reason to believe that the privy accommodation on any estate is insufficient or unsuitable by reason of the number of persons residing or employed on the estate.
- (2) On receipt of any such report the sanitary authority, if satisfied as to the want of proper accommodation, shall serve a notice on the owner or occupier of the estate requiring him or her to provide and maintain sufficient and suitable accommodation for the use of persons residing and employed on the estate in the form to be prescribed and within a period to be specified in the notice, or, requiring him or her to put and maintain any existing privy accommodation in a clean and efficient condition.
- (3) If the owner or occupier of an estate upon whom such a notice has been served makes default in complying with the requisitions in the notice, the sanitary authority shall cause a complaint relating thereto to be made before the magistrate of the district; and the magistrate shall thereupon summon such owner or occupier to appear before him or her and may make an order on such owner or occupier requiring him or her to comply with all or any of the requirements of the notice and to pay the cost of the proceedings.
- (4) Any such owner or occupier not obeying a magistrate's order made hereunder shall, if he or she fails to satisfy the court that he or she has used due diligence, be liable to a fine not exceeding \$2.40 for each day during which such default continues; any such owner or occupier knowingly and wilfully acting contrary to any such order is liable to a fine of \$4.80 per day during such contrary action.

29.

- (1) When privy accommodation shall have been provided in accordance with these Regulations the sanitary authority may cause public notices to be affixed on the estate prohibiting all persons from defecating in any other place than the place provided for the purpose.
- (2) Every person who misuses any privy accommodation provided under these Regulations, or who disobeys the public notices affixed on the estate as aforesaid, is liable to a fine not exceeding \$24.

30. All towns may be provided by the sanitary authority with sufficient public latrine accommodation, so constructed as to suffice for the proper collection or removal of all sewage matter on hygienic principles and to prevent pollution of the surface of the ground; and it shall be the duty of the district medical officer to report to the sanitary authority if in his or her opinion any such latrine accommodation is needed.

31.

- (1) It shall be the duty of the managers or such other persons having the control of a school to keep the privy accommodation aforesaid in a clean and sanitary condition and to ensure that such work is carried out efficiently.
- (2) Any member of the staff of a school misusing such privy accommodation, or defecating in any place near to the school house other than the place provided for the purpose, is liable to a fine not exceeding \$24; and during school hours or while a pupil is under the control of a teacher, any such teacher who shall not take every reasonable precaution to prevent a pupil from misusing the privy accommodation or from defecating in any place near to the school house other than the place provided as aforesaid, commits an offence against these Regulations.

Bakehouses

32. In these Regulations relating to bakehouses and bread sellers

"bread" includes cakes and all kinds of fancy bread whatsoever and confectionery of all kinds and descriptions;

"baker" means any person employed in the preparation of bread in a bakery whether as master, employee or otherwise;

"bakery" means any bake house, bakery, oven-room or other building where any bread, biscuits or confectionery is baked, made or prepared for purpose of sale;

"inspector" means any person authorised to inspect under the Public Health Act and includes the local authority or any member thereof;

"occupier" includes any owner, lessee, or person in charge of or responsible for a bakery.

33.

- (1) Every occupier of a bakery shall take out a licence annually in respect of any premises used as a bakery, such licence to be issued on the certificate of the local authority who shall satisfy himself or herself or itself of the fitness of the premises to be used as a bakery.
- (2) A charge of \$0.24 a year ending on 31 December or \$0.12 a half year ending 30 June or 31 December shall be made for the licence or any renewal thereof.
- (3) All moneys for licences under these Regulations shall be paid to the Director of Finance and Planning of Saint Lucia.

34. It shall be lawful for any inspector to enter any bakery at any time and to examine the condition of the bakery and the condition of the persons employed therein and the articles or materials used therein or apparently intended to be used in the manufacture or preparation of bread.

35.

- (1) If it appears to the local authority upon such examination or upon the report of any inspector making the examination that the condition of the bakery is not in accordance with the requirements of regulation 36 hereof or that from any cause its condition is such that danger may arise to public health from the preparation of bread therein the local authority may by notice in writing direct the occupier of the bakery within such reasonable time as the local authority may direct to execute such work or take such measures as to the local authority appears necessary to make the bakery in accordance with these Regulations or to prevent danger to public health from the preparation of bread therein and in default of executing such work to cease from using the premises as a bakery.
- (2) Any person who shall continue to use such premises as a bakery without complying with the requirements of such notice commits an offence against these Regulations.

36. Every occupier of a bakery shall—

- (a) have the floor of such bakery constructed of concrete or mason work;
- (b) keep the floor of such bakery clean and free from dirt, ashes or other accumulation of decaying animal or vegetable matter;
- (c) have no privy, cess-pit, or other receptacle for offensive matter therein or upon the same premises except at such a distance from the bakery as the local sanitary authority may in each case approve;
- (d) not allow the same to be used by any person as a sleeping place;
- (e) see that it is provided with a pure and wholesome water supply;
- (f) provide washing accommodation for the use of the employees;

- (g) see that the bakers employed therein are clothed in clean garments;
- (h) have the same limewashed once every year at least and in addition if required so to do at such other time or occasion as the sanitary inspector may direct, or painted or otherwise kept clean and in a sanitary condition in such manner and at such intervals as may be prescribed;
- (i) obey any order or direction given to him or her by the local authority in respect to the cleanliness or otherwise of the same.

37.

- (1) A person shall not act as a baker unless that person is furnished with a certificate from a medical officer that he or she is in a fit state of health to engage in the occupation of a baker and it is lawful for an inspector on entry into a bakery to require the immediate production of such certificate for inspection.
- (2) An occupier of a bakery shall not employ any person in the capacity of a baker unless furnished with such a certificate.
- (3) (*Superseded by regulation 162*)
- (4) A fee of \$0.24 shall be payable for such certificate.
- (5) A person who resides with any person who suffers from an infectious or contagious disease shall not act or be employed as a baker.

38. (*Revoked by S.I. 15/1956*)

39. A person shall not have in any bakery or upon any premises attached to any bakery any articles or materials used in the manufacture or preparation of bread which are dirty, unsound or unwholesome or unfit for human consumption or for the preparation of food for man.

40. If it shall appear to any local authority or to any member of a local authority or any sanitary inspector making an examination under regulation 34 hereof that any articles or materials used or apparently intended to be used in or for the manufacture of bread are unfit for such purpose the local authority or member thereof or inspector may seize the same and cause the same to be examined by a medical officer and if such medical officer shall certify in writing that the articles or materials so seized are unfit to be used for or in the manufacture of bread shall cause such articles or materials to be destroyed.

Bread Sellers

41. Bread shall not be kept or offered for sale in any place where any person is or resides who suffers from any contagious or infectious disease or is otherwise not in a fit state of health.

42. A person shall not sell bread who suffers from or resides with any person who suffers from any contagious or infectious disease or is otherwise not in a fit state of health to do so.

43. Every person who sells bread shall—

- (a) be clothed in clean garments and keep his or her hands clean at all times;
- (b) see that the receptacle used for the purpose is at all times clean;
- (c) not allow any other person to touch or handle any bread not sold or delivered to such person or which is to be sold or offered for sale to other persons;
- (d) see that the receptacle in which bread is kept is of such construction as—
 - (i) to prevent the access of flies and dust,
 - (ii) to permit of the bread being seen while the receptacle is closed,

(iii) has been approved by the local authority;

- (e) be provided with a certificate from a medical officer that he or she is in a fit state of health to engage in the occupation of a breadseller. A fee of \$0.24 shall be payable for such certificate in the same manner as provided for bakers.

44. A person shall not knowingly employ any other person to sell bread unless such other person conforms to the conditions prescribed by these Regulations.

45. Any person who commits a breach of an offence against regulations 32 to 44 inclusive is liable on summary conviction to a penalty not exceeding \$48.

SLAUGHTERHOUSE

Registration and Certification

46. A premises shall not be used as a slaughterhouse unless the same shall be registered at the office of the sanitary authority.

47. A slaughterer of cattle or horses shall not use any premises for the purpose of his or her trade unless licensed under the Licences Act.

48.

- (1) Every person working at or for a slaughterhouse or meat-stall shall in the months of June and December in every year submit himself or herself to medical examination by a medical officer and shall procure a certificate from such medical officer stating that upon such examination such person was found to be free from any infectious disease or tuberculosis, syphilis, erysipelas, lupus, yaws, itch or any open or running sores, and every certificate shall be retained and preserved for the period of 6 months from the date thereof by the manager or owner of the slaughterhouse, and shall be produced by him or her whenever so required to do for the information of the sanitary authority or any sanitary officer.
- (2) Any person failing to comply with any of the requirements of this regulation commits an offence against these Regulations.

Inspection and Securing Cleanliness

49. A person shall not be allowed in any slaughterhouse or meatstall except—

- (a) the owner or manager thereof and the persons employed therein and certificated in accordance with these Regulations; and
- (b) persons not suffering from any infectious or other disease as mentioned in the immediately preceding regulation.

The owner or manager thereof violating this regulation, or knowingly permitting any person suffering from any such disease to remain in or about any slaughterhouse, commits a violation of these Regulations.

50. Any owner or manager of a slaughterhouse who uses or permits to be used, and any other person who uses any slaughterhouse or portion thereof—

- (a) as a sleeping place; or
- (b) for carrying on any other trade; or
- (c) for any other purpose than that of a slaughterhouse commits a violation of these Regulations.

51.

- (1) The floor, ceilings and inside walls and roofings of any slaughterhouse must be kept clean and free from dust to the satisfaction of the sanitary authority.
- (2) The internal surface of the walls and every part of the floor, which must be constructed of impermeable material so as to prevent the absorption of any blood, liquid refuse or filth or any other offensive or noxious matter, must be kept in good order and repair.
- (3) The walls and floors must be washed within 3 hours after any animal has been slaughtered, and all the skins, offal and waste substances removed, within the same period.
- (4) Every 6 months or oftener if necessary to the satisfaction of the sanitary authority the walls and floors must be thoroughly lime-washed.

52. Dogs shall not be permitted to enter or be kept within any slaughterhouse, and no other animal shall be admitted unless it is intended for slaughter for the food of man, and no such animal shall be kept longer than is necessary for the purpose, and shall be confined, in a proper lair.

53.

- (1) An animal shall not be slaughtered for sale unless the owner or manager is satisfied that it is free from disease, and the said owner or manager shall request a medical officer or a sanitary inspector to examine any animal suspected to be diseased, provided always, that in towns and villages where a market is provided no animal shall be slaughtered for sale unless the market clerk is satisfied that it is free from disease.
- (2) In case any animal shall not be passed as fit for human food by a medical officer or a sanitary inspector the person in charge of such animal or the owner thereof upon intimation to that effect shall, within a reasonable time of the inspection remove or cause such animal to be removed from the slaughterhouse.
- (3) The carcass of every animal slaughtered shall, before removal or sale, be examined by the owner or manager for the purpose of ascertaining whether the same or any part thereof is fit for human food.
- (4) If the owner or manager is not satisfied that the carcass of any animal slaughtered or any part thereof is fit for human food, the said owner or manager shall request a medical officer or a sanitary inspector to examine any such carcass or part thereof.
- (5) If the medical officer or sanitary inspector is satisfied that any carcass or part thereof is diseased, unsound or unfit for human food he or she may seize and condemn the same.

54. Every slaughterhouse must be provided with a wholesome water supply kept in good order and always sufficient for all purposes including the cleansing of the premises and all receptacles.

55. Receptacles of non-absorbent material for the collection of refuse and offal must be provided by the owner or manager of every slaughterhouse and kept clean when not in actual use. All such receptacles must be emptied within a reasonable time not exceeding 6 hours after the completion of the slaughtering operations.

56.

- (1) Every person employed at or in any slaughterhouse shall be attired in clean clothes and shall – before handling any carcass or portion thereof – wash his or her hands with soap and clean water and use a clean towel.
- (2) The owner or manager of any slaughterhouse shall provide sufficient soap, clean water and a clean towel for the use of each person employed at or in connection with any slaughterhouse.

57. A slaughterhouse shall not be erected within the precincts of any dwelling house or in such proximity thereto as to occasion a nuisance to the occupants thereof.

Aerated Water Factories

58. Premises shall not be used as an aerated water factory unless the same have been duly registered in compliance with the provision of these Regulations.

59. Every such aerated water factory shall be registered annually at the office of the sanitary authority and for this purpose every person who intends to use during any year any premises as a factory shall make application in writing to the sanitary authority, setting out his or her name in full and a correct description of the premises so intended to be used. Upon being satisfied that the premises are not in an insanitary condition, the sanitary authority shall issue to the applicant a certificate to the effect that they can properly be used as an aerated water factory in respect of the year for which the applicant seeks to register his or her premises. A fee of \$0.96 shall be payable to the sanitary authority by the applicant for each certificate thus issued.

Such certificate shall be exhibited and kept exhibited by the applicant in some conspicuous place on the premises during the whole of the year for which it shall have been granted, and no longer. Any person carrying on an aerated water factory without being registered commits a violation of these Regulations.

60. Every factory situate in any town shall have its supply of water taken direct from a service tap in the said factory and such water must, before being used in the manufacture of any aerated drinks, or for cleansing any bottles intended for holding same, or any filters, tank or other vessel used in the process of manufacture, be first filtered.

61. The water used in any factory where a service tap cannot be installed for any of the purposes mentioned in the preceding Regulations must be—

- (a) taken from some spring or other place approved by the district medical officer and notified in writing by him or her to the sanitary authority to have been so approved; and
- (b) boiled; and
- (c) filtered.

Any owner or manager of a factory contravening this or the preceding regulation commits a violation of these Regulations.

62. No aerated drinks shall be manufactured and no bottles for holding the same nor filters, tank or other vessels used in the process of manufacture shall be cleaned except with such water as is herein before prescribed for use in the factory where such drinks are manufactured.

63. No bottles shall be used for containing aerated drinks which have not been properly cleansed, and sterilized – either by boiling for not less than 20 minutes in boiling water, or by immersion for not less than 30 minutes in a solution of permanganate of potash of a strength of 5 grains to one gallon of water, this solution to be washed out of bottles by filtered tap water. Brushes and any other appliances used for cleansing bottles shall be sterilized – immediately before use – by boiling them for not less than 20 minutes in boiling water.

64. No sugar or other articles shall be used in the manufacture of any aerated drinks except the same be clean and free from deleterious matter.

65. All filters used in any factory must be approved by the sanitary authority; and any owner or manager using any filter after intimation in writing to him or her that such Authority disapproves of the same, commits a violation of these Regulations.

66. No owner, manager, or employee of, in or about any factory shall sell any aerated drinks unless manufactured with such water and other articles in the condition herein before prescribed.

67. Any owner or manager of a factory knowingly employing therein any person suffering from a contagious or infectious disease or from any ulcer, or abrasions of the skin commits a violation of these Regulations.

68. Any person employed at or in any factory (1) shall be attired in clean clothes (2) shall use only clean hands and forearms while engaged in cleaning any bottles or other vessels, or in mixing any preparation to be aerated, or in bottling or selling any manufactured drinks (3) shall not expectorate in or about the said factory (4) shall be provided with a certificate (for which a fee of \$0.24 shall be payable), of a registered medical officer, that he or she is in a fit state of health to be employed in an aerated water factory.

69. No machine shall be used in the manufacture of aerated drinks while and so long as any lead used in its construction is corroded by any acid employed in the process of manufacture or the plating or any copper portion of such machine does not properly protect such portion.

70. The sanitary inspector shall once at least, in every month visit every factory in his or her district and report to the district medical officer the condition thereof, and of the bottles, filters and vessels therein.

Barbers' Shops

71. Premises for use as a barber's shop shall be of suitable size and properly ventilated and approved by the sanitary authority.

72. Such premises shall not be used for human habitation and shall not communicate directly with any room used for human habitation and shall be separated from such room by a partition extending from floor to ceiling.

73. Premises used as a barber's shop (a) shall not be used for the sale of or in connection with a place for the sale of foodstuffs: (b) shall not be used as or in connection with a tailoring or dressmaking establishment.

74. When required by the sanitary authority a barber's shop shall be supplied with water laid on from the mains by a tap opening in the shop.

75. Premises and fittings shall at all times be kept clean and in a sanitary condition to the satisfaction of the sanitary authority.

76. All cutting implements such as razors, scissors and clippers shall be sterilised immediately after use and for this purpose suitable arrangements shall exist to the satisfaction of the sanitary authority.

77. All brushes and combs shall at all times be kept in a clean and sanitary condition.

78. Any premises for use as a barber's shop shall be registered as such annually on 15 January after inspection and grant of a certificate by a Government medical officer for which a fee of \$0.60 shall be charged.

79. Any person carrying on the trade of, or employed as a barber or barber's assistant shall be registered as such annually on 15 January after the grant of a certificate by a Government medical officer for which a fee of \$0.24 shall be charged.

80. Premises shall not be used as a barber's shop without such registration and a person shall not carry on the trade of or be employed as a barber without such licence.

81.

- (1) If any person, while suffering from any infectious disease, wilfully exposes himself or herself without proper precautions against spreading the disease in any barber's shop or, being in charge of any person so suffering, so exposes such sufferer, he or she commits an offence against these Regulations.

- (2) A barber or his or her assistant shall not attend a client suffering from what appears to him or her to be a disease of the scalp, skin, or any notifiable infectious or contagious disease.

82. Any person suffering from or showing symptoms of any infectious disease or suffering from any suppurating sore or syphilis or yaws or from sore throat or any skin or hair disease of an infectious nature is prohibited from carrying on the trade of a barber whether as employer or employee.

83. These Regulations shall apply to itinerant barbers wherever applicable.

84. In addition to any penalty arising from a breach of these Regulations any Government medical officer after satisfying himself or herself that such action will be in the best interest of the public health may direct—

- (a) that any premises used as a barber's shop shall be closed;
- (b) that any person, whether as employer or employee in a barber's shop or any itinerant barber shall immediately discontinue such occupation.

MILK

Definitions

85. In these Regulations—

“**cow-keeper**” means the person in whose name any “milking-place” or pasture in which he or she keeps milking cows, is registered;

“**dairy**” includes any place where milk is kept for sale, and includes every room where such milk is stored;

“**dairyman**” means the person in whose name any “dairy” is registered;

“**inspecting officer**” includes such persons as the sanitary authority may from time to time appoint;

“**licensee**” includes every person licensed to sell or offer milk for sale in any district or area;

“**milk**” shall include wherever the context permits butter, cheese, cream and other milk products;

“**milking place**” means a place where cows are milked as a source of milk for sale;

“**pasture**” includes any pasture or like place whether open or enclosed, where milking cows are kept as a source of milk for sale;

“**sell**” or any of its derivatives or grammatical forms includes barter, exchange, give, supply, deliver, or otherwise pass or allow to pass into the control of some other person.

Obligation to Register Dairies, Pens and Pastures and to be Licensed as a Milk Seller

86. It shall not be lawful for any person to keep a dairy, or milking place unless registered with the local authority of the district or area within which such dairy, or milking place is situated.

87. It shall not be lawful for any dairyman or any person to offer or carry milk for sale, unless a licence is issued for so doing by a local authority.

88. Every registration and every licence shall expire on 31 December of the year in which registration takes place or such licence is issued.

Registers of Registrations and Licences

89. The local authority shall keep and from time to time revise and correct the register of all registrations and licences issued.

Registration of Dairies

90. The applicant to register a dairy shall—

- (a) state his or her name, the situation of such dairy and the names of all persons employed in handling the milk;
- (b) furnish a certificate from a Government medical officer that he or she is and all persons handling the milk are apparently free from any infectious or contagious disease, and are fit to be employed. The fee for such certificate shall be \$0.24;
- (c) furnish a certificate from an inspecting officer that the dairy to be registered is in such a condition as to comply with the Regulations;
- (d) state the name of the cow-keeper from which the milk is obtained and the situation of the pasture or cattle-pen.

Registration of Milking Places

91. The applicant to register a milking place shall—

- (a) state his or her name, the situation of the milking place, the maximum number of cows to be kept therein, and the names of the milkers employed;
- (b) furnish a certificate from a Government medical officer that he or she is, and every person employed in milking or attending the cows are apparently free from any infectious or contagious disease, and are fit to be so employed. The fee for such certificates shall be \$0.24;
- (c) furnish a certificate from an inspecting officer that the cattle-pen if any complies with the prescribed requirements and is situate on an approved site.

Licences of Milk Sellers

92. The applicant for a licence shall—

- (a) state the name of the cow-keeper from whom his or her milk is obtained, and the situation of the milking place;
- (b) furnish a certificate from a Government medical officer that he or she is apparently free from any infectious or contagious disease, and is fit to be so employed. The fee for such certificate shall be \$0.24.

93. The local authority issuing the licence shall indorse on each licence the name of the cow-keeper, and the situation of the milking-place from which the milk is to be obtained.

94. If any licensee desires at any time to obtain milk from other sources he or she shall before so doing make application and submit the particulars aforementioned to the local authority issuing the licence, who, if satisfied, shall cause the licence to be endorsed accordingly.

95. Every licensee shall whenever he or she ceases to take milk from any source which has been approved, immediately notify the local authority, who shall indorse his or her licence accordingly.

96. It shall not be lawful for any licensee to obtain milk from any other source except that indorsed on his or her licence.

97. It shall not be lawful for any person to carry or offer milk for sale without first having taken out a licence to sell milk.

Powers as to Registration and Licensing

98. The local authority shall refuse to make any registration, or to issue any such licence until satisfied that the provisions of these Regulations have been complied with and it may on good grounds at any time cancel any registration made by it.

99. Registration shall not be made or renewed where any well-founded complaint of nuisance to the neighbourhood, arising from any milking place, has been made, or where due cleanliness has not been observed.

100. The local authority issuing the licence may on good grounds at any time cancel any licence issued by him or her under these Regulations or strike out the name of any person previously permitted to supply milk to a licensed dealer.

Cattle-Pens in Towns, Villages and Prescribed Areas

101. Every cattle-pen in a town or such other area as may be prescribed by the sanitary authority for the time being by notice in the Gazette shall, for every cow, heifer, ox or steer or other animal kept therein, contain not less than 40 square superficial feet floor area, and 300 cubic feet capacity of air space, or less than 2 square feet ventilating space in window, jalousie, lattice or other opening to the external air, and no cattle pen shall be erected in a town or such other area as may be prescribed without the permission and approval of the sanitary authority.

102. Every such cattle-pen shall be floored with concrete tiles, bricks laid in cement, or asphalt, or other approved material, so graded towards the "grip" or channel gutter at the back, that no liquid matter can remain on the floor. The "grip" or channel shall be formed with a proper uniform fall. Satisfactory lawful provision having regard to the local conditions must be made for any discharge of liquid matter.

The walls, if any, shall be made of impervious material other than wood for a height of 4 feet from the floor. The walls, if any, and drains shall be adequately and regularly flushed with water and cleansed. Every such cattle-pen shall be provided with a properly constructed and water-tight roof.

103. Every such cattle-pen shall be provided with a proper receptacle or dungstead for the reception of dung or other refuse. Every such receptacle or dungstead shall not be less than 10 feet distant from the cattle-pen, and shall be maintained to the satisfaction of the inspecting officer. The dung shall be cleared as often as may be necessary, and removed from inside the cattle-pen at least once daily.

104. Every cow-keeper shall to the satisfaction of the inspecting officer cause each such cattle-pen to be kept thoroughly clean and disinfected with lime-wash containing 5%, crude carbolic acid or such other disinfectant as may be prescribed. Such disinfection shall be done at least once every 3 months.

Reports on Milking Places and Pastures

105. The inspecting officer must report to the local authority any milking place which he or she may find during the course of his or her inspections that is not in conformity with these Regulations.

106. He or she must similarly report any pasture, the condition of which is not satisfactory.

Inspection and Cleanliness of Animals

107. All cows shall be inspected and examined by an inspecting officer free of cost to the owners of the animals at intervals of not longer than 6 months. Whenever notice has been given by an inspecting officer of his or her intention to inspect the cows of a cow-keeper, the cow-keeper shall for the purpose of such inspection keep all his or her cows penned or tethered.

108. A cow-keeper shall not cause or suffer any cow in a milking place to be or to remain in a filthy condition, so as to expose the milk to infection or contamination.

Diseases among Animals

109. If at any time disease exists among the cattle in any place the cow-keeper shall immediately notify the local authority of the existence of the same. The inspecting officer may cause the immediate removal of such diseased animal, which shall be kept isolated. All milk from such diseased animal and from such milking place shall be destroyed or otherwise disposed of to the satisfaction of the inspecting officer until the milking place is adequately disinfected.

Milkers and Attendants

110. A cow-keeper or dairyman or any other person shall not milk cows or handle vessels used for containing milk for sale, or in any way take part or assist in the conduct of such trade or business if at any time he or she appears to be suffering from any contagious or infectious disease.

111. A cow-keeper or dairyman shall not—

- (a) cause or suffer any person to milk cows or to handle vessels used for containing milk for sale, or in any way to take part or assist in the conduct of such trade or business, unless such person has been certified as fit by a Government medical officer;
- (b) cause or suffer any person, although he or she has been duly certified as aforesaid, who at any time appears to be suffering from any contagious or infectious disease, to milk cows, or to handle vessels used for containing milk for sale, or in any way to take part or assist in the conduct of such trade or business;
- (c) cause or suffer any cow to be milked until its udder and the hands of the milker have been cleaned and the utensils thoroughly cleaned and scalded.

Dairies

112. A dairyman shall not—

- (a) permit any water-closet, earth-closet, privy, cesspool or urinal to be situate within, communicate directly with, or ventilate into any dairy;
- (b) use any dairy, or permit the same to be used, as a sleeping apartment, or for any purpose incompatible with the proper preservation of the cleanliness of such dairy, and of the milk vessels and milk therein, or in any manner likely to cause contamination of the milk therein;
- (c) convey or carry, or permit to be conveyed or carried, through any dairy, any excremental or offensive matter or any soiled bed, body or other clothing;
- (d) wash, or permit any other person to wash, any bed, body or other clothing, or permit the same to be hung up to dry in any dairy;
- (e) carry on within any dairy, any trade or business of such a nature as would tend to contaminate the milk;
- (f) keep milk for sale or storage in any place where it would be liable to become infected or contaminated by gases or effluvia arising from any sewer, drain, cesspit or closet, or by any offensive effluvia from putrid or offensive substances, or by impure air, or by any offensive or deleterious gases or substances;
- (g) permit milk to be stored or carried in lead vessels;
- (h) keep or allow any swine to be or remain in or about any dairy.

Powers of Inspection

113. The members or officers of the sanitary authority, the local authority and the officers thereof, shall at all times have the right of inspecting dairies, pastures, cattle pens and milking places for the purpose of seeing that the provisions of these Regulations are complied with; and all persons refusing admission to any such person or in any way obstructing or impeding any such person or inspection, commits an offence against these Regulations.

Testing Milk; Sale of Bad Milk

114.

- (1) Any person who shall sell or offer for sale as milk or pure milk any adulterated or impoverished milk commits an offence against these Regulations: Provided that this sub-regulation shall not apply to—
 - (a) skimmed milk provided that the receptacle or container in which such milk is sold or offered for sale is conspicuously marked with a name or description indicating that the milk has been so treated; or
 - (b) milk reconstituted by the addition of water or other substance to dried milk powder or to evaporated or condensed milk provided that the manufacturer's directions for reconstituting the milk are adhered to and that the receptacle or container in which the milk is sold or offered for sale is conspicuously marked with a name or description indicating that the milk has been reconstituted.
- (2) The local authority or the officers thereof, any member, inspector, officer or servant of the sanitary authority, the Commissioner of Police, or any medical officer, sanitary officer, justice of the peace or constable may stop any person conveying or having in his or her possession any milk which he or she suspects is intended for sale, and may at all reasonable times enter into any dairy and may examine and test any milk being conveyed or found in such dairy and may take samples thereof.
- (3) The Senior Medical Officer or the Agricultural Superintendent or any other person authorised in that behalf by the sanitary authority may require any dairyman to deliver to him or her a sample of the milk usually offered by him or her for sale for the purpose of testing and classification. On such test having been made and having regard to the quality of such sample, the conditions obtaining in the dairy where the milk has been produced and the manner in which such milk is usually offered for sale a certificate shall be issued signed by the Senior Medical Officer and the Agricultural Superintendent designating the product of such dairy as Class I, Class II, or Class III.
- (4) The sanitary authority, on being satisfied that the product of any dairy has improved or deteriorated, may at any time alter the designation for the time being of such product.
- (5) Every licensee shall, whenever requested so to do by the sanitary authority, furnish within a reasonable time fixed by the sanitary authority, a complete list of all dairies or places from which his or her supply of milk is derived or has been derived during the last 6 weeks.
- (6) It shall not be lawful for any dairyman licensee or other person to offer milk for sale except in Class II unless a certificate of classification in some superior class has been issued to him or her or to the person supplying such milk in respect thereof.
- (7) Any milk which, when tested by a medical officer or a Government veterinary surgeon or other person appointed for the purpose by the Governor General or sanitary authority, does not contain at least 3%, of milk fat, and which fails to satisfy any other test prescribed by the sanitary authority, shall be presumed, until the contrary is proved, to be impoverished or adulterated milk.

- (8) The burden of proving that any milk being conveyed or found in the possession of any person or found in any dairy, was not intended for sale shall be upon the defendant.
- (9) Where any person is charged with having in his or her possession or conveying in any manner any milk which it is suspected has been sold or offered for sale and declares that he or she purchased or received the same from some other person, or that he or she was employed as a carrier, agent, or servant, or to convey the same for some other person, the court is authorised, if practicable, to cause every such other person, and also, if necessary, every former or other person through whose possession such milk has passed, to be brought before it and to examine witnesses upon oath touching the same; and if it appears to the court that any person has had possession of such milk, every such person shall be deemed to have had possession of such milk at the time and place when and where the same was found or seized, and he or she is liable to punishment accordingly.
- (10) Possession by any servant or agent shall be deemed to be the possession of both the owner and the servant or agent.
- (11) Any person who shall obstruct or hinder any person acting under authority of this section commits an offence against these Regulations.

CERTIFICATE UNDER REGULATION 114 (3)

We hereby certify that a sample of milk derived from dairy has been tested in accordance with the provisions of the Public Health Regulations, and the product of such dairy shall be designated Class

This certificate shall be valid till revoked by the sanitary authority or a new certificate has been issued.

Date

Vessels or Containers

115.

- (1) Milk shall only be kept or offered for sale in a receptacle of a pattern approved by the sanitary authority.
- (2) Any such receptacle shall be closed by a well fitting lid properly secured by padlock or other approved means or manner, the milk to be drawn therefrom by a tap or otherwise as may be approved.
- (3) Any licensee or other person who unlawfully opens or tampers with such receptacle or its milk contents commits an offence against these Regulations.
- (4) Milk in transit and intended for sale shall be conveyed in a suitable container closed by a well fitting lid properly secured by padlock or other approved means or manner.

Measures for Sale of Milk

116. Measures for the sale of milk shall be of a material and pattern approved by the sanitary authority.

117. A milk seller must keep his or her measures in a clean and satisfactory condition at all times, and shall not cause or suffer the same to be exposed to infection or contamination.

Penalties

118. Any person contravening any of these Regulations or found guilty of any breach of the same is liable to a penalty not exceeding \$48.

Application of Regulations

119. These Regulations shall apply to the whole Saint Lucia except to such town, district or area as the sanitary authority with the approval of the Governor General may exempt from the operation of the same.

CERTIFICATE UNDER REGULATIONS 90 (b) 91 (b)*

I hereby certify that I have examined
residing at and that ... he is apparently free from any
infectious or contagious disease, and is fit to l she employed in attending on or in milking cows,
or in handling milk vessels.

Date.

* Note! But see now regulation 162 and Schedule.

CERTIFICATE UNDER REGULATION 90 (c)

I hereby certify that I have inspected the dairy belonging to at
..... and that it is in such a condition as to comply with the Public Health
Regulations.

Date.

CERTIFICATE UNDER REGULATION 91 (c)

I hereby certify that I have inspected the milking place and/or cattle pen belonging to
..... at and that it complies with the requirements of the Public
Health Regulations. It is on an approved site and constructed to hold
cows.

Date.

Food Protection

120. Whoever sells, or prepares or offers for sale, as being fit for consumption as food or drink, anything which he or she knows or has reason to believe to be in such a condition, from putrefaction, adulteration, or other cause, as to be likely to be noxious to health commits an offence against these Regulations.

120A.

- (1) Whoever sells or offers for sale for consumption on the premises of any hotel, caf,, restaurant, eating house, club or other place to which the public have access, any article of food or drink shall, immediately before final rinsing in clean water, disinfect the utensil or container in which such article of food is sold or offered for sale, and also any knife, fork, spoon or other instrument used in connection with the consumption of such article of food before such utensil, container or instrument is again used, by immersing it for not less than 3 minutes in a solution containing one part of permanganate of potash in 2,000 parts of water or 2 parts of hypochlorite of soda in 100 parts of water or such other solution as may be approved by the Authority.
- (2) Any person who fails, neglects or refuses to comply with the provisions of paragraph (1) of this regulation commits an offence and is liable on summary conviction to a fine not exceeding \$48.

121. Whoever—

- (a) sells, or offers or exposes for sale, any unwholesome meat, poultry, fish, provisions or drink of any kind;
- (b) keeps the same in any market, store, shop, dwelling-house, building or place;
- (c) offers or exposes for sale any meat, poultry, fish, fruit, provisions, drink or article of any kind, intended for human consumption without seeing that it is adequately protected from the access of flies or dust;
- (d) sells or engages in the preparation or serving of food in any shop, restaurant, boarding house, hotel, or any other place where food is sold or

prepared for sale without being furnished with a certificate, (for which a fee of \$0.24 shall be payable) of a registered medical officer that he or she is in a fit state of health to engage in such occupation,

commits an offence against these Regulations.

122.

- (1) It is lawful for any sanitary officer, officer of the Castries town council or of any town or village council, or police or other constable, on view of any unwholesome meat, poultry, fish, provisions, or drink, forthwith to seize or cause the same to be seized and brought before a medical officer who, or who himself or herself if so qualified, shall certify such unwholesomeness in writing and shall thereupon cause the same to be forthwith destroyed, unless he or she is satisfied that the complaint is unfounded.
- (2) It shall be lawful for any sanitary officer, officer of the Castries Corporation or of any town or village council, or police, or other constable on view of any meat, poultry, fish, fruit, provisions, or drink of any kind whether wholesome or unwholesome, being sold or offered for sale by a person suspected of suffering from an infectious disease, to seize or cause the same to be seized and to cause the vendor to be examined by a medical officer who shall give instructions as to the safe disposal of the article seized.

123. In any proceedings under the 3 preceding regulations the proof that the article was not sold, offered or exposed for sale or kept contrary to law shall be on the person charged.

Clothes Washing in Streams, etc

124. It is hereby prohibited to wash clothes—

- (a) in the Castries River before it reaches the Castries Reservoir, and in any tributary stream thereto which may join the said Castries River before it reaches the said reservoir, and on the banks of the said river or streams;
- (b) in the stream or ravine called "Grognette" or on the banks thereof within a distance of one thousand yards from the junction of the said stream or ravine with the Castries River;
- (c) in any river or stream or other place wherever situate in Saint Lucia and prohibited for the washing of clothes, prohibition of which has been notified by a notice posted at the Police Station of the district concerned.

125. A person shall not put, or cause to be put or to fall or flow or to be carried into any stream, so as to pollute its waters, any noxious or polluting solid or liquid matter or thing.

Keeping of swine

126. A swine shall not be kept within the boundaries of any town.

127. Persons keeping swine outside the boundaries of towns shall keep such swine under such control as may be notified to such persons by the sanitary authority.

128. The walls and the floor of every pig-sty shall be constructed of durable material and the surface of the walls and of the floor shall be rendered impervious to moisture. The floor shall not in any part be below the level of the adjoining ground, and shall be laid out with a proper slope towards a suitable drain-gully of approved construction, placed outside the pig-sty. A properly constructed water-tight roof shall be provided for at least $\frac{1}{3}$ of the area of the pig-sty.

129. A pig-sty shall not be erected within a distance of 50 feet of any dwelling-house or dairy or of any public road, except with the express consent of the sanitary authority previously obtained in writing.

130. Every pig-sty shall be thoroughly cleansed at least once a week and oftener if required by the sanitary authority, so as to prevent such pig-sty from becoming a nuisance, and the owner shall lime-wash the walls if the sanitary authority so requires.

131. The occupier of any premises whereon swine are being kept shall—

- (a) cause the dung thereof to be so buried as to create no mound on such premises;
- (b) adopt all precautions as may reasonably be necessary to prevent the emission of noxious or offensive effluvium arising from such swine dung or sties; and
- (c) shall maintain all swine and sties in a sanitary condition.

Infectious Diseases, Epidemics, etc. Plague, Cholera, Small-Pox, Typhoid, Typhus, Relapsing Fever, and Yellow Fever

132. In these Regulations unless the context otherwise requires—

“**a contact**” means a person who, in the opinion of the medical officer in charge of a patient, has been exposed to infection by or through such patient;

“**district medical officer**” includes the Resident Surgeon of the Victoria Hospital;

“**epidemic**”, “**endemic**”, “**contagious**” or “**infectious disease**” includes plague, cholera, small-pox, typhoid, typhus, relapsing fever or yellow fever or any other disease which may be notified as such;

“**isolation station**” includes any premises, house, room or place in which any patient or contact is isolated;

“**observation station**” includes any premises, house, room, or place in which any contact is placed under observation;

“**patient**” means a person who, in the opinion of a medical officer, presents symptoms of plague, cholera, small-pox, typhoid, typhus, relapsing fever or yellow fever;

“**small pox**” includes Alastrim and other anomalous forms of varioloid disease;

“**typhoid**” includes paratyphoid.

133.

- (1) The owner or occupier of any premises, house or room, on the occurrence therein of any case of plague, cholera, small-pox, typhoid or yellow fever, or of any case showing symptoms of any of those diseases, or any other person who may become aware of the existence of any such case, shall notify the medical officer of the district in which such premises, house or room is situate or the officer in charge of the police station nearest to such premises, house or room, of such case.
- (2) The owner or occupier of any premises, house, or room, on the occurrence therein of any case of chicken pox or of any case showing symptoms of chicken pox or any other person who may become aware of the existence of any such case, shall notify the medical officer of the district in which such premises, house, or room is situate, or the officer in charge of the police station nearest to such premises, house, or room, of such case.
- (3) The officer in charge of a police station upon being so notified shall inform the said district medical officer of such notification.

134. If any medical officer is satisfied that any person presents symptoms of plague, cholera, small-pox, typhoid, yellow fever, typhus or relapsing fever the following steps shall be taken —

- (a) the medical officer shall forthwith notify the Senior Medical Officer;

- (b) he or she shall cause the patient to be isolated in the same premises, house or room in which the patient then is, if, in his or her opinion, such premises, house or room is so situated as to permit of the effectual isolation of the patient, until he or she is satisfied that the patient is no longer infectious; if in his or her opinion the patient cannot be effectually isolated in such premises, house or room, he or she shall cause the patient to be removed to an Isolation Station or in the case of typhoid to a general hospital and there isolated until the medical officer in charge of such Station or hospital is satisfied that the patient is no longer infectious;
- (c) he or she shall cause the immediate attendants of any such patient to be isolated in the same premises, house or room with the patient or in some other Isolation Station, as he or she shall think fit.

The period of isolation of such attendants shall be as follows —

Where the patient presents symptoms of plague	6 days.
Where the patient presents symptoms of cholera	5 days.
Where the patient presents symptoms of smallpox	14 days.
Where the patient presents symptoms of yellow fever	6 days.
Where the patient presents symptoms of typhus	14 days.
Where the patient presents symptoms of relapsing fever	8 days;

- (d) he or she shall cause contacts, other than the patient's immediate attendants, to be isolated for the aforesaid respective periods in the isolation station, or placed under observation for the same periods in the Observation Station unless he or she is satisfied that they are immune;
- (e) he or she shall cause the clothes of all patients and contacts, and all articles which, in his or her opinion, have been infected by patients or contacts, to be disinfected or destroyed as he or she shall think fit;
- (f) he or she may cause all contacts to be immunised;
- (g) paragraphs (c) and (d) shall not apply to cases of typhoid fever.

134A

- (1) If any medical officer is satisfied that any person presents symptoms of tuberculosis, meningococcal infection, anthrax, leprosy or rabies he or she shall notify the Senior Medical Officer, giving the name and address of such person.
- (2) Every medical officer shall at the end of each week notify the Senior Medical Officer of the number of cases seen by him or her during that week of the following diseases:
 - Acute poliomyelitis.
 - Amoebiasis.
 - Bacillary dysentery.
 - Dysentery (other forms).
 - Chicken pox.
 - Influenza.
 - Malaria.
 - Measles.
 - Ophthalmia neonatorum.
 - Whooping cough.
- (3) At the end of each month every medical officer shall notify the Senior Medical Officer of the number of deaths which to his or her knowledge

have occurred during the month from any of the diseases mentioned in this and in the preceding section of these Regulations.

- (4) Every medical practitioner who sees professionally any person whom he or she suspects to be suffering from malaria shall take or cause to be taken from such person a blood film which he or she shall send to the Victoria Hospital Laboratory for examination. For every such blood film found to contain malaria parasites in the sexual or asexual form the medical practitioner concerned shall be paid by Government a fee of \$1.

135. Patients and contacts shall be visited daily by a medical officer, except in cases of typhoid fever.

136. Except in cases of typhoid fever, a contact may be liberated or exempted from isolation, but subject to surveillance, at the discretion of the medical officer in charge. Before so liberating or exempting a contact a medical officer must be satisfied that it is reasonably probable that the contact will duly comply with the conditions of surveillance, and such liberation or exemption shall be subject to the following conditions—

- (a) the contact must give the medical officer his or her full name and the address of his or her usual place of abode;

- (b) the period of surveillance shall be—

In the case of plague	6 days.
In the case of cholera	5 days.
In the case of small-pox	14 days.
In the case of yellow fever	6 days.
In the case of typhus	14 days.
In the case of relapsing fever	8 days

- (c) during surveillance the contact must reside at such place and remain within such area as the medical officer shall prescribe;

- (d) during surveillance the contact must present himself or herself to the medical officer for medical supervision at such place and at such hour and so many times daily as the medical officer shall direct;

- (e) the medical officer may require the contact to deposit with him or her a sum not exceeding \$9.60 which sum may, at the discretion of the medical officer, be forfeited if the contact shall fail to comply in any particular with the terms of the last preceding condition in paragraph (d) above; and such forfeiture shall be in addition to any penalty which the contact may incur for any breach of this regulation;

- (f) if, after such liberation or exemption, the contact shall, in the opinion of the medical officer, fail to comply in any particular with any of the above conditions, the medical officer may, in addition to the forfeiture aforesaid, cause the contact to be placed and detained in isolation for the remainder of the period prescribed in regulation 134(c) above.

137. The medical officer in charge may cause necessities to be provided for persons in isolation or under surveillance, if, in his or her opinion, they are unable to do so on account of poverty or other good cause.

138. Patients shall be under the care and direction of the medical officer in charge, who shall see to the general sanitary management of each case, to the disinfection of infected houses and articles and to the disposal of all discharges.

139. If plague, cholera, small-pox, typhoid or yellow fever becomes epidemic, a house to house inspection of the infected district shall be made daily by sanitary inspectors, who shall report to the district medical officer any case of illness found, and they shall also send general reports of such inspections to the district medical officer at such times as he or she shall direct.

140.

- (1) In the event of death from any epidemic, endemic, contagious or infectious disease, the head of the household or occupier of the building in which the death occurred, or the person last in charge of the deceased as the case may be, shall give notice of the death at the nearest police station, and such person shall be responsible that the body shall be wrapped in a sheet soaked in a disinfectant approved by a medical officer, and shall be placed in a wooden coffin, and shall be removed as soon as practicable to a place appointed by the Governor General for the burial of persons dying from such diseases, or to any place for burial at any time as prescribed by a medical officer in a grave unless otherwise prescribed, not less than eight feet in depth and in quick lime if possible.
- (2) A grave in which the body of a person dying from any such disease shall have been buried shall not be re-opened for any reason whatsoever, except by the order of a coroner or other lawful authority.
- (3) Holding of "wakes" and exposure of the corpse of any person who has died from any epidemic, endemic, contagious or infectious disease to visitors at the house, room, yard or mortuary is prohibited.
- (4) These Regulations are in addition to and not in derogation of any statutory provision or regulation governing burials in such cases, or the giving of any notice or information concerning death to a District Registrar of Civil Status or otherwise.

141.

- (1) A person, unless authorised by a medical officer in charge, shall not enter any premises, house or room, in which a death from plague, cholera, small-pox, typhoid or yellow fever has occurred before the same shall have been disinfected.
- (2) Any person so entering is liable to be treated as a contact in addition to any penalty which he or she may incur for a breach of this regulation, except in cases of typhoid fever.

142. Every medical officer shall have power, if he or she deems it necessary, to make an anatomical examination of the body of any person whom he or she suspects to have died of plague, cholera, small-pox, typhoid or yellow fever.

143. For the purpose of destroying mosquitoes, a district medical officer shall have power to take any steps he or she may deem necessary for disinfecting by fumigation or otherwise, and for screening, any house or premises within his or her district in which a patient suspected of having yellow fever had been or is, or any other houses or premises which, in his or her opinion, are within the range of infection from such house or premises.

144. The medical officer shall have power, with the approval of the Governor General, to order the evacuation of any houses or premises which, in his or her opinion, are within the range of infection from such house or premises.

145. All houses, premises or places where patients are isolated shall be guarded by the Police, whose duty it shall be to enforce such isolation; and no person whatsoever, except the medical officer in charge or such other person as may be authorised by him or her, shall enter or quit any such house, premises or place, provided that any member of the clergy refused admission shall have the right of appeal to the Senior Medical Officer.

146. If on any trial any question shall arise whether any person is a district medical officer or a medical officer in charge of an isolation station or of a patient or contact, his or her own evidence thereof, or any other evidence of his or her having acted as such, shall be sufficient.

147. The sanitary authority may declare as a prohibited area any town or place where an infectious disease has occurred.

When such declaration has been made, the sanitary authority may prescribe in writing as to all or any of the following matters—

- (a) to inspect and grant passes to persons travelling by air, sea, or land from such place where the infectious disease has occurred;
- (b) to establish a cordon round any place where an infectious disease has occurred or otherwise prevent persons departing from or going to any such place;
- (c) to give power to any justice of the peace, police, or rural constable or any servant of the sanitary authority to arrest without warrant any person who may leave, attempt to leave or enter any place which has been declared to be a prohibited area.

148. The sanitary authority may at any time prescribe by notice to be published, save in emergency, in the Gazette—

- (a) for making it compulsory for all persons to be vaccinated and fixing the conditions under which the same shall be performed. Provided that any person who shall be certified by a medical officer to be medically unfit for vaccination shall be exempt therefrom for such period as may be stated in such certificate;
- (b) for fixing the towns, villages and places in which vaccination shall be compulsory.

The sanitary authority may on the arrival in Saint Lucia of any person or persons from any place without Saint Lucia where any disease is known to be prevalent give directions to such person or persons for the safeguarding of the public health. Failure to comply with such directions shall be deemed to be an offence against these Regulations.

149. The owner or occupier of any premises, house, or room, on the occurrence therein of any case of tuberculosis, relapsing fever, typhus fever, dysentery, cerebro-spinal fever, acute poliomyelitis (infantile paralysis), influenza, or pneumonia, or of any case shewing symptoms of any of those diseases, or any other person who may become aware of the existence of any such case, shall notify the medical officer of the district in which such premises, house or room is situate, or the officer in charge of the police station nearest to such premises, house, or room, of such case. The Senior Medical Officer is hereby authorised and he or she shall have power to issue directions through a sanitary officer or otherwise, in accordance with the circumstances of each case notified, which directions shall be carried out by all persons to whom they shall be communicated and by all persons concerned.

150.

- (1) It shall be lawful for the Governor General whenever it is considered necessary to do so in order to prevent the spread of any disease to issue orders or directions for the closing of schools or other institutions, places of public entertainment or other places where gatherings of persons take place, or for the cessation of holding church services, or meetings of societies or other associations, or other public gatherings during such period and under such conditions, if any, as he or she may be advised and until the danger of the spread of such disease in such cases is considered to be past.
- (2) Every person who contravenes any such order or directions—
 - (a) after publication thereof in the Gazette;
 - (b) issued to him or her after the same shall have been brought to his or her notice, shall on summary conviction be liable to a penalty of \$48.

Destruction of Rats

151.

- (1) When the sanitary officer is satisfied that any premises provide haunts for rats or are infested with rats, he or she may require the occupier or owner

of the premises, by notice in writing, to take such steps as he or she may prescribe in such notice, after the expiration of 24 hours from the service of the notice and within such time as may be stated in the notice, for the purpose of ridding the premises of rats and of abolishing their haunts.

- (2) After the expiration of such 24 hours, if the notice has not been complied with, the sanitary officer may thereupon cause such steps to be taken for the purposes aforesaid as he or she may deem necessary, without any further notice; and any expenses incurred in taking such steps may be recovered by the health officer before a district court as a debt from the occupier or owner failing to comply with such notice. The payment of such expenses shall not exempt the defaulting occupier or owner from any penalty prescribed for non-compliance with such notice.
- (3) Any such notice may be served by delivering the same or a true copy thereof—
 - (a) to the occupier or owner of the premises;
 - (b) to some adult person on the premises; or
 - (c) if no adult person is found on the premises, by posting such notice or a true copy thereof on some conspicuous part of the premises.
- (4) It shall be sufficient if the occupier or owner of premises is designated in any notice under this regulation as the "Occupier," or "Owner", without name or further description.
- (5) For the purpose of taking such steps as aforesaid the sanitary officer may act through any agent or servant authorised by him or her in writing generally in that behalf: and if premises are locked or otherwise secured against entrance they may be unlocked or opened by force, if necessary, by the sanitary officer or by any person specially authorised by him or her in writing in that behalf.
- (6) In the application of this regulation to any premises which consists of land more than 50 yards from a dwelling house or building the sanitary officer may, at his or her discretion, cause the steps aforesaid to be taken without previous notice, and in such case neither the occupier nor the owner is liable for the payment of any expenses incurred in taking such steps.

152.

- (1) The person in possession of any tree within—
 - (a) an area including the City of Castries and extending to a distance of one half of a mile from the boundaries of that town; and
 - (b) an area extending to a distance of $\frac{1}{2}$ mile from the shores of the Harbour of Castries, provided that the wharves of the Harbour shall not be deemed to be included in the expression "shores";
 - (c) the boundaries of any other town,shall cause to be placed around the trunk thereof a band of tin or zinc in such a condition and manner as to render the tree inaccessible to rats, and shall cause any such tree to be trimmed, within 24 hours after the service upon him or her of a notice from the sanitary officer requiring him or her so to do.
- (2) The sanitary officer may cause to be cut down or trimmed any such tree which is not duly provided with such a band, or is not trimmed, in accordance with such notice.

153. A person shall not disturb or in any way interfere with any rattrap or other appliance set anywhere for the purpose of catching or destroying rats, or any band of tin or zinc around the trunk of any tree within the above areas.

154. The sanitary officer, his or her authorised agents and servants, and all members of the sanitary authority may enter any premises or any part thereof between the hours of 7:00 a.m. and 6:00 p.m. for the purpose of examining the same to ascertain whether such premises are infested with rats or provide haunts for rats, and generally for the purpose of carrying out these Regulations : Provided that it shall be lawful for the sanitary officer and other such persons aforesaid to enter any premises (other than dwelling rooms) up to the hour of 9 p.m. for the purpose of setting or removing rat-traps or other appliances for catching or destroying rats.

155. In the above regulations numbered 151 to 154—

“**haunts of rats**” includes any rat-hole, drain, accumulation of garbage or refuse matter, or any place or thing which in the opinion of the sanitary officer is likely to harbour rats;

“**premises**” includes land, houses, stores, warehouses, shops, buildings or structures of any kind, banks and beds of rivers, streams, drains or ditches, and also includes vessels lying in any harbour or bay in Saint Lucia: Provided that with regard to vessels coming from without Saint Lucia no steps shall be taken which are contrary to the provisions of any law in force relating to quarantine.

Power of Entry

156.

- (1) Without prejudice to any provision for the purpose of carrying out any of the objects of these Regulations the sanitary authority, any person duly authorised by the sanitary authority, any sanitary officer, or any medical officer may enter between the hours of 7:00 in the morning and 6:00 in the afternoon, after one hour's notice previously given, into any dwelling-house and may enter at all reasonable hours, including all hours during which business in any premises is in progress or is usually carried on, any warehouse, store, shop, bakehouse, slaughterhouse, aerated water factory, cellar, stable, outbuilding, yard, lands or other premises whatever.

157. The provisions of these Regulations shall apply to every ship, vessel, boat, tent, van, shed or similar structures used for human habitation in like manner as nearly as may be as if it were a building.

Reservation of Rules for Towns and Villages

158. Nothing in these Regulations shall interfere with the operation of any rule, regulation or by-law, duly made under statutory authority, for the management, order and good government of any town or village.

Miscellaneous

159. Any person who spits in a public place commits an offence against these Regulations.

160. Any person suffering from any dangerous or infectious or contagious disease or sore or other form of disease, who, in the opinion of the sanitary authority duly certified by the chairperson in writing is without proper lodging or accommodation, may, on a certificate signed by a medical officer be removed by order of a magistrate of the district court to any hospital or other institution situated within Saint Lucia.

161. The importation into Saint Lucia of any used or second hand article of clothing, including footwear and headwear, other than the personal effects of a person entering Saint Lucia, is prohibited unless such article is accompanied by a certificate of disinfection and dis-insectation as shall be approved by the Authority.

162. Despite anything in these Regulations, from and after July 1956 every medical certificate of health and fitness required under these Regulations shall have affixed to it a passport photograph of the holder and shall be in the form prescribed in the Schedule to these Regulations: Subject to the provisions of regulation 163 of these

Regulations, every such medical certificate shall be renewed in the months of January and July of each year.

163.

- (1) If it appears to any local authority that any person who under these Regulations is required to be in possession of a certificate of health and fitness, is suffering from any infectious or contagious disease or is not in a fit state of health the local authority may call upon the person suspected of disease or unfitness to procure from a medical practitioner a certificate of health and fitness, although such person may possess such a certificate issued within the preceding 6 months.
- (2) A person so called upon shall, until he or she furnishes to the local authority a satisfactory medical certificate of health and fitness, cease to engage in his or her trade, business or employment and in the case of an employee it shall be lawful for his or her employer to suspend him or her immediately and to give him or her notice of dismissal in accordance with the terms of any contract or prevailing trade custom or usage.

Schedule

CERTIFICATE OF HEALTH AND FITNESS.

PUBLIC HEALTH REGULATIONS.

I hereby certify that (a) of (b) whose photograph is attached hereto is free from infectious or contagious disease and fit to be employed as a (c)

Date

.....
Medical Practitioner.

RENEWALS.

This certificate is renewed until the date indicated below:

PHOTOGRAPH
OF
HOLDER

Renewed to (d)	Signature of (e) Medical Practitioner	Renewal to (d)	Signature of (e) Medical Practitioner

-
.....
Signature of Holder
- (a) Name of Holder.
 - (b) Address of Holder.
 - (c) Trade or business of Holder.
 - (d) 30 June or 31 December as case may be and insert year.
 - (e) Signature of Medical Practitioner renewing Certificate.

Public Health (Disposal of Corpses Brought Into Saint Lucia) Regulations – Section 22

(Statutory Instrument 1/1935)

Statutory Instrument 1/1935 .. in force 19 January 1935

PUBLIC HEALTH (DISPOSAL OF CORPSES BROUGHT INTO SAINT LUCIA) REGULATIONS – SECTION 22

Commencement [19 January 1935]

1. The dead body must be delivered here in an impermeable coffin.
2. The body must be accompanied by a death certificate.
3. It shall be the duty of the master of every ship which has brought a dead human body into any port of Saint Lucia to give notice of that fact to the Harbour Master immediately after such officer has boarded such ship.
4. It shall be the duty of the Harbour Master to inform the sanitary authority through the port health officer of the arrival in Saint Lucia of a dead human body, and the person to whom the dead body is consigned.
5. The master of the ship shall not deliver such dead body to any person other than the sanitary authority or some person authorised by the sanitary authority.
6. Subject as hereinafter provided—
 - (1) The sanitary authority shall take control of such dead body brought into any port of Saint Lucia from some other Saint Lucia or country and shall cause it to be immediately conveyed to a public mortuary or other place sanctioned by the Senior Medical Officer and no such body shall be removed from such mortuary or other place except for the purpose of being buried in the nearest public cemetery.
 - (2) The coffin containing any such dead body may not be opened.
7. If the Senior Medical Officer is satisfied upon a report from the port health officer that the burial of any such dead body in some cemetery other than the nearest as aforesaid, or the opening of the coffin, involves no risk of communicating infectious disease or of spreading infection, he or she may grant permission in writing either for (a) removal for burial to some other specified cemetery; or (b) opening the coffin; or (c) both such removal and opening.

Public Health (Mosquito Control) regulations – Section 22 (Statutory Instruments 1/1935, 26/1960 and 18/2020)

Statutory Instrument 1/1935 .. in force 19 January 1935

Amended by S.I. 26/1960 .. in force 15 October 1960

Amended by S.I. 18/2020 .. in force 24 February 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Appointment by Governor General
4. Members of the service to spray or inspect all premises
5. Action as regards foodstuffs and lights before spraying
6. Inspection and spraying of unoccupied premises
7. Where the occupier wilfully absents himself or herself from the premises for the purpose of preventing the spraying thereof
8. Vessels containing water for domestic use to be placed in accessible positions
9. Owner or occupier of premises to render receptacles mosquito-proof
10. Inspection of covered drains and sewers
11. Receptacles used for holding drinking water for animals
12. Provisions as regards wells

13. Powers of members of the service
 14. Inspection cards may be affixed to tanks or vats
 15. Inspection of roof-gutters
 16. Declaration as to adequate supply of potable water in any area
 17. Retention of water on buildings
 18. Cemeteries
 19. Offences
 20. Penalty
-

PUBLIC HEALTH (MOSQUITO CONTROL) REGULATIONS – SECTION 22

Commencement [24 January 1953]

1. Citation

These Regulations may be cited as the Public Health (Mosquito Control) Regulations.

2. Interpretation

In these Regulations—

“**Chief Officer**” means the officer appointed by the Governor General under regulation 3(1) to direct the service;

“**inspect premises**” means to inspect premises to ascertain the presence of mosquitoes and to examine any water in or upon any premises whether contained in a receptacle, or not for the purpose of ascertaining whether it contains any of the immature stages of the mosquito;

“**member of the service**” includes the Chief Officer, any medical officer, any supervisor, any field technician, any chief inspector, any supervising inspector, any section leader, any inspector, any operator and any other officer appointed under regulation 3(1);

“**operator**” means any person employed to spray premises by mechanical means;

“**Service**” means the Mosquito Control Service established in Saint Lucia;

“**spray premises**” means to treat all buildings, and any other structure, and their contents with Dichloro Diphenyl Trichlorethane or any other form of insecticide ordered by the Chief Officer;

“**unoccupied premises**” includes vacant premises and any premises the occupants of which are temporarily absent there from for a period of not less than 5 days.

3. Appointment by Governor General

(1) The Governor General may appoint a Chief Officer to direct and control the service and may also appoint such medical officers, supervisors, sanitary inspectors, field technicians, operators, section leaders, supervising inspectors and other officers as may be necessary to perform such duties as may be required in connection with the operation of the service.

(2) The duties of any officer (other than the Chief officer) appointed in under subregulation (1) shall be defined by the Chief Officer.

4. Members of the service to spray or inspect all premises

It shall be the duty of members of the Service to spray all premises and their contents when ordered by the Chief Officer or any medical officer, and to inspect all

premises and all articles likely to contain water found in or upon such premises between the hours of 7:00 a.m. and 6:00 p.m., or in the case of business premises, during such hours as the business is in progress.

5. Action as regards foodstuffs and lights before spraying

When notified that premises are to be sprayed, the occupiers shall before the time fixed for spraying, remove all foodstuffs, clothing, and other items which they have been warned may be damaged by spraying, but not including mosquito nets, mattresses, bedding and food safes which shall be sprayed, and shall put out all fires and naked flames until the process of spraying is complete.

6. Inspection and spraying of unoccupied premises

(1) Unoccupied premises which a member of the service is unable to enter because—

- (a) the holder of the keys thereof is not known to him or her; or
 - (b) the holder of the keys thereof neglects, refuses, or unreasonably delays to unlock the said premises when required so to do by the said member,
- shall be placed under seal.

(2) The Chief Officer, or a medical officer, or a supervisor, may, at his or her discretion, direct in writing any member of the Service to enter any unoccupied premises for the purpose of spraying or for inspection, and such member shall thereupon enter, inspect or spray the said premises in the presence of a police constable.

(3) Immediately after such inspection or spraying, the premises shall be placed under seal by the member authorised to make the entry.

(4) Except with the written approval of the Chief Officer or of a medical officer, or of a supervisor, a person shall not enter any premises placed under seal in accordance with the provisions of this regulation.

7. Where the occupier wilfully absents himself or herself from the premises for the purpose of preventing the spraying thereof

(1) If any occupied premises cannot be sprayed because the occupier is absent when the premises are visited by the spraying team, the person in charge of the spraying team shall affix to some conspicuous part of the premises a notice of his or her intention to spray the premises at some specified time not being earlier than 3 days from the date of the first visit.

(2) If the occupier is again absent at the time specified in the notice the person in charge of the spraying team shall apply to the Chief Officer for further directions.

(3) If after reasonable enquiry the Chief Officer has cause to believe that the occupier has wilfully been absents himself or herself from the premises merely for the purpose of preventing the spraying of the premises, the Chief Officer may in writing authorise the spraying team to enter the premises, by force if necessary and to spray the premises, in the presence of a police constable, or of a rural constable.

(4) The spraying team shall leave all household articles in more or less the same position and in the same condition as they were when the premises were entered.

(5) The person in charge of the spraying team shall affix a notice signed by himself or herself and the police constable, or the rural constable, to some conspicuous part of the premises stating that the premises have been sprayed and the date on which the spraying was carried out.

(6) The person in charge of the spraying team shall repair any damage caused to the premises in making an entry by force.

(Inserted by S.I. 26/1960)

8. Vessels containing water for domestic use to be placed in accessible positions

(1) The owner or occupier of premises shall place all tanks, drums, vats, barrels, or other receptacles intended for the storage of water in such positions that they are reasonably accessible for inspection of their contents.

(2) All wall-tanks shall be placed not less than 6 inches from the nearest wall and not less than 15 inches from the nearest part of the ceiling or roof.

Provided that automatic flushing tanks may be affixed to or placed within 6 inches of a wall, if inspection of the contents thereof is reasonably convenient.

9. Owner or occupier of premises to render receptacles mosquito-proof

When a member of the service has completed his or her inspection of the contents of any tank, drum, vat, barrel, or other receptacle, the owner or occupier of the premises shall render such receptacle mosquito-proof.

10. Inspection of covered drains and sewers

(1) Each covered drain shall be provided with an inspection chamber which shall be placed in a position which is easily accessible for the purposes of inspection.

(2) All sewer-traps shall be placed in positions which are easily accessible for the purpose of inspection.

11. Receptacles used for holding drinking water for animals

All receptacles used to provide drinking water for animals or poultry shall be such as can be quickly and completely emptied at any time.

12. Provisions as regards wells

All wells shall be rendered and kept mosquito-proof or permanently stocked with larvivorous fish of a species to be approved by the Chief Officer.

13. Powers of members of the Service

If any member of the Service finds any mosquito in its aquatic stages in any water or in any receptacle containing water, he or she shall, according to his or her judgment and the circumstances of the case—

- (a) apply the larvicide used by the Service; or
- (b) require the occupier of the premises to stock the water with larvivorous fish of a species approved by the Chief Officer; or
- (c) render the receptacle, if it be of little or no commercial value, incapable of holding water.

14. Inspection cards may be affixed to tanks or vats

Any member of the Service may affix a card or other document to any tank or vat, or in any inconspicuous position on the premises for the purpose of recording notes of any inspection of a tank or other receptacle containing water, and any person who removes or defaces any such card or document commits an offence under these Regulations.

15. Inspection of roof-gutters

(1) Roof-gutters shall have a sufficient capacity and fall to ensure that the rain water will not be retained at any point.

(2) If any member of the Service finds mosquitoes in their aquatic stages in water collected in a roof-gutter he or she shall give notice thereof in writing to the owner or occupier of the premises or other person responsible for the maintenance of the roof-gutter, and such notice shall require the person on whom it is served to take action within the time specified in the said notice to prevent mosquito larvae from being in the roof-gutter.

(3) If action be not taken within the time specified in the said notice to prevent mosquitoes in their aquatic stages being in the roof-gutter, and if mosquito larvae are again found in the roof-gutter, any member of the Service shall have power to take such action as may be required to prevent mosquito larvae from being in the roof-gutter.

(4) Owners or occupiers of premises shall keep trimmed and free from mosquito larvae all trees, shrubs, hedges, and plants, and prevent all trees and shrubs from overhanging roof-gutters on his or her or any other person's premises.

(5) If in the opinion of a member of the Service the owner or occupier of premises is keeping the same in a condition which is not in accordance with the provisions of the preceding paragraph, he or she shall serve a notice upon the said owner or occupier requiring him or her within the time specified therein to carry out the terms of the said notice, and on failure of the said owner or occupier to comply with the terms of the said notice, he or she commits a breach of these Regulations, and any member of the Service may take such steps as may be required to trim trees or render the said premises free from mosquito larvae or otherwise secure compliance with the provisions of the said paragraph.

16. Declaration as to adequate supply of potable water in any area

(1) The sanitary authority may for the purpose of these Regulations, declare by resolution published in the Gazette and 2 local newspapers that an adequate supply of potable water exists in any area of Saint Lucia described in the resolution, and may, by a like resolution, cancel or vary any such declaration.

(2) Where a declaration under subregulation 15(1) is in force in respect of any area—

- (a) no water shall, in any part of such area, be stored in barrels, tubs, tins or similar vessels;
- (b) where a member of the Service finds, in water so stored, mosquitoes in their aquatic stages, he or she may cause the barrel, tub, tin or similar vessel in which the water is stored, to be made incapable of holding water.

(3) Where no declaration under subregulation 15(1) is in force in respect of any area, the following provisions shall apply to such area—

- (a) water may be stored in barrels, large vessels, or other similar water containers;
- (b) such barrels, large vessels, or other similar containers shall conform to models approved from time to time by the Service for the purpose of such storage;
- (c) such barrels, large vessels, or other similar water containers, where used for storing water, shall be mosquito-proofed or kept constantly stocked with larvivoracious fish provided and maintained by the occupier of the premises, such fish being of a species approved by the Service;
- (d) artificial ponds, lakes, and basins which contain water shall be stocked with larvivoracious fish provided and maintained by the occupier of the premises, such fish being of a species approved by the Service.

17. Retention of water on buildings

(1) No part of any building shall be so constructed as to be capable of retaining water.

(2) The owner of any building upon being notified in writing that any part of the building is capable of retaining water, shall forthwith cause that part of the building to be rendered incapable of retaining water.

18. Cemeteries

(1) Flower vases, jars, jardinières and other ornamental articles in cemeteries shall not be allowed to contain water.

(2) Any such receptacle shall be permanently filled with sand.

(3) Mausoleums, vaults, and burial urns shall be maintained in such a condition as to render them incapable of collecting water.

(4) The owner or person in charge of a cemetery shall be responsible for ensuring that water does not collect in excavations or tombs therein.

19. Offences

Any person who hinders or obstructs a member of the Service while acting in the execution of his or her duty commits an offence against these Regulations.

20. Penalty

A person who breaches these Regulations is liable to a penalty not exceeding \$5,000 and in the case of a continuing breach to a penalty not exceeding \$250 for each day during which such breach continues. *(Amended by S.I. 18/2020)*

Public Health (Public Health Hazard) Regulations – Section 9

(Statutory Instrument 25/2020)

Statutory Instrument 25/2020 .. in force 9 March 2020

ARRANGEMENT OF REGULATIONS

1. Citation
2. Interpretation
3. Requirement for report in writing
4. Information on public health hazard
5. Investigation of report
6. Notification when matter is not a public health hazard
7. Risk assessment
8. Communication of results of risk assessment
9. Obligation to determine or develop management plan
10. Failure to follow management plan
11. Notification of other government department or agency
12. Signage
13. Penalty

PUBLIC HEALTH (PUBLIC HEALTH HAZARD) REGULATIONS – SECTION 9

Commencement [9 March 2020]

1. Citation

These Regulations may be cited as the Public Health (Public Health Hazard) Regulations.

2. Interpretation

In these Regulations —

“**Act**” means the Public Health Act;

“**public health officer**” means a public officer appointed under section 7 of the Public Health Act;

“**management plan**” means a plan determined or developed by the owner or occupier of premises to prevent, remedy or mitigate a public health hazard and to identify or remove the source of the public health hazard;

“**reported public health hazard**” means a report of a public health hazard under regulation 3 or 4.

3. Requirement for report in writing

A public health officer may require a person reporting the belief of the existence of a public health hazard to provide the report in writing.

4. Information on public health hazard

A public health officer who believes that a person has engaged or is engaging in an activity which may result in a public health hazard may instruct the person in writing to provide the public health officer with information with respect to the activity and the action the person is taking or has taken to ensure that a public health hazard does not occur.

5. Investigation of report

(1) A public health officer shall investigate a report of a public health hazard to determine whether a matter is a public health hazard.

(2) In determining whether a matter is a public health hazard, a public health officer shall consider —

- (a) the number of people that are or may be affected by the matter;
- (b) the nature and seriousness of the public health risk that could arise from the matter;
- (c) precautions that the person responsible for the matter is taking or has taken to avoid or minimize an adverse effect or potential adverse effect; and
- (d) additional factors that the public health officer considers relevant.

6. Notification when matter is not a public health hazard

If a public health officer reasonably believes that a reported matter is not a public health hazard, the public health officer shall —

- (a) notify the reporting person of the public health officer’s determination; and
- (b) inform the reporting person of other options that are available to deal with the matter.

7. Risk assessment

(1) If a public health officer reasonably believes that a reported public health hazard exists, the public health officer may conduct or cause a risk assessment to be conducted.

(2) A risk assessment may include —

- (a) an identification of the level of exposure to the public health hazard that is likely to cause an adverse effect;
- (b) an estimate of the risk to the public of exposure to the public health hazard, taking into consideration the magnitude, duration and frequency of exposure;
- (c) the number of people that are or may be affected by the public health hazard; and
- (d) the degree to which exposure to the public health hazard would affect the public health.

8. Communication of results of risk assessment

On the completion of a risk assessment, a public health officer shall establish a communication process to inform an affected person or a community —

- (a) of the outcome of the risk assessment; and
- (b) if a risk is determined to exist, the strategies for managing the risk.

9. Obligation to determine or develop management plan

(1) If an owner or occupier of premises reasonably believes that a reported public health hazard exists, the owner or occupier of the premises shall determine or develop a management plan for the public health hazard.

(2) A management plan must be determined or developed in accordance with procedures or guidelines approved by the Chief Medical Officer.

(3) An owner or occupier of premises shall not determine or develop a management plan without first having conducted a risk assessment.

(4) On determining or developing a management plan for a public health hazard, the owner or occupier of the premises shall provide the management plan to —

- (a) a person who is or appears to be responsible for the —
 - (i) condition of the premises,
 - (ii) substance, thing, plant, animal or organism other than a human on the premises,
 - (iii) solid waste, liquid or gas on or emanating from the premises,
 - (iv) radiation, noise, vibration or heat on or emanating from the premises,
 - (v) noxious or deleterious emissions on the premises, or
 - (vi) activity in or on the premises; and
- (b) a public health officer for review.

(5) In this regulation, “premises” means a location at which a public health hazard is determined by a public health officer to exist.

10. Failure to follow management plan

A person who fails to manage, remedy, mitigate or remove a public health hazard in accordance with a management plan determined or developed under regulation 9(2) contravenes these Regulations.

11. Notification of other government department or agency

(1) If responsibility for a public health hazard is assigned to a government department or agency other than the Ministry responsible for health, a public health officer shall —

- (a) advise a person reporting the public health hazard to notify the government department or agency; and
- (b) notify the other department or agency directly, about the public health hazard.

(2) At the request of a government department or agency that is responsible for a public health hazard, a public health officer may advise or consult with the department or agency about the public health hazard.

12. Signage

(1) A person shall not interfere with or obstruct a public health officer in displaying or requiring the display of signage on premises.

(2) A person shall not remove, conceal or mutilate signage without the authority of a public health officer.

(3) If signage is removed, concealed or mutilated without the authority of a public health officer, the occupant or owner of the premises where the signage was displayed shall immediately notify a public health officer.

13. Penalty

A person who contravenes these Regulations commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both fine and imprisonment.

Public Health (Body Art Facility) Regulations – Section 9

(Statutory Instrument 57/2020)

Statutory Instrument 57/2020 .. in force 14 April 2020

ARRANGEMENT OF REGULATIONS

- 1. Citation
- 2. Interpretation
- 3. Non-application
- 4. Requirement for a licence
- 5. Application for licence
- 6. Grant or refusal of application
- 7. Issue of licence
- 8. Duration of licence
- 9. Renewal of licence
- 10. Display of licence
- 11. Non-transferability
- 12. Suspension and revocation
- 13. Register
- 14. Certificate of health
- Schedule 1
- Schedule 2

PUBLIC HEALTH (BODY ART FACILITY) REGULATIONS – SECTION 9

1. Citation

These Regulations may be cited as the Public Health (Body Art Facility) Regulations.

2. Interpretation

(1) In these Regulations —

“**body art facility**” means premises at or in which a body art service is offered or carried out;

“**body art service**” means the act of permanently or semi-permanently altering the body for non-medical reasons for the purpose of cultural, artistic or self-expression reasons by —

- (a) branding;
- (b) piercing; or
- (c) tattooing;

“**contamination**” means the presence of an infectious, chemical or physical agent on a body surface, inanimate object or other surface;

“**communicable disease**” means —

- (a) a disease under the Public Health (Communicable and Notifiable Diseases) Regulations;
- (b) due to a specific infectious agent or its toxic products, that arises through the transmission of that agent or its toxic products —
 - (i) directly or indirectly from an infected person or animal, or
 - (ii) directly or indirectly through a person, animal or plant carrying the disease, an inanimate object or the environment;

“**dental practitioner**” means a person who is registered and holds a practicing certificate under the Health Practitioners Act as a General Practitioner Specialist Practitioner or a Temporary Practitioner for the purpose of practicing dentistry;

“**dwelling**” means a building or a portion of a building that is occupied and used as a residence and includes a house, condominium, apartment, cottage, mobile home, trailer or boat that is occupied and used as a residence;

“**licence**” means a licence issued under regulation 7;

“**licensee**” means a person who holds a licence;

“**medical practitioner**” means a person who is registered and holds a valid practicing certificate under the Health Practitioner’s Act as a General Practitioner, Specialist Practitioner or a Temporary Practitioner for the purpose of practicing medicine;

“**notifiable disease**” means a disease under the Public Health (Communicable and Notifiable Diseases) Regulations;

“**occupier**” means an occupier at common law, and includes a person who —

- (a) is in physical possession of premises; or
- (b) has responsibility for, and control over, the condition of premises, the activities conducted on the premises or the persons allowed to enter the premises,

and, for the purpose of these Regulations, there may be more than one occupier of the same premises;

“premises” means a place, an area, a structure or building, including a mobile, stationary, temporary or permanent facility or a temporary or permanent location.

(2) A reference to risk to human health is a reference to a condition that is injurious to human health or in the opinion of the Board is potentially injurious to human health.

3. Non-application

These Regulations do not apply to a body art service offered or carried out by —

- (a) a medical practitioner;
- (b) a dental practitioner.

4. Requirement for a licence

(1) Unless exempted by these Regulations, a person shall not operate a body art facility unless that person holds a valid licence under these Regulations.

(2) A person who contravenes subregulation (1) commits an offence and is liable on summary conviction —

- (a) in the case of a body corporate, to a fine not exceeding \$50,000; or
- (b) in the case of an individual, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding one year, or to both.

5. Application for licence

(1) An application for a licence for the operation of a body art facility must be made to the Board.

(2) An application under subregulation (1) must —

- (a) be in the form set out in Form 1 of Schedule 1;
- (b) include a plan and other particulars of the building and equipment to be used in the body art facility;
- (c) be accompanied by the application fee specified in Schedule 2.

6. Grant or refusal of application

(1) The Board may grant an application, with or without conditions or refuse to grant an application.

(2) The Board before granting a licence shall cause the proposed premises to be inspected by an environmental health officer who shall make a report to the Board in the form set out in Form 2 of Schedule 1.

(3) The Board may refuse to grant a licence if, in the opinion of the Board —

- (a) the past conduct of the applicant or licensee affords reasonable grounds to believe that the operation of the body art facility would not be carried out in accordance with these Regulations;
- (b) the applicant or licensee does not have or will not have available premises, facilities and equipment necessary to operate a body art facility in accordance with these Regulations;
- (c) the Board is of the opinion that the premises in respect of which an application has been made is in an unsanitary condition;
- (d) the applicant or licensee does not comply or will not be able to comply with these Regulations; or

- (e) the operation of the body art facility represents or will represent a risk to human health.

(4) Without prejudice to the generality of subregulation (1), the Board may grant a licence subject to the following conditions —

- (a) a body art facility must be constructed and maintained in a manner that no condition exists that is a risk to human health;
- (b) a body art facility must have appropriate maintenance, cleaning, sterilization and sanitation programmes to control physical, chemical and biological contamination of equipment, surfaces and tools used for body art services, as required by these Regulations; and
- (c) a person who is known to be a carrier of a communicable disease or a notifiable disease or infected with a communicable disease, a notifiable disease or a disease shall not participate in a body art service.

(5) If the Board grants an application with conditions or refuses an application, the Board shall state the reasons for the conditions or refusal.

7. Issue of licence

Subject to these Regulations, the Board shall issue a licence for a body art facility in the form set out in Form 3 of Schedule 1 to an applicant on payment of the fee specified in Schedule 2.

8. Duration of licence

A licence is valid for a period not exceeding one year and expires on the 31st day of December in each year.

9. Renewal of licence

(1) On the expiration of a licence, a licensee may make an application to the Board for renewal of the licence.

(2) An application under subregulation (1) must —

- (a) be in the form set out in Form 4 of Schedule 1; and
- (b) be accompanied with the renewal fee specified in Schedule 2.

(3) The Board shall not renew a licence if, in the opinion of the Board —

- (a) the past conduct of the applicant affords reasonable grounds to believe that the operation of the body art facility will not be carried out in accordance with these Regulations;
- (b) the applicant does not continue to have available premises, facilities and equipment necessary to operate the body art facility in accordance with these Regulations;
- (c) the applicant is not complying or will not be able to comply with the Act or these Regulations; or
- (d) the operation of the body art facility represents or will represent a risk to human health.

(4) If the Board grants an application for renewal of a licence, the Board shall issue a licence under regulation 7 and may vary the conditions or impose additional conditions.

10. Display of licence

(1) A licensee shall exhibit a copy of the licence in a prominent position at each place where the body art service is conducted.

(2) A licensee who contravenes subregulation (1) commits an offence and is liable on summary conviction —

- (a) in the case of a body corporate, to a fine not exceeding \$5,000;
- (b) in the case of an individual, to a fine not exceeding \$1,000 or to a term of imprisonment not exceeding 3 months, or to both.

11. Non-transferability

A licence is non-transferable.

12. Suspension and revocation

(1) The Board may revoke a licence if —

- (a) the conduct of the licensee affords reasonable grounds to believe that the operation of the body art facility would not be carried out in accordance with these Regulations;
- (b) the licensee fails to have available premises, facilities and equipment necessary to operate the body art facility in accordance with these Regulations;
- (c) the licensee is not complying or will not be able to comply with these Regulations;
- (d) the body art facility is being used contrary to a condition attached to the licence; or
- (e) the operation of the body art facility represents or will represent a risk to human health.

(2) If the Board proposes to revoke a licence under subregulation (1), the Board shall suspend the licence and give the licensee notice in writing of the proposed revocation and the reasons for the proposed revocation.

(3) A notice under subregulation (2) must state that within twenty-one days the licensee may make representations in writing to the Board showing that the licence should not be revoked, and the Board shall not determine the matter without considering such representations.

(4) If after consideration of the representations the Board decides not to revoke the licence, the licence is no longer suspended.

(5) If the Board revokes the licence, the Board shall state reasons for the revocation.

(6) A person who operates a body art facility in respect of a licence that is revoked under subregulation (1) commits an offence and is liable on summary conviction —

- (a) in the case of a body corporate, to a fine not exceeding \$20,000;
- (b) in the case of an individual, to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 2 years, or to both.

13. Register

(1) The Board shall cause to be compiled and maintained a register showing in respect of each licence such particulars as may be prescribed.

(2) The register must at all times be available for inspection by a person on payment of the inspection fee specified in Schedule 2.

(3) The register may be compiled and maintained —

- (a) in a bound book; or
- (b) by recording or otherwise storing the prescribed particulars in the register by mechanical, electronic or other means, so that the particulars remain accurately stored and capable of being reproduced in written form.

14. Certificate of health

(1) A person shall not be employed in a body art facility unless he or she is registered with the Ministry responsible for health and has a valid certificate of health.

(2) A person under subregulation (1) may make an application for registration to the Ministry responsible for health.

(3) An application for registration must be accompanied by —

- (a) two passport sized photographs;
- (b) a valid Government issued identification card; and
- (c) the fees specified in Schedule 2 to be paid to the Accountant General.

(4) A medical officer of health may issue a certificate of health if he or she is satisfied that the person is in a fit state of health to engage in a body art service.

(5) A certificate of health issued under subregulation (4) must be —

- (a) in the form set out in Form 5 of Schedule 1;
- (b) stamped by the medical officer of health issuing the certificate; and
- (c) returned to the Ministry responsible for health for validation and completion of the registration process.

(6) A certificate of health expires on the 30th day of June or the 31st day of December in each year.

(7) A person who is employed in a body art facility shall keep a certificate of health at the body art facility and make it available for inspection by an authorized officer of the Ministry responsible for health.

Schedule 1

FORM 1

(Regulation 5(2)(a))

FORM OF APPLICATION FOR BODY ART FACILITY LICENCE

TO: THE SAINT LUCIA PUBLIC HEALTH BOARD

I/We

(Name of person/business)

of

(Address)

make an application for a body art facility to offer or carry out

.....

(Body art service)

in respect of premises situated at

(Address)

Telephone Number

Signature of applicant

Date

FORM 2

BODY ART FACILITY INSPECTION MINISTRY OF HEALTH

ENVIRONMENTAL HEALTH DIVISION DEMERIT SCORE SHEET

Name of Facility :

Address :
 Owner/Operator : Number of Operators:
 Number of chairs : Number of Tables:
 1 3.
 2 4.

		Remarks
	FLOORS	
I	(a) Easily cleanable construction, smooth, good repair.	
1	(b) Clean.	
1	(c) Receptacles covered.	
3	Separate label receptacles for sharps and biomedical waste.	
II	WALLS AND CEILINGS	
1	All Clean, light coloured.	
1	Good repair.	
3	Patrons provided privacy during procedure	
III	VENTILATION AND LIGHTING	
1	(a) Well lighted 100-foot candles.	
1	(b) Well ventilated.	
1	(c) Free from odors and condensation.	
IV	CHAIRS AND EQUIPMENT	
2	(a) Easily cleaned and disinfected.	
1	(b) No open seams or tears.	
1	(c) Cases, shelves, tables, mirrors etc. clean and free of dust and power.	
1	(d) In good repair.	
V	LAVATORY (SINKS) FACILITIES	
1	(a) Adequate in number and convenient for use.	
1	(b) Clean.	
1	(c) Soap or detergent, hand-drying device provided at each station.	
1	(d) Free of soiled linen.	
VI	WATER SUPPLY	
2	(a) Adequate supply of portable hot and cold running water.	
VII	TOILET FACILITIES	
1	Number, convenient, accessible, designed.	
2	Enclosed, self-closing doors. Fixtures in good repair, clean, hand drying devices and waste receptacle provided.	
2	Ventilation adequate.	
2	Separate washrooms for both sexes.	
VIII	LINEN	

1	(a) Adequate supply of clean linen/disposable table sheets.	
1	(b) Clean linen stored in closed cabinet.	
1	(c) Towels or washcloths used only on one patron.	
1	(d) Soiled linen stored in covered containers.	
1	(e) Protection placed around neck to prevent haircloth from contacting patron's skin.	
1	(f) All linen free from holes tears and stains.	
1	(g) Separate sterile compartment for the storage of cotton, gauzes etc.	
IX	SANITATION	
2	Facility in residence or business separated by a partition from floor to ceiling,	
4	Waste containers kept clean and sanitary.	
X	PERSONAL APPEARANCE AND CLEANLINESS	
2	Neat and clean.	
5	Valid health certificate.	
2	Clean outer garments and used only for work.	
2	Hands and fingernails clean.	
XI	HEADREST	
2	(a) Properly stored when not in use.	
2	(b) Protected with fresh clean paper.	
XII	TOOLS AND EQUIPMENT	
5	(a) All tools and equipment free of bodily fluids.	
2	(b) Adequate supply to endure proper sterilization (Minimum of two sets).	
2	(c) Adequate supply of personal protective equipment (PPE).	
XIII	STERILIZATION	
5	(a) All tools and instruments are sterilized before reuse on another patron.	
5	(b) Sterilization cabinets and wet sterilized contain adequate fresh disinfectant.	
5	(c) Tools kept in sterilizers at all times when not in use.	
2	(d) Tools not kept in pocket of uniform.	
3	(e) Sterilizing cabinet airtight and free from letters, papers and articles not to be sterilized.	
5	(f) Adequate equipment and supplies for sterilization.	
XIV	LICENCE	
5	(a) Valid public health licence to operate.	
1	(b) Posted in a conspicuous location to view.	

Total Score:

Other Remarks/Recommendations:

.....

.....
.....
.....
.....
.....
.....

An inspection of the body art facility was made on by
(Name of the signing environmental health officer). All items marked, indicates
an unsatisfactory condition which must be corrected to comply with the Public
Health Regulations.

.....
ENVIRONMENTAL HEALTH OFFICER

FORM 3

(Regulation 7)

LICENCE TO OPERATE

..... 20

THIS IS TO CERTIFY THAT
of is licensed in accordance with
the Public Health Regulations and is given permission to operate a
..... valid until December 31st

This Licence is issued with the understanding that the operator adheres to the
Public Health Act failing which the Licence may be revoked by the Public Health
Board.

.....
CHAIRPERSON
PUBLIC HEALTH BOARD

Note: Licence must be conspicuously displayed on the premises.

FORM 4

(Regulation 9(2)(a))

RENEWAL APPLICATION FOR BODY ART FACILITY LICENCE

PUBLIC HEALTH ACT

TO: THE SAINT LUCIA PUBLIC HEALTH BOARD

Application for a licence to operate a
(Type of body art facility)

Name of body art facility

.....

I/We
(Name of Applicant)

of (Address)
makes an application for a Licence
(Type of licence)

in respect of premises situated at
Telephone No.

.....
Email address

.....

Signature of Applicant

.....

Date

.....

FORM 5

(Regulation 14(5)(a))

CERTIFICATE OF HEALTH

Name of Holder

Address of Holder

Trade or Business

Date Issued

REMARKS

.....

.....

RENEWAL (back)

RENEWED TO DATE	MEDICAL OFFICER OF HEALTH		RENEWED TO DATE	MEDICAL OFFICER OF HEALTH

Schedule 2

(Regulations 5(2)(b), 7, 9(2)(b), 13(2) and 14(3)(c))

FEES

	Fee
Registration	\$20
Renewal	\$20

Replacement certificate, if the certificate is lost or damaged \$30

Public Health (Smoking Control) Regulations – Section 9

(Statutory Instrument 81/2020)

Statutory Instrument 81/2020 .. in force 2 June 2020

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Interpretation
 3. No smoking in public places
 4. Display of no smoking signs
 5. Prohibition on sale of tobacco products in certain places
 6. Removal of offending persons
 7. Evidence
 8. Protection of employees
 9. Penalties
 10. Transitional
- Schedule 1
Schedule 2
-

PUBLIC HEALTH (SMOKING CONTROL) REGULATIONS – SECTION 9

Commencement [2 June 2020]

1. Citation

These Regulations may be cited as the Public Health (Smoking Control) Regulations.

2. Interpretation

In these Regulations —

“**carton**” means a box, container or package containing more than one pack of tobacco products;

“**child**” means a person under the age of eighteen years;

“**constable**” means a police officer below the rank of corporal;

“**emission**” means substances that are released from tobacco or tobacco products and other product and substances;

“**enclosed**” means a space covered by a roof or one or more walls or sides, using any type of material and whether the structure is permanent or temporary;

“**entrance**” does not include —

- (a) a parking lot;
- (b) a gateway; or
- (c) a driveway;

“**exit**” does not include —

- (a) a parking lot;

- (b) a gateway; or
- (c) a driveway;

"guest" includes a person who pays for the use of a service or accommodation in a hotel;

"hotel" means a building or group of buildings used to provide services and accommodation to guests for reward, containing —

- (a) not less than six bedrooms;
- (b) one or more kitchens in which meals may be prepared by employees of the hotel owner or hotel operator for the guests; and
- (c) one or more dining rooms shared in common by all the guests in which meals may be served by employees of the hotel owner or hotel operator to such guests;

"package" means a covering, wrapper, container, carton, bag or other enclosure that contains a tobacco product, including labels and other written or graphic information regarding same;

"place of assembly for use of the public" means a public space used for gathering of persons;

"public conveyance" means a form or mode of transportation which carries passengers, for hire or reward, whether in Saint Lucia or internationally but does not include privately operated, vehicles not used for commercial purposes;

"public place" —

- (a) means a —
 - (i) structure,
 - (ii) facility,
 - (iii) place of assembly,
 - (iv) other place, open to the public,for use of the public or accessible to the public;
- (b) includes —
 - (i) Government offices,
 - (ii) bars, restaurants, clubs and tourist establishments, and
 - (iii) other places or buildings of all types accessible to the public;
- (c) does not include a privately occupied residence not used for commercial purposes;

"smoke" —

- (a) means inhaling or exhaling the emissions of tobacco, other product and substance;
- (b) includes handling an ignited or heated tobacco product, other product and substance that it produces smoke or other emissions by any means, including by electronic means;

"tobacco" includes a tobacco product;

"tobacco product" means tobacco in any form including by electronic nicotine delivery in which it is used or consumed and includes the tobacco leaf, tobacco in cigarettes and any product entirely or partly made from the leaf of the tobacco plant as raw material and which is manufactured for use in smoking, sucking, chewing or snuffing tobacco or a by-product;

"tobacco smoke" means the smoke or other emissions released from tobacco;

"tourist establishment" means a hotel, resort, cottage, villa, guest house, apartment complex or such accommodation with or without facilities for the preparation of meals, offering accommodation to guests, for reward, and includes the premises;

"workplace" —

- (a) means an area or place used by persons during employment, work or contract for services —
- (b) includes —
 - (i) vehicles used in the course of employment or work purposes,
 - (ii) connected, annexed places or common areas, and
 - (iii) residences used for commercially operated child care facilities.

3. No smoking in public places

(1) A person who smokes or holds a lit or electronic tobacco product in or within a 10 m radius of the entrance, exit, window or ventilation intake of an enclosed public place, enclosed workplace or public conveyance, including a place listed in Schedule 1 commits an offence.

(2) Notwithstanding subregulation (1), an owner and operator of a business including —

- (a) a bar, restaurant and club; and
 - (b) a tourist establishment,
- may create outdoor smoking areas in open spaces under subregulations (3), (4) and (5).

(3) An owner and operator of a business under subregulation (2) shall cause outdoor smoking areas to —

- (a) be open-sided;
- (b) be located at a distance of at least 15 m from any structure or area where smoking is prohibited;
- (c) be located in an area where access by persons, other than those smoking, is not necessary;
- (d) be physically separated and structurally unconnected to, areas where smoking is prohibited;
- (e) be inspected by an environment health officer.

(4) In an outdoor smoking area created under subregulation (2), there must not be —

- (a) distribution, promotion, branding or sale of tobacco products; or
- (b) a form of entertainment, organized by the proprietor.

(5) An operator or a proprietor of a business under subregulation (2) shall ensure that —

- (a) a child is not permitted to enter, or stay in, an outdoor smoking area;
- (b) a user of the outdoor smoking area is advised that staff do not serve in the area;
- (c) smoking is prohibited in the outdoor smoking area, when it is being cleaned.

(6) This regulation does not prevent a manager, an owner or a lessee of premises from prohibiting smoking anywhere else on the premises.

4. Display of no smoking signs

(1) A manager, an owner or a lessee of premises specified in Schedule 1 shall ensure that —

- (a) there is displayed in a prominent position at each entrance to the premises a “No Smoking” sign as set out in Schedule 2;
- (b) in addition to the places mentioned in paragraph (a), a similar sign is placed in at least one other prominent place on the premises.

(2) The size of each “No Smoking” sign must be at least 216 mm x 279 mm and must be posted at eye level.

(3) A manager, an owner or a lessee of premises specified in Schedule 1 and a manager of a public conveyance or other motor vehicle, shall display a “No Smoking” sign in a prominent position on the premises or in the conveyance.

(4) Notwithstanding anything to the contrary in these Regulations, a person shall display in premises, tourist establishment, national heritage or other site a “No Smoking” sign of the size and appearance required or specified to be placed in a motor vehicle under subregulation (6).

(5) Notwithstanding anything to the contrary in these Regulations, in the case of a manager, an owner or a lessee of a tourist establishment, the “No Smoking” sign must be placed at —

- (a) the reception area;
- (b) the entrances to all other main buildings; and
- (c) all dining areas;
- (d) toilet areas; and
- (e) other indoor common areas,
of the tourist establishment.

(6) In the case of a public conveyance or other motor vehicle being used to carry passengers for reward, the manager of that conveyance or motor vehicle shall ensure that at least one “No Smoking” sign that is at least 76 mm x 229 mm in size is prominently displayed in each compartment of the conveyance or motor vehicle.

(7) If a person contravenes subsection (1), the manager, owner or lessee of the premises where the contravention occurred and who authorized or acquiesced in the act or omission commits an offence and is personally liable.

5. Prohibition on sale of tobacco products in certain places

(1) A person shall not sell, including by way of exposing tobacco for sale or by an offer to sell tobacco, within a ten metres radius of the perimeter of any of the following places —

- (a) a health facility;
- (b) a sports, athletic or other similar facility, for the use of the public;
- (c) a Government occupied building or premises; or
- (d) a child care facility, educational and religious institution.

(2) A person who contravenes subregulation (1) commits an offence and is liable —

- (a) in the case of an individual, on summary conviction to a fine not exceeding \$5,000;
- (b) in the case of a body corporate, on summary conviction to a fine not exceeding \$10,000.

6. Removal of offending persons

Where there is non-compliance with these Regulations, an environmental health officer may, in the company of a constable, remove an offending person from the premises or public conveyance where the non-compliance took place.

7. Evidence

In a legal action for non-compliance with these Regulations, tobacco or tobacco products from the same lot or batch is deemed to possess the same characteristics as those products from the same lot or batch found on —

- (a) a public conveyance;
- (b) premises; or
- (c) at another location,

under the control of the driver of the public conveyance, the owner or operator of the premises, but if there is no lot or batch number on the tobacco or tobacco products, any tobacco or tobacco product found on the public conveyance, premises or location is deemed to possess the same characteristics as other tobacco products found on the public conveyance, premises or at another location under the control of the driver, owner or operator of the premises.

8. Protection of employees

An employer who dismisses, suspends, demotes, disciplines, harasses or otherwise disadvantages an employee or denies that employee a benefit on the ground that the employee testified against an employer in an action brought under these Regulations, commits an offence.

9. Penalties

(1) A person who commits an offence under these Regulations for which a penalty is not provided is liable —

- (a) in the case of an individual, on summary conviction, to a fine not exceeding \$5,000;
- (b) in the case of a body corporate or tourist establishment, club, bar, restaurant and other businesses other than small shop owners, itinerant vendors and pedlars, on summary conviction, to a fine not exceeding \$10,000.

(2) Subregulations (1)(b) and (3) do not apply to —

- (a) a shop owned by a person;
- (b) an itinerant vendor of small goods; or
- (c) a pedlar.

(3) If a body corporate or tourist establishment, club, bar, restaurant and other businesses other than small shop owners, itinerant vendors and pedlars, contravenes these Regulations, the director, manager or other corporate officer who authorized or acquiesced in the act or who knew or, who using due diligence or care, ought to have known that the commission or omission constituted an offence, that director, manager or other corporate officer, commits an offence and is personally liable.

(4) In proceedings for an offence under these Regulations it is a defence for a person against whom the proceedings are brought to show that all reasonable efforts were made to ensure compliance with the regulation, as is alleged to have been contravened.

(5) Where a person is convicted of an offence against or arising under these Regulations —

- (a) the Criminal Procedure Rules apply in respect of the sentencing options of the court before which the charges are heard; and
- (b) the conviction does not form a part of the criminal record of that person.

10. Transitional

A person, whose operations are subject to these Regulations, has six months from the date of commencement of these Regulations to comply with these Regulations.

Schedule 1

(Regulation 4)

Places or premises where smoking, holding lit, electronic tobacco, other products and substances are prohibited —

1. A public place including —

- (a) a health facility, including a pharmacy, clinic and hospital;
- (b) a sports, athletics or other similar facility, for the use of the public;
- (c) an educational institution of all levels and a childcare institution;
- (d) a bus stop, public transport terminal, including the departure and arrival waiting area at a seaport, airport or station for any form of transport;
- (e) an area specifically for use by children;
- (f) a balcony of a tourist establishment, except where the balcony —
 - (i) does not exceed ten per cent of the room stock,
 - (ii) is not served by ventilation units for —
 - (A) a room designated for use by non-smoking guests; or
 - (B) an area where smoking is prohibited,
 - (iii) are located on a block of rooms, which does not include any adjoining room designated for use by non-smokers,
 - (iv) are completely, physically separated and unconnected from every other area where smoking is prohibited, and
 - (v) are barred from entry into or use by minors;
- (g) a beach, except where an outdoor smoking area has been established on the beach, under regulation 3(2);
- (h) an outdoor dining and service area;
- (i) a park;
- (j) a site declared under the National Conservation Authority Act, Cap. 6.01 to be “a protected area” excluding the parking lot, driveway and gateway;
- (k) a swimming pool accessible to the public, except a pool for private use or where a pool is exclusively accessible for an independent or private villa or suite;
- (l) an outdoor market, except where an outdoor smoking area has been established under regulation 3(2);
- (m) other outdoor events or activities, being used for gathering by individuals, except where an outdoor smoking area has been established under regulation 3(2);
- (n) a public and private owned space rented for a public event;
- (o) a cinema, theatre, concert hall, casino, and another place used for indoor public entertainment; and
- (p) a museum, library, district center, recreation center and hall.

2. A public conveyance such as, an aircraft, helicopter, bus, public motor vehicle, ship, or other vessel, and all other means of public transportation.
3. A workplace including —
 - (a) a residence and a guesthouse for the use of the staff employed there;
 - (b) a café, discotheque, club, cafeteria, pub, bar, lounge and restaurant including spaces that are contributing or are part of these facilities functioning;
 - (c) an elderly home and other spaces that are part of or operate in conjunction with the facility,
 - (d) an industrial estate, such as a public and private facility, which is in use by an industrial or commercial activity or service;
 - (e) a factory, storage area and warehouse; and
 - (f) a small commercial establishment, such as a shop, market, market square and shopping mall.

Schedule 2

(Regulation 4)



VIOLATORS ARE SUBJECT TO PROSECUTION
The Public Health (Smoking Control) Regulations.
