

**CHAPTER 263**  
**PUBLIC HEALTH ACT**

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• Act • Subsidiary Legislation •

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**ACT****Amended by**

Act No. 9 of 1973

Act No. 17 of 1973

Act No. 29 of 1973

Act No. 40 of 1981

## ARRANGEMENT OF SECTIONS

## PART I

*Preliminary*

1. Short title.
2. Interpretation.

## PART II

*Establishment of Sanitary Authority*

3. Sanitary Authority.
4. Public Health Inspectors and other officers.

## PART III

*Sanitary Provisions**Privies, etc.*

5. Obligation to provide privy accommodation.
6. Power of Sanitary Authority to enforce provision of privy accommodation for houses.
7. Examination of drains, etc., on complaint of nuisance.

*Bakehouses*

8. Provisions for securing that persons suffering from infectious diseases shall not be employed in bakehouses.
9. Medical examination of persons working at bakehouses.
10. Duty of medical practitioner to report any such disease.
11. Sanitary regulations for bakehouses.
12. Sleeping places near bakehouses.
13. Registration of bakehouses.
14. Painting, etc., of bakehouses.

*Public Health Act – Subsidiary Legislation**Regulations in Respect of Certain Specified Matters*

15. Power to make regulations in respect of certain matters.
16. Sale of meat and fish.

*Nuisances*

17. Definition of nuisance.
18. Duty of Sanitary Authority to inspect for detection of nuisances; and power of persons aggrieved to report nuisances to the Authority.
19. Sanitary Authority to serve notice requiring abatement of nuisance.
20. On non-compliance with notice complaint to be made to magistrate.
21. Power of court of summary jurisdiction to make Order dealing with nuisance.
22. Order of prohibition in case of house unfit for human habitation.
23. Penalty for contravention of Order of court.
24. In certain cases Order may be addressed to Sanitary Authority.
25. Power to sell articles removed.
26. Power of entry of Sanitary Authority.
27. Penalty for disobedience to Order.

## PART IV

*Malaria Prevention*

28. Interpretation of Part.
29. Application of Part.
30. Power to enter and construct works.
31. Powers of Sanitary Authority.
32. Cost of work.
33. Protection of officers, etc., against actions.
34. Assault or obstruction of officers, etc.
35. Penalty for damaging a main drainage channel.
36. Power to make regulations.
37. Penalty for contravention of regulations.

## PART V

*Notifiable Infectious Diseases**Notification*

38. Definition of infectious disease.
39. Notification of infectious disease.
40. Forms of certificate and fees of medical practitioners.
41. Power of Minister to extend definition of infectious disease.
42. Precautions against spread of infectious disease.

*Prevention*

43. Duty of Sanitary Authority to cause premises to be cleansed and disinfected.
44. Disinfection of bedding, etc.
45. Destruction of infected bedding, etc.
46. Removal to hospital of infected persons without proper lodging.
47. Detention in hospital of infected persons without proper lodging.
48. Temporary shelter, etc.
49. Penalty on exposure of infected persons and things.
50. Penalty on letting houses in which infected persons have been lodging.

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- 51. Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to the owner, or on making false answers.
  - 52. Infection in schools.
  - 53. Body of person dying of infectious disease in hospital, etc., to be removed only for burial.
  - 54. Inspection of dairies, and power to prohibit supply of milk.
  - 55. Prohibition of retention of corpse.
  - 56. Order for burial.
  - 57. Disinfection of public conveyances if used for carrying corpses.
  - 58. Recovery of cost of maintenance of patient in hospital.

## PART VI

*Epidemic and Endemic Diseases**Power to make Regulations*

- 59. Power to make regulations for prevention of diseases.
- 60. Power to make regulations for prevention of formidable diseases.

*Special Provisions with Respect to Ankylostomiasis*

- 61. Compulsory treatment and detention of infected persons.
- 62. Power to take back to hospital infected persons leaving without permission.
- 63. Sanitary Authority may require owners of estates to provide suitable privy accommodation.
- 64. Penalty for defecating in places other than place provided on an estate for the purpose.
- 65. Provision of public latrines in towns and villages.
- 66. Provision of privies for schools.
- 67. Regulations regarding ankylostomiasis.

*Special Provisions with Respect to Venereal Diseases*

- 68. Power of Sanitary Authority to make regulations for guarding against the spread of venereal diseases, etc.

*Special Provisions with Respect to Schistosomiasis*

- 69. Power of Chief Medical Officer to control causes of schistosomiasis.

## PART VII

*Burial Grounds and Burials*

- 70. Discontinuance, by Order, of burials in a burial ground.
- 71. Penalty on persons burying contrary to the provisions of Orders.
- 72. Power to make regulations.

## PART VIII

*Miscellaneous*

- 73. Regulations subject to approval of Minister, etc.
- 74. Notices, etc., may be printed or written, etc.
- 75. Service of notices, etc.
- 76. General power of entry for sanitary inspection of premises.
- 77. Application of Act to vessels, tents, etc.

- 78. General penalties.
  - 79. Prosecution of offenders.
  - 80. Appearance of Sanitary Authority before magistrate.
  - 81. Protection of Sanitary Authority and sanitary officers from personal liability.
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**CHAPTER 263**  
**PUBLIC HEALTH ACT**

**An Act to govern matters relating to Public Health.**

[Amended by Act No. 9 of 1973, Act No. 17 of 1973, Act No. 29 of 1973, Act No. 40 of 1981.]

[2nd November, 1925.]

PART I

*Preliminary*

**1. Short title**

This Act may be cited as the Public Health Act.

**2. Interpretation**

In this Act—

“aerated water factory” means any place or premises used for the preparation or manufacture of soda water, or other aerated drinks intended for sale;

“bakehouse” means any place in which are baked bread, biscuits or confectionery, from the baking or selling of which a profit is derived;

“building” and “house”, respectively, include the curtilage of a building or house;

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

“dairyman” includes any cowkeeper, purveyor of milk, or occupier of a dairy;

“district medical officer” means a medical officer appointed to a medical district under the Medical Officers Act, Chapter 188;

“hospital” means any premises or vessel for the reception of the sick, whether permanently or temporarily applied for that purpose;

“house” includes hotels, schools, also factories and other buildings in which persons are employed;

“isolation hospital” means a hospital for the reception of persons suffering from infectious diseases;

“medical district” means a district constituted under the Medical Officers Act, Chapter 188;

“medical officer” has the same meaning as in the Medical Officers Act, Chapter 188;

“medical practitioner” means a person registered in the medical register under the Medical Practitioners and Dentists and Veterinary Surgeons Registration Act, Chapter 189;

“occupier”, in the case of a building or part of a building the person in occupation or having the charge, management, or control thereof, either on his or her own account, or as the agent of another person, and in the case of a ship, means the master or other person in charge thereof;

“owner” means the person for the time being receiving the rent of the premises in connection with which the word is used, whether on his or her own account or as agent or trustee for any other person, or who would so receive the same if such premises were let;

“premises” includes lands, buildings, vehicles, structures of any kind, streams, drains, ditches or places open, covered or enclosed, whether built on or not, and whether natural or artificial, and any ship lying in port or harbour;

“privy accommodation” includes water-closets, earth-closets, privies, and any similar accommodation;

“Sanitary Authority” means the Sanitary Authority constituted under this Act;

“sanitary officer” means a medical officer or a public health inspector;

“slaughterer of cattle or horses” means a person whose business is to kill any description of cattle, or horses, asses, or mules, for the purpose of the flesh being used as butcher’s meat; and the expression “slaughterhouse” means any building or place used for the purpose of such business;

“stream” includes rivers, watercourses, and ravines;

“town” means town the boundaries of which are fixed under the Town Boundaries Act but does not include the town of Hillsborough.

## PART II

### *Establishment of Sanitary Authority*

#### **3. Sanitary Authority**

(1) There shall be established a body to be called the Sanitary Authority, which shall exercise a general superintendence and control over all sanitary matters in Grenada. The Authority shall consist of the following members—

- (a) Chief Medical Officer
  - Chief Technical Officer (Public Health)
  - Port Health Officer
  - Medical Officer of Health
  - Port Manager
  - Public Health Officer of Carriacou;
- (b) a representative of each of the following bodies to be appointed by the Minister—
  - National Water and Sewerage Authority

Chamber of Commerce

Trade Union Congress;

- (c) a representative to be appointed by the Minister responsible for agro-industries; and
- (d) four other persons to be appointed by the Minister.

(2) The executive function of the Sanitary Authority shall be exercised by the Chief Medical Officer who shall be the chairperson.

(3) Every member appointed by the Minister shall hold office during such period as the Minister shall appoint.

(4) The Sanitary Authority may act notwithstanding a vacancy in its membership.

(5) The quorum of the Sanitary Authority shall be five.

(6) Any document or notice purporting to be issued by the Sanitary Authority, and signed on behalf of the Sanitary Authority, shall be received in evidence and be deemed to be such a document or notice without further proof unless the contrary is shown.

(7) The Sanitary Authority shall meet not less than once every three months and at such times as the chairperson may direct.

(8) Subject to this section the Sanitary Authority may regulate its own procedure.

#### **4. Public Health Inspectors and other officers**

(1) The Minister may from time to time appoint such Public Health Inspectors and other officers as may be necessary for the due execution of this Act. Such Public Health Inspectors and other officers shall hold office during the Minister's pleasure.

(2) The Sanitary Authority shall, subject to the approval of the Minister, regulate the duties under this Act of such Public Health Inspectors and other officers.

### PART III

#### *Sanitary Provisions*

##### *Privies, etc.*

#### **5. Obligation to provide privy accommodation**

(1) It shall not be lawful to erect any house, or to rebuild any house, without sufficient privy accommodation.

(2) Any person who causes any house to be erected or rebuilt in contravention of this section shall be guilty of an offence against this Act and liable to a fine of one thousand dollars and an additional fine of fifty dollars for each day during such time as such house shall be without such privy accommodation after the expiration of one month from the date of his or her first being convicted of such offence.

#### **6. Power of Sanitary Authority to enforce provision of privy accommodation for houses**

(1) If any house appears to the Sanitary Authority to be without sufficient privy accommodation, the Sanitary Authority shall, by written notice, require the owner or

occupier of the house, within a reasonable time therein specified, being not less than one month, to provide sufficient water-closet, earth-closet, or such other privy accommodation, as the case may require.

(2) If such notice is not complied with, the Sanitary Authority may, at the expiration of the time specified in the notice, cause the work thereby required to be done, and may recover in a summary manner before the magistrate of the district from the owner the expenses incurred in so doing:

Provided that where a water-closet, earth-closet, or privy has been and is used in common by the inmates of two or more houses, or if in the opinion of the Sanitary Authority a water-closet, earth-closet, or privy may be so used, it need not require the same to be provided for each house.

#### **7. Examination of drains, etc., on complaint of nuisance**

On the written application of any person to the Sanitary Authority, stating that any drain, water-closet, earth-closet, privy or cesspool on or belonging to any premises is a nuisance or where, on the report of a sanitary officer, the Sanitary Authority has reason to suspect that any such drain, water-closet, earth-closet, privy or cesspool is a nuisance or injurious to health, it shall be lawful for any public health inspector duly authorised in writing in that behalf by the Sanitary Authority, after twenty-four hours' written notice to the occupier of such premises, or in case of emergency without notice, to enter such premises, with or without assistants, and cause the ground to be opened, and examine such drain, water-closet, earth-closet, privy or cesspool. If the drain, water-closet, earth-closet, privy or cesspool on examination is found to be in proper condition, he or she shall cause the ground to be closed, and any damage done to be made good as soon as can be. If the drain, water-closet, earth-closet, privy or cesspool on examination appear to be in bad condition or to require alteration or amendment, the Sanitary Authority shall forthwith cause notice in writing to be given to the owner or occupier of the premises requiring him or her forthwith or within a reasonable time therein specified to do the necessary works; and if such notice is not complied with the person to whom it is given shall be liable to a fine of twenty-five dollars for every day during which he or she continues to make default, and the Sanitary Authority may execute such works, and may recover in a summary manner before the magistrate of the district from the owner the expenses incurred in so doing, as well as the expenses incurred in the previous examination.

#### *Bakehouses*

#### **8. Provisions for securing that persons suffering from infectious diseases shall not be employed in bakehouses**

(1) It shall not be lawful for the owner or manager of any bakehouse to employ, at or in connection with such bakehouse, any person whom he or she knows to be suffering from any infectious disease or tuberculosis, syphilis, erysipelas, lupus, yaws, itch or any open or running sores.

(2) It shall not be lawful for the owner or manager of any bakehouse to employ any person at or in connection with such bakehouse, unless such person shall, within five days prior to engaging in such employment, have submitted himself or herself to medical examination by a medical officer and shall procure a certificate from the medical officer stating that upon such examination such person was found to be free from any of the diseases or complaints which are mentioned in this section; and every such certificate shall be retained and preserved for twelve months by the owner or manager aforesaid, and

shall be produced by him or her, whenever required to do so, for the information of the Sanitary Authority or of any sanitary officer.

(3) It shall not be lawful for any person, after he or she has been informed by any medical practitioner that he or she is suffering from any such disease or complaint as is mentioned in this section, to engage, or to continue to be engaged, in working at or for any bakehouse.

(4) The owner or manager of any bakehouse shall, on the application of the Sanitary Authority, supply such Authority with the names and addresses of all persons employed by him or her in his or her business.

(5) Any person working at or for a bakehouse, whom the Sanitary Authority or any sanitary officer may suspect to be suffering from any such disease or complaint as aforesaid, shall, on being required to do so by such Authority or officer, submit himself or herself for medical examination by a medical officer.

(6) Any person acting in contravention of any of the provisions of this section shall be guilty of an offence against this Act.

#### **9. Medical examination of persons working at bakehouses**

(1) Every person working at or for a bakehouse shall in the months of June and December in every year submit himself or herself to medical examination by the district medical officer and shall procure a certificate from such medical officer stating that upon such examination such person was found to be free from the diseases or complaints mentioned in section 8(1), and every certificate shall be retained and preserved until the thirty-first day of December or the thirtieth day of June respectively in the following year by the manager or owner of the bakehouse and shall be produced by him or her whenever required to do so for the information of the Sanitary Authority or of any sanitary officer.

(2) Any person failing to comply with any of the requirements of this section shall be guilty of an offence against this Act.

#### **10. Duty of medical practitioner to report any such disease**

When any medical practitioner becomes aware that any person who works or is employed at or for a bakehouse is suffering from any such disease or complaint as is mentioned in section 8(1) such medical practitioner shall forthwith notify the Sanitary Authority of the circumstances.

#### **11. Sanitary regulations for bakehouses**

(1) It shall not be lawful to let or suffer to be occupied or to occupy any room or place as a bakehouse, unless the following regulations are complied with—

- (a) no water-closet, earth-closet, privy or ash-pit shall be within, or communicate directly with, the bakehouse;
- (b) every cistern or pipe for supplying water to a bakehouse shall be separate and distinct from any cistern or pipe for supplying water to a water-closet;
- (c) a drain or pipe for carrying off faecal or sewage matter shall not have any opening within the bakehouse;
- (d) every bakehouse shall be provided with proper means for effectual ventilation.

(2) Any person who lets, or suffers to be occupied, or who occupies any room or place as a bakehouse in contravention of this section, shall be guilty of an offence against this Act



and liable to a fine of one hundred dollars and to a further fine of fifteen dollars for each day during which any room or place is so occupied after a conviction under this section.

## **12. Sleeping places near bakehouses**

(1) A room or place on the same level with any bakehouse and forming part of the same building shall not be used as a sleeping place unless it is constructed as follows, that is to say—

- (a) is effectually separated from the bakehouse by a partition, which extends from the floor to the ceiling and has no door or opening in direct communication with the bakehouse; and
- (b) has an external window of at least nine superficial feet in area made to open for ventilation.

(2) If any person lets or occupies, or continues to let or knowingly suffers to be occupied, any room or place contrary to this section, he or she shall be guilty of an offence against this Act and liable for the first offence to a fine of fifty dollars and for any subsequent offence to a fine of two hundred and fifty dollars.

## **13. Registration of bakehouses**

(1) Every bakehouse shall be registered annually at the office of the Sanitary Authority; and, for this purpose, every person who in any year hereafter intends to use any premises as a bakehouse shall, before the commencement of such year or before using such premises, make application in writing to the Sanitary Authority, setting out his or her full name and a correct description of the premises so intended to be used. If the Sanitary Authority is satisfied that the premises specified in the application are such as can properly be used as a bakehouse under this Act, the Sanitary Authority shall issue to the applicant a certificate to that effect in respect of the year for which the applicant seeks to register his or her premises. Such certificate shall be affixed and exhibited by the applicant in some conspicuous place on the premises and kept so affixed during the year for which the same shall be granted.

(2) The Sanitary Authority shall enter the particulars of such application and certificate in a book to be kept at the office of the Sanitary Authority and to be called “The Bakehouse Register”.

(3) No certificate issued hereunder shall be of any force or effect after the last day of the year in respect of which it shall have been granted.

(4) Any person who shall use any place or premises as a bakehouse, without having first obtained a certificate as hereinbefore provided, shall be guilty of an offence against this Act.

## **14. Painting, etc., of bakehouses**

No certificate shall be granted by the Sanitary Authority under the provisions of section 13 in respect of any bakehouse unless—

- (a) the floor of such bakehouse is constructed of concrete or mason work finished with a steel trowel;
- (b) the floor, ceiling and inside walls and roofings are kept free from dust, dirt, ashes or other accumulation of decaying animal or vegetable matter;
- (c) when the bakehouse is painted with oil or varnished, the paint or varnish shall be renewed once at least in every five years or more if the Sanitary

Authority so directs, and the said bakehouse shall be washed with water and soap once at least in every three months or more often if the Sanitary Authority so directs;

- (d) when the bakehouse is limewashed, the limewash shall be renewed once at least in every six months or more often if the Sanitary Authority so directs.

*Regulations in Respect of Certain Specified Matters*

**15. Power to make regulations in respect of certain matters**

(1) The Sanitary Authority may make regulations for the following purposes or any of them—

- (a) for regulating the inspection and securing the cleanliness of all bakehouses, for fixing the procedure as to the registering and certifying of bakehouses, and for the issue of certificates;
- (b) for regulating the establishment of, the conditions of admission to, and the use, conduct and management of slaughterhouses, and in particular for authorising and inspecting the same, and for securing the cleanliness thereof;
- (c) for regulating aerated water factories and ice factories, and in particular for registering and inspecting the same and for prescribing and regulating the water supply and the filtration of water, and for securing the cleanliness of such factories and the machinery and bottles used therein, and for prescribing precautions to be taken for protecting soda-water and other aerated drinks and ice against contamination;
- (d) (i) for the registration of all persons carrying on the trade of dairymen,  
(ii) for the inspection of cattle in dairies, and for prescribing and regulating the lighting, ventilation, drainage, and water supply of dairies and cowsheds in the occupation of persons following the trade of dairymen,  
(iii) for securing the cleanliness of dairies, and of milk-vessels used for containing milk for sale by such persons,  
(iv) for prescribing precautions to be taken for protecting milk against infection or contamination;
- (e) for prescribing precautions to be taken for protecting any article whether solid or liquid, intended for the food of man and sold or exposed for sale, against infection or contamination;
- (f) for prohibiting the washing of clothes in any stream or on the banks of any stream within such distance of any town or village as to the Sanitary Authority may seem fit and generally for the prevention of the pollution of streams;
- (g) (i) with respect to the construction of pig styes, the places in which they may be erected and the mode of cleansing them at proper intervals so as to prevent them from becoming a nuisance or dangerous to public health,  
(ii) for defining any portion of a town as an area within which swine may not be kept;

- (h) for regulating the inspection of, and securing the cleanliness and disinfection of all barbers' shops and apparatus used therein; and also for prescribing precaution against the spread of infection or communication of disease from, to, or amongst persons on such premises, whether occupiers, employers, employees, or customers.

(2) The Sanitary Authority may collect fees in respect of anything done or any service rendered by it under subsection (1).

## **16. Sale of meat and fish**

If any person sells, offers for sale or exposes for sale any meat or fish in a place other than a meat or fish market or such other place as the Sanitary Authority may under this section approve and authorise by Notice published in the *Gazette*, he or she shall be guilty of an offence against this Act and liable to a fine of two thousand dollars and to imprisonment for twelve months.

### *Nuisances*

## **17. Definition of nuisance**

For the purposes of this Act—

- (a) any premises in such a state as to be a nuisance or injurious to health;
- (b) any pool, ditch, gutter, privy, urinal, cesspool, or drain, so foul or in such a state as to be a nuisance or injurious to health;
- (c) any animal so kept as to be a nuisance or injurious to health;
- (d) any accumulation or deposit which is a nuisance or injurious to health;
- (e) any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates, whether or not members of the same family;
- (f) any chimney sending forth smoke in such quantity as to be a nuisance or injurious to health;
- (g) any mosquito larvae or any collection of water in any place or in or about any building used for human habitation which is likely to harbour mosquito larvae; and
- (h) any other matter so declared by regulation,

shall be deemed to be nuisances liable to be dealt with summarily in manner provided by this Act.

## **18. Duty of Sanitary Authority to inspect for detection of nuisances; and power of persons aggrieved to report nuisances to the Authority**

It shall be the duty of the Sanitary Authority to cause inspection to be made from time to time, with a view to ascertain what nuisances exist calling for abatement under the powers of this Act, and to enforce the provisions of this Act in order to abate the same; and a report of any nuisance under this Act may be given to the Sanitary Authority by any person aggrieved thereby, or by any two householders, or by a sanitary officer, or by a police officer.

## **19. Sanitary Authority to serve notice requiring abatement of nuisance**

On the receipt of any report respecting the existence of a nuisance, the Sanitary Authority shall, if satisfied of the existence of a nuisance, serve a notice on the person by whose act, default, or sufferance the nuisance arises or continues, or, if such person cannot be found, on the owner or occupier of the premises on which the nuisance arises, requiring him or her to abate the same within a time to be specified in the notice, and to execute such works and do such things as may be necessary for that purpose:

Provided that—

- (a) where the nuisance arises from the want or defective construction of any structural convenience, or where there is no occupier of the premises, notice under this section shall be served on the owner;
- (b) where the person causing the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act, default, or sufferance of the owner or occupier of the premises, the Sanitary Authority may itself abate the same, and may do whatever is necessary to prevent the recurrence thereof.

#### **20. On non-compliance with notice complaint to be made to magistrate**

If the person on whom a notice to abate a nuisance has been served makes default in complying with any of the requisitions thereof within the time specified, or if the nuisance, although abated since the service of the notice, is in the opinion of the Sanitary Authority likely to recur on the same premises, the Sanitary Authority shall cause a complaint relating to such nuisance to be made before a magistrate whereupon the magistrate shall issue a summons requiring the person on whom the notice was served to appear before him or her.

#### **21. Power of court of summary jurisdiction to make Order dealing with nuisance**

(1) If the court is satisfied that the alleged nuisance exists, and, although abated, is likely to recur on the same premises, the court shall make an Order on such person requiring him or her to comply with all or any of the requisitions of the notice, or otherwise to abate the nuisance within a time specified in the Order, and to do any works necessary for that purpose; or an Order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent the recurrence; or an Order both requiring abatement and prohibiting the recurrence of the nuisance.

(2) The court may by its Order impose a fine of two hundred and fifty dollars on the person on whom the Order is made, and shall also give directions as to the payment of all costs incurred up to the time of the hearing or making the Order for abatement or prohibition of the nuisance.

#### **22. Order of prohibition in case of house unfit for human habitation**

Where the nuisance proved to exist is such as to render a house or building, in the judgement of the court, unfit for human habitation, the court may prohibit the using thereof for that purpose until, in its judgement, the house or building is rendered fit for that purpose; and on the court being satisfied that it has been rendered fit for that purpose the court may determine its previous Order by another, declaring the house or building habitable, and from the date thereof such house or building may be let or inhabited.

#### **23. Penalty for contravention of Order of court**

Any person not obeying an Order to comply with the requisitions of the Sanitary Authority or otherwise to abate the nuisance, shall, if he or she fails to satisfy the court that he or she has used all due diligence to carry out such Order, be liable to a fine of twenty-five dollars per day during his or her default; and any person knowingly and wilfully contravening an Order of prohibition shall be liable to a fine of fifty dollars per day during such contravention; moreover the Sanitary Authority may enter the premises to which any Order relates and abate the nuisance, and do whatever may be necessary in execution of such Order, and recover in a summary manner the expenses incurred from the person on whom the Order is made.

#### **24. In certain cases Order may be addressed to Sanitary Authority**

Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or the owner or occupier of the premises is not known or cannot be found, then the Order of the court may be addressed to and executed by the Sanitary Authority.

#### **25. Power to sell articles removed**

Any matter or thing removed by the Sanitary Authority in abating any nuisance under this Act may be sold by public auction; and the money arising from the sale may be retained by the Sanitary Authority, and applied in payment of the expenses incurred with reference to such nuisance, and the surplus, if any, shall be paid, on demand, to the owner of such matter or thing.

#### **26. Power of entry of Sanitary Authority**

(1) The Sanitary Authority or any sanitary officer shall be admitted into any premises for the purpose of examining as to the existence of any nuisance thereon at any time between the hours of seven in the morning and six in the afternoon, or in the case of a nuisance arising in respect of any business then at any other time when such business is in progress or is usually carried on:

Provided that no sanitary officer under the rank of Chief Public Health Inspector shall enter any room in a dwelling-house unless duly authorised in writing for that purpose by the Sanitary Authority.

(2) Where under this Act a nuisance has been ascertained to exist, or an order of abatement or prohibition has been made, the Sanitary Authority or any sanitary officer shall be admitted from time to time into the premises between the hours aforesaid, until the nuisance is abated, or the works ordered to be done are completed, as the case may be.

(3) Where an order of abatement or prohibition has not been complied with, or has been infringed, the Sanitary Authority, or any sanitary officer shall be admitted from time to time at all reasonable hours, or at all hours during which business is in progress or is usually carried on, into the premises where the nuisance exists, in order to abate the same.

(4) If admission to premises for any of the purposes of this section is refused, a magistrate, on complaint thereof on oath by the Sanitary Authority or any sanitary officer (made after reasonable notice in writing of the intention to make the same has been given to the person having custody of the premises) may, by Order under his or her hand, require the person having custody of the premises to admit the Sanitary Authority or any sanitary officer into the premises during the hours aforesaid, and if no person having custody of the premises can be found, the magistrate shall, on oath made before him or her of that fact, by Order under his or her hand, authorise the Sanitary Authority or any sanitary officer to enter such premises during the hours aforesaid.

(5) Any order made by a magistrate for admission of the Sanitary Authority or any sanitary officer on premises shall continue in force until the nuisance has been abated, or the work for which the entry was necessary has been done.

### **27. Penalty for disobedience to Order**

Any person who refuses to obey an Order of a magistrate for admission of the Sanitary Authority or any sanitary officer on any premises shall be liable to a fine of two hundred and fifty dollars.

## PART IV

### *Malaria Prevention*

### **28. Interpretation of Part**

In this Part—

“main drainage channel” means any open channel, ditch or passage serving as a connection between any unhealthy area and any natural watercourse or the sea-shore;

“owner” includes the owner, lessee, or occupier of any land, and the receiver, attorney, agent, manager, guardian or committee of any such owner, lessee, or occupier; and includes any other person in charge or having the control or possession of any land in right of the owner, or having the possession of any such land in right of his wife.

### **29. Application of Part**

This Part shall apply to such main drainage channels and unhealthy areas as may be proclaimed by the Minister to be main drainage channels or unhealthy areas for the purposes of this Part; and the Minister is hereby authorised in his or her absolute discretion to designate, by Notice in the *Gazette*, any such main drainage channel or unhealthy area.

### **30. Power to enter and construct works**

(1) It shall be lawful for the Chief Technical Officer (Works) with all necessary workmen and other employees at any time to enter upon any land for the purpose of grading, paving, clearing, improving or filling in or draining any main drainage channel or unhealthy area.

(2) The Chief Technical Officer (Works) shall give at least fourteen days' previous notice in writing to the owner of such land of his or her intention to carry out any work under this Part.

### **31. Powers of Sanitary Authority**

The Sanitary Authority shall have full power and authority with all necessary workmen and other employees at all reasonable times to enter upon any land for the purpose of cleaning, preserving, maintaining, repairing and keeping in proper order and under proper control any main drainage channel or any unhealthy area. Such power shall be deemed to include power to lay drainpipes above or under any land doing as little damage as possible.

### **32. Cost of work**

The cost of any work carried out under the authority of this Part shall be paid out of monies to be voted for the purpose by the House of Representatives.

### **33. Protection of officers, etc., against actions**

No matter or thing done by the Chief Technical Officer (Works) or the Sanitary Authority or by any officer of the Authority or other person whomsoever acting under the direction of the Authority or of the Chief Technical Officer (Works) shall, if the matter or thing were done *bona fide* for the purpose of executing this Part, subject them or any of them personally to any prosecution, action, liability, claim or demand whatsoever.

### **34. Assault or obstruction of officers, etc.**

If any person shall assault or hinder or obstruct or cause or procure to be hindered or obstructed the Chief Technical Officer (Works) or the Sanitary Authority or any of their workmen, employees, or agents while employed in doing any works by this Part authorised to be done or in the exercise of any of the powers and authorities in this Part contained, every such person shall be guilty of an offence against this Act and liable to a fine of one thousand five hundred dollars.

### **35. Penalty for damaging a main drainage channel**

Every person who wilfully damages or injures or in any manner blocks or obstructs or diverts the bed or the flow of any drainpipe or main drainage channel shall be guilty of an offence against this Act and liable to a fine of three thousand dollars for each offence, and in the case of a continuing offence to a further fine of one hundred dollars for each day during which such offence shall continue after written notice thereof from the Sanitary Authority.

### **36. Power to make regulations**

(1) The Sanitary Authority may make regulations for all or any of the following purposes—

- (a) for ensuring and regulating the use of main drainage channels as fit and proper channels for the passage of surface water; and to control the irrigation of any unhealthy area;
- (b) specifying and defining the rights, duties and obligations of such person or persons as may be appointed in relation to all such acts and things in, over or upon the beds of main drainage channels and unhealthy areas as may be deemed necessary for placing or keeping them in proper order and under proper control;
- (c) forbidding absolutely or regulating the drainage from any public or private sewer or drain into any main drainage channel or unhealthy area;
- (d) for the prevention of the deposit of filth or rubbish in the beds or on the banks of main drainage channels or in unhealthy areas;
- (e) for the regulation and maintenance of main drainage channels in such a manner as to prevent any nuisance arising therefrom; and
- (f) generally for the more effective carrying out of the provisions of this Part.

(2) Regulations made under this section shall not have any force or effect unless they have been approved by the Minister.

**37. Penalty for contravention of regulations**

Any person who contravenes any such regulations shall be guilty of an offence and liable to a fine of five hundred dollars for each offence, and in the case of a continuing offence to a further fine of fifty dollars for each day during which such offence continues after written notice thereof from the Sanitary Authority.

**PART V***Notifiable Infectious Diseases**Notification***38. Definition of infectious disease**

In this Part, the expression “infectious disease” means smallpox, chicken-pox, alastrim, leprosy, poliomyelitis, yellow fever, cholera, diphtheria, membranous croup, the disease known as scarlatina or scarlet fever, and the fevers known by any of the following names: typhus, enteric group, typhoid and para-typhoid, relapsing, and includes any other infectious disease to which this Part has been applied by regulation in manner provided by this Act.

**39. Notification of infectious disease**

(1) Where an inmate of any building used for human habitation is suffering from an infectious disease the following provisions shall have effect, that is to say—

- (a) The head of the family to which such inmate (in this Part referred to as “the patient”) belongs, and in his or her default the nearest relatives of the patient present in the building or being in attendance on the patient, and, in default of such relatives, every person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he or she becomes aware that the patient is suffering from an infectious disease, send notice thereof to the district medical officer;
- (b) Every medical practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from an infectious disease send to the Sanitary Authority a certificate stating the name of the patient, the situation of the building, and the infectious disease from which in the opinion of such medical practitioner the patient is suffering.

(2) Every person required by this section to give a notice or certificate who fails to give the same shall be liable to a fine of one thousand dollars:

Provided that if a person is not required to give notice in the first instance, but only in default of some other person, he or she shall not be liable to any fine if he or she satisfies the court that he or she had reasonable cause to suppose that the notice had been duly given.

**40. Forms of certificate and fees of medical practitioners**

(1) The Sanitary Authority may from time to time prescribe forms for the purpose of certificates under this Part and any forms so prescribed shall be used in all cases to which they apply.

(2) The Sanitary Authority shall gratuitously supply forms of certificate to any medical practitioner who applies for the same, and shall pay to every medical practitioner



(not being a medical officer) for each certificate duly sent by him or her in accordance with this Part a fee of forty cents.

#### **41. Power of Minister to extend definition of infectious disease**

(1) The Minister may, by regulation, declare that this Part shall apply to any infectious disease other than a disease specifically mentioned in this Part.

(2) Any such regulation may be permanent or temporary and, if temporary, the period during which it is to continue in force shall be specified therein.

(3) When any such regulation is made the Sanitary Authority shall send a copy thereof to every medical practitioner.

(4) The said regulation shall come into operation at such date, not earlier than three days after the first publication of the regulation in the *Gazette*, as may be fixed in such regulation, and upon such regulation coming into operation and during the continuance thereof, an infectious disease mentioned in such regulation shall be an infectious disease within the meaning of this Part.

#### **42. Precautions against spread of infectious disease**

(1) Where the Sanitary Authority is of opinion, on the certificate of the Chief Medical Officer, that such direction as is hereinafter mentioned would tend to prevent or check the spread of any infectious disease it may by direction in writing—

- (a) require any person carrying on the business of a baker, butcher, aerated water manufacturer, dairyman, restaurant keeper, hotel keeper, shopkeeper, or fishmonger or carrying on any business where any article of food, cooked or uncooked, or of drink intended for human consumption is manufactured or offered or exposed for sale, or carrying on the business of a cinema or any business for the entertainment of the public to discontinue the said business for such period, not exceeding three months, as may be specified in the direction;
- (b) require any person employed in or about any business enumerated in paragraph (a) to desist from his or her employment for such period not exceeding three months, as may be specified in the direction.

(2) Where in the opinion of the chairperson of the Sanitary Authority an emergency has arisen and there is insufficient time to summon a meeting of the Sanitary Authority he or she may make any direction which the Sanitary Authority could have given under subsection (1):

Provided that the chairperson shall refer any such direction to the Sanitary Authority as soon as possible after it is given and the Sanitary Authority shall either confirm or disallow it.

(3) Any person who neglects or refuses or fails to obey a direction given under subsection (1) or (2) and not disallowed shall be guilty of an offence and liable to a fine of three thousand dollars and to imprisonment for six months; and the Sanitary Authority may cause such business to be discontinued for the period specified in the direction.

(4) Where a direction is given under this section and the person affected thereby is in the opinion of the Sanitary Authority unable on account of poverty or other good cause to provide food, medicine and the necessaries of life, the Sanitary Authority may cause such person to be provided therewith at the public expense.

*Prevention***43. Duty of Sanitary Authority to cause premises to be cleansed and disinfected**

(1) Where the Sanitary Authority is of opinion, on the certificate of a medical practitioner, that the cleansing and disinfecting of any house or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious diseases, it shall be the duty of such Authority to give notice in writing to the owner or occupier of such house or part thereof, requiring him or her to cleanse and disinfect such house or part thereof and articles within a time specified in such notice.

(2) If the person to whom notice is so given fails to comply therewith he or she shall be liable to a fine not less than five dollars and not exceeding one hundred dollars for every day during which he or she continues to make default; and the Sanitary Authority shall cause such house or part thereof and articles to be cleansed and disinfected, and may recover the expense incurred from the owner or occupier in default in a summary manner.

(3) Where the owner or occupier of any such house or part thereof is from poverty or otherwise unable, in the opinion of the Sanitary Authority, effectually to carry out the requirements of this section, such Authority may, without enforcing such requirements on such owner or occupier, with his or her consent cleanse and disinfect such house or part thereof and articles, and defray the expenses thereof.

**44. Disinfection of bedding, etc.**

(1) The Sanitary Authority may, by notice in writing, require the owner of any bedding, clothing or other articles which have been exposed to the infection of any infectious disease to cause the same to be delivered over to a sanitary officer for removal for the purpose of disinfection; and any person who fails to comply with such requirement shall be liable to a fine of five hundred dollars.

(2) The bedding, clothing and articles shall be disinfected by the Authority and shall be brought back and delivered to the owner free of charge.

**45. Destruction of infected bedding, etc.**

The Sanitary Authority may direct the destruction of any bedding, clothing or other articles which have been exposed to infection from any infectious disease, and may give compensation for the same.

**46. Removal to hospital of infected persons without proper lodging**

(1) A person suffering from any infectious disease, who is without proper lodging or accommodation, or is in any house or premises where he or she cannot be effectually isolated so as to prevent the spread of the disease, may on a certificate signed by a medical practitioner be removed by Order of the Sanitary Authority to a hospital.

(2) An Order under this section may be addressed to such police officer or sanitary officer as the Sanitary Authority may think expedient; and any person who wilfully disobeys or obstructs the execution of such Order shall be liable to a fine of five hundred dollars.

**47. Detention in hospital of infected persons without proper lodging**

(1) The Sanitary Authority on being satisfied that a person suffering from any infectious disease is in a hospital, and would not on leaving the hospital be provided with

lodging or accommodation in which proper precautions could be taken to prevent the spread of the disease by such person, may direct such person to be detained in the hospital during the time limited by it and may enlarge the time as often as appears to it necessary for preventing the spread of the disease.

(2) The direction may be carried into execution by any sanitary officer, or by any police officer or any officer of the hospital.

#### **48. Temporary shelter, etc.**

The Sanitary Authority may provide, free of charge, temporary shelter or house accommodation with any necessary attendants for the members of any family in which any infectious disease has appeared who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected by the Sanitary Authority.

#### **49. Penalty on exposure of infected persons and things**

Any person who—

- (a) while suffering from any infectious disorder wilfully exposes himself or herself without proper precautions against spreading the said disorder in any street, public place, shop, inn, or public conveyance, or enters any public conveyance without previously notifying the owner, conductor, or driver thereof that he or she is so suffering;
- (b) being in charge of any person so suffering, so exposes such sufferer;
- (c) gives, lends, sells, transmits or exposes, without previous disinfection any bedding, clothing, rags, or any other articles of any description which have been exposed to infection from any such disorder;
- (d) exposes or conveys without proper precaution the body of any person who has died of any infectious disorder; or
- (e) holds a wake, or permits a wake to be held, in any house, room, or place, over which he or she has control over the body of any person who has died of any infectious disorder,

shall for each such offence, be liable to a fine of two hundred and fifty dollars:

Provided that no proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags, or other articles for the purposes of having the same disinfected.

#### **50. Penalty on letting houses in which infected persons have been lodging**

(1) Any person who knowingly lets for hire any house, room or part of a house in which any person has been suffering from any infectious disorder, without having such house, room, or part of a house, and all articles therein liable to retain infection, disinfected to the satisfaction of a medical officer as testified by a certificate signed by him or her, shall be liable to a fine of one thousand dollars.

(2) For the purposes of this section, the keeper of a hotel shall be deemed to let for hire part of a house to any person admitted as a guest into such hotel.

#### **51. Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to the owner, or on making false answers**

(1) Any person who shall cease to occupy any house, room, or part of a house, in which any person has within six weeks previously been suffering from an infectious disease without having such house, room or part of a house, and all articles therein liable to retain infection, disinfected to the satisfaction of a medical officer as testified by a certificate signed by him or her, or without first giving to the owner of such house, room, or part of a house notice of the previous existence of such disease, and every person ceasing to occupy any house, room, or part of a house, and who, on being questioned by the owner thereof, or by any person negotiating for the hire of such house, room, or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease, knowingly makes a false answer to such question, shall be liable to a fine of five hundred dollars.

(2) The Sanitary Authority shall cause notice of the provisions of this section to be given to the occupier of any house in which he or she is aware that there is a person suffering from an infectious disease.

## **52. Infection in schools**

Any person who shall knowingly or negligently send a child to school who, within the space of three months, has been suffering from any infectious disorder, or who has been resident in any house in which such infectious disorder shall have existed within the space of six weeks, without a certificate from a medical practitioner that such child is free from disease and infection, and unless his or her clothes have been properly disinfected, shall be liable to a fine of one hundred dollars.

## **53. Body of person dying of infectious disease in hospital, etc., to be removed only for burial**

(1) If a person dies in a hospital or place of temporary accommodation for the sick from any infectious disease, and the medical officer in charge certifies that in his or her opinion it is desirable, in order to prevent the risk of communicating such disease or of spreading infection, that the body be not removed from such hospital or place except for the purpose of being forthwith buried, it shall not be lawful for any person to remove the body except for that purpose; and the body when taken out of such hospital or place shall be forthwith taken direct to the place of burial and there buried.

(2) If any person wilfully offends against this section he or she shall be liable to a fine of five hundred dollars.

(3) Nothing in this section shall prevent the removal of a dead body from a hospital to a mortuary, and such mortuary shall, for the purposes of this section, be deemed part of such hospital.

## **54. Inspection of dairies, and power to prohibit supply of milk**

(1) If a district medical officer has evidence that any person in his or her medical district is suffering from an infectious disease attributable to milk supplied within the district from any dairy situate within the district, or that the milk from any such dairy is likely to cause any such disease to any person residing in the district, such medical officer shall visit such dairy, and examine the same and every person engaged on the service thereof or resident upon the premises or who may be resident in any premises where any person employed in such dairy may reside, and shall examine the animals therein, and shall forthwith report the results of his or her examination to the Sanitary Authority.

(2) If a district medical officer has evidence that any person in his or her medical district is suffering from any infectious disease attributable to milk from any dairy outside

the district, or that the milk from any such dairy is likely to cause any such disease to any person residing in the district, such medical officer shall forthwith intimate the same to the Sanitary Authority and the Sanitary Authority shall forthwith cause the dairy and the persons aforesaid and the animals therein to be examined by the district medical officer of the medical district in which the dairy is situate, and such last mentioned district medical officer shall forthwith report the results of his or her examination to the Sanitary Authority.

(3) If on consideration of the report the Sanitary Authority is satisfied that infectious disease is caused from consumption of the milk supplied from any such dairy he or she shall give notice to the dairyman to appear before the magistrate of the district in which the dairy is situate, within such time not less than twenty-four hours as may be specified in the notice, to show cause why an Order should not be made requiring him or her not to supply any milk from his or her premises until such Order has been withdrawn by the magistrate; and if in the opinion of the magistrate the dairyman fails to show cause then the magistrate may, on the application of the Sanitary Authority, make such Order as aforesaid. An order made by a magistrate in pursuance of this section shall forthwith be withdrawn upon proof being given that the Sanitary Authority or the medical officer of health of the Sanitary Authority on its behalf is satisfied that the milk supply has been changed or that the cause of infection has been removed.

(4) Any person, refusing to permit the district medical officer to inspect his or her premises or the animals kept there, or, after such order not to supply milk as aforesaid has been given, supplying any milk in contravention of such order or selling it for consumption, shall be deemed guilty of an offence against this Act:

Provided that no dairyman shall be liable to an action for breach of contract if the breach be due to an Order made under this Act.

#### **55. Prohibition of retention of corpse**

No person, without the sanction in writing of the district medical officer, shall retain unburied, elsewhere than in a public mortuary or in a room not used at the time as a dwelling place, sleeping place, or work room, for more than twelve hours the body of any person who died from any infectious disease.

#### **56. Order for burial**

Where the body of any person who has died from any infectious disease remains unburied elsewhere than in a mortuary or in a room not used at the time as a dwelling place, sleeping place, or work room, for more than twelve hours after death without the sanction of the district medical officer, or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of an adjoining or neighbouring house or building, the district medical officer may order the body to be removed at the cost of the Sanitary Authority to any available mortuary, and direct the same to be buried within a time to be limited in the order; and the district medical officer may in the case of the body of any person who has died of an infectious disease, or in any case in which he or she shall consider immediate burial necessary, direct the body to be so buried. Unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order, it shall be the duty of the officer in charge of the police station in the parish in which the body shall be to bury such body; and any expense so incurred may be charged by that officer in his or her accounts, and may be recovered by him or her or by the Sanitary Authority in a summary manner from any person legally liable to pay the expenses of such burial.

**57. Disinfection of public conveyances if used for carrying corpses**

Any person who hires or uses a public conveyance, other than a hearse, for the conveyance of the body of a person who has died from any infectious disease, without previously notifying the owner or driver of such public conveyance that the person whose body is or is intended to be conveyed has died from infectious disease, and, after any such notification as aforesaid, any owner or driver of a public conveyance, other than a hearse, which has been used for conveying the body of a person who has died from infectious disease, who shall not immediately afterwards provide for the disinfection of such conveyance, shall be guilty of an offence against this Act.

**58. Recovery of cost of maintenance of patient in hospital**

Any expenses incurred by the Sanitary Authority in maintaining in hospital, or in a temporary place for the reception of the sick, a patient who is not a pauper shall be deemed to be a debt due from such patient to the Sanitary Authority, and may be recovered from him or her or from his or her estate in the event of his or her dying in such hospital or place.

## PART VI

*Epidemic and Endemic Diseases**Power to make Regulations***59. Power to make regulations for prevention of diseases**

The Sanitary Authority may make regulations for the treatment of persons affected with any epidemic, endemic or infectious disease, and for the prevention of such diseases, and more particularly—

- (a) for the isolation and detention of persons suffering from such diseases; and
- (b) for declaring any area adjoining an isolation hospital to be an area within which no article, whether solid or liquid, intended for the food of man shall be exposed for sale.

**60. Power to make regulations for prevention of formidable diseases**

Whenever any part of Grenada appears to be threatened with or affected by any formidable epidemic, endemic or infectious disease, the Minister may make regulations for all or any of the following purposes, namely—

- (a) for the speedy interment of the dead;
- (b) for house to house visitation;
- (c) for the provision of medical aid and hospital accommodation, for the promotion of cleansing, ventilation, and disinfection and for guarding against the spread of disease;
- (d) for the isolation and detention of persons suffering from or suspected to have been infected by such disease;
- (e) for any such matters or things as may appear advisable for preventing or mitigating such disease,

and may by Order declare all or any of the regulations so made to be in force within the whole or any part or parts of Grenada, and to apply to any ships or vessels, whether on inland waters or on arms or parts of the sea within the jurisdiction of Grenada, for the period in such Order mentioned; and may by any subsequent Order abridge or extend such period.

*Special Provisions with Respect to Ankylostomiasis*

**61. Compulsory treatment and detention of infected persons**

(1) It shall be lawful for the Sanitary Authority, on a certificate signed by a district medical officer, by a written Order to require any person who, in the opinion of such medical officer is suffering from ankylostomiasis to attend for treatment at a public dispensary or to go or be taken to and to remain in a public hospital for treatment.

(2) If any person neglects or refuses to comply with any requirement of any such Order he or she shall be guilty of an offence against this Act.

**62. Power to take back to hospital infected persons leaving without permission**

Any person, who while under medical treatment for ankylostomiasis leaves any hospital without the permission of the medical officer in charge of such hospital may be taken back to such hospital by any officer or employee thereof, or by any police officer on the order of the medical officer of such hospital.

**63. Sanitary Authority may require owners of estates to provide suitable privy accommodation**

(1) It shall be the duty of every Public Health 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 and 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 named 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 costs 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 to carry out such order, be liable to a fine of twenty-five dollars for each day during which such default continues; any such owner or occupier knowingly and wilfully acting contrary to any such order shall be liable to a fine of fifty dollars for each day during which such contrary action continues.

**64. Penalty for defecating in places other than place provided on an estate for the purpose**

(1) When privy accommodation shall have been provided in accordance with this Act, the Sanitary Authority may cause public notices to be affixed on the estate prohibiting all persons from defecating in any place other than the place provided for the purpose.

(2) Every person who misuses any privy accommodation provided under this Act, or who disobeys the public notices affixed on the estate as aforesaid, shall be liable to a fine of two hundred and fifty dollars.

**65. Provision of public latrines in towns and villages**

(1) All towns shall, and all villages 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.

(2) The payment of any expenses incurred in carrying out any requirements under this section in relation to a town or a village outside the limits of a town shall be charged upon and paid out of the Consolidated Fund.

**66. Provision of privies for schools**

(1) Every school shall be provided by the managers or such other persons having the control thereof with sufficient and suitable privy accommodation for the use of the teaching staff and of the pupils; and such accommodation shall be provided separately for each sex.

(2) 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.

(3) One-half of all expenses incurred under this section in relation to any assisted school shall be charged upon and paid out of the Consolidated Fund:

Provided that such expenses shall have been approved by the Sanitary Authority prior to the work having been undertaken.

(4) 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 shall be liable to a fine of two hundred and fifty dollars; 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, shall be guilty of an offence against this Act.

**67. Regulations regarding ankylostomiasis**

The Sanitary Authority may make regulations for guarding against the spread of ankylostomiasis and preventing pollution of the surface of the ground, and more particularly—

- (a) for prescribing the forms of privy accommodation to be provided under this Act;
- (b) for promoting the cleanly and proper use of such privy accommodation;



- (c) for the cleansing and disinfection of the ground in any place affected by the disease.

*Special Provisions with Respect to Venereal Diseases*

**68. Power of Sanitary Authority to make regulations for guarding against the spread of venereal diseases, etc.**

The Sanitary Authority shall make regulations for guarding against the spread of venereal diseases and for promoting knowledge as to the nature, causes, effects and prevention of such diseases.

*Special Provisions with Respect to Schistosomiasis*

**69. Power of Chief Medical Officer to control causes of schistosomiasis**

(1) It shall be unlawful without a permit issued by the Chief Medical Officer to import or, after importation, to distribute any aetiological agent capable of being a cause or vector of human schistosomiasis otherwise known as bilharzia, and any such agent imported without the authority of such a permit shall be seized by an officer of the Department of Customs and Excise and held by him or her until its release or, as the case may be, its destruction has been directed in writing by the Chief Medical Officer.

(2) Notwithstanding that a permit has been issued under subsection (1) if, on reasonable suspicion, the Chief Medical Officer, a public health inspector, a district medical officer or a plant protection officer considers that such agent is harbouring snails or the eggs of snails capable of causing human schistosomiasis, he or she may seize such agent and examine the same; if any such snails or eggs are found the Chief Medical Officer shall be informed and he or she shall destroy the same or order the destruction thereof.

(3) If any person unlawfully imports or distributes an aetiological agent capable of being a cause of schistosomiasis, in contravention of subsection (1), he or she shall be guilty of an offence against this Act.

PART VII

*Burial Grounds and Burials*

**70. Discontinuance, by Order, of burials in a burial ground**

In case it shall appear to the Minister, upon representation made to him or her or otherwise, that for the protection of public health, burials in any cemetery or burial ground should be wholly discontinued, or should be discontinued subject to any exception or qualification, it shall be lawful for the Minister to make an Order requiring that after a time mentioned in the Order burials in such cemetery or burial ground shall be discontinued wholly or subject to any exceptions or qualifications mentioned in such Order, and so from time to time as circumstances may require.

**71. Penalty on persons burying contrary to the provisions of Orders**

If any person, after the time mentioned in an Order under section 70 for the discontinuance of burials in any cemetery or burial ground, knowingly and wilfully buries

any body, or in anywise acts or assists in the burial of any body in such cemetery or burial ground in violation of the provisions of any such Order, every person so offending shall be guilty of an offence and liable, on summary conviction, to a fine of one thousand five hundred dollars.

#### **72. Power to make regulations**

The Sanitary Authority may make regulations for the management, regulation and control of public and private cemeteries and burial grounds and with respect to the burial of bodies.

### PART VIII

#### *Miscellaneous*

#### **73. Regulations subject to approval of Minister, etc.**

Every regulation made by the Sanitary Authority shall have the force and effect of law when approved by the Minister and published in the *Gazette*:

Provided that such regulation shall be laid on the Table of the House of Representatives at its first meeting after such publication and shall cease to have such force and effect if disallowed by the House of Representatives.

#### **74. Notices, etc., may be printed or written, etc.**

Notices, Orders, and other such documents under this Act may be in writing or print, or partly in writing and partly in print; and if the same require authentication by the Sanitary Authority the signature thereon of the clerk to the Sanitary Authority shall be sufficient authentication.

#### **75. Service of notices, etc.**

(1) Notices, Orders, and any other documents required or authorised to be served under this Act may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises, by delivering the same or a true copy thereof to some person on the premises, or if there is no person on the premises who can be so served, by fixing the same on some conspicuous part of the premises; they may also be served by being sent by registered post and if so served by post shall be deemed to have been served not later than the seventh day succeeding the day when posted, and in proving such service it shall be sufficient to prove that the Notice, Order, or other document was properly addressed and put into the post.

(2) A Notice by this Act required to be given to the owner or occupier of premises may be addressed by the description of the “owner” or “occupier” of the premises (naming them) in respect of which the notice is given, without further name or description.

(3) A Notice by this Act required to be given to the Sanitary Authority may be given in a registered letter addressed to the Sanitary Authority and if the person giving such notice is resident in a parish where no office of the Authority exists such letter shall be transmitted by the Post Office free of charge.

**76. General power of entry for sanitary inspection of premises**

(1) For the purposes of carrying out any of the objects of this Act, it shall be lawful for the Sanitary Authority or any person duly authorised by the Authority or for any sanitary officer to enter in the day time after one hour's notice previously given, into any dwelling-house, and to 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, slaughter-house, aerated water factory, cellar, stable, outbuilding, yard, lands, or other premises whatever.

(2) Any person who obstructs any such entry as aforesaid shall be liable to a fine of five hundred dollars.

**77. Application of Act to vessels, tents, etc.**

The provisions of this Act shall apply to every ship, vessel, boat, tent, van, shed or similar structure used for human habitation in like manner as nearly as may be as if it were a building.

**78. General penalties**

Any person who—

- (a) commits an offence against this Act for which no penalty is specifically provided;
- (b) wilfully obstructs the Sanitary Authority or any sanitary officer or any person duly authorised by the Sanitary Authority in carrying out the provisions of this Act where no penalty is specifically provided;
- (c) contravenes a regulation made under this Act; or
- (d) wilfully obstructs any person acting under the authority or in execution of any regulation made under this Act,

shall, for each offence, be liable to a fine of five hundred dollars and if the offence is a continuing one to a further fine of fifty dollars for each day during which the offence continues.

**79. Prosecution of offenders**

All offenders against this Act or against regulations made thereunder may be prosecuted by the Sanitary Authority or a sanitary officer or by the Chief of Police, or by the officer for the time being in charge of any police station, before the magistrate of the district in which the offence occurs.

**80. Appearance of Sanitary Authority before magistrate**

The Sanitary Authority may appear before a magistrate by any person authorised in writing generally or in respect of any special proceeding so to appear by the Sanitary Authority.

**81. Protection of Sanitary Authority and sanitary officers from personal liability**

No matter or thing done by the Sanitary Authority, or a sanitary officer, or by any person whomsoever acting under the direction of the Sanitary Authority, or a sanitary officer, shall, if the matter or thing were done *bona fide* for the purpose of executing the

provisions of this Act, subject them or any of them personally to any action, liability, claim or demand whatsoever.

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**CHAPTER 263  
PUBLIC HEALTH ACT**

**SUBSIDIARY LEGISLATION**

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*List of Subsidiary Legislation*

1. Public Health (Drainage, Soubise) Proclamation
  2. Public Health Regulations
- 

**Public Health (Drainage, Soubise) Proclamation**

**PUBLIC HEALTH (DRAINAGE, SOUBISE) PROCLAMATION**

[Section 29.]

**A Proclamation by the Governor dated 19th May, 1938, made under section 29 of the Public Health Act.**

Whereas by section 29 of the Public Health Act it is provided that the Minister may in his or her absolute discretion apply the provisions of the Act aforesaid, *inter alia*, to any main drainage channel.

And whereas it is expedient to proclaim certain main drainage channels to be main drainage channels to which the aforesaid Act applies.

It is, therefore, proclaimed and notified that the main channel leading from a culvert on the St. Andrew's First Class Road at Soubise through certain lands of Josiah Jessamy to the sea to be a main drainage channel to which the said enactment applies.

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**Public Health Regulations**

**Amended by**

SRO 44 of 2006

**ARRANGEMENT OF REGULATIONS**

1. Citation.

**PART I**

*Public Health Act – Subsidiary Legislation**Sanitary Authority*

2. Sanitary Authority.

*Appointed Areas*

3. Appointed areas.  
4. Public Health Inspector.

*Nuisances*

5. Declaration of nuisance.

*Infectious Diseases*

6. Application of Act.  
7. Application of regulations to ships.

## PART II

*Definitions*

8. Definitions.

*Bakehouses*

9. Registration of bakehouses.  
10. Applications.  
11. Inspection of premises.  
12. Fees for certificate.

*Inspection and Securing Cleanliness*

13. List of personnel.  
14. Restrictions on entry to bakehouse.  
15. General cleanliness.  
16. Cleaning receptacles, etc.  
17. Cleaning of articles, etc.  
18. Prohibition of expectoration.  
19. Clean clothing, etc.  
20. Supply of soap, etc.  
21. Restrictions on use of bakehouse.  
22. Authorised personnel.

*Slaughter-Houses**Registration and Certification*

23. Registration of slaughter-houses.  
24. Licensing of slaughter-houses.  
25. Medical examination of personnel.

*Inspection and Securing Cleanliness*

26. Authorised personnel.  
27. Restrictions on use of slaughter-houses.  
28. General cleanliness.  
29. Prohibition on dogs.  
30. Slaughter of healthy animals.  
31. Water supply.  
32. Collection of refuse, etc.

*Public Health Act – Subsidiary Legislation*

---

- 33. Cleanliness of personnel.
- 34. Site of slaughter-house.

*Transport of Meat*

- 35. Cleanliness of transport, etc.

*Aerated Water Factories*

- 36. Registration of premises.
- 37. Application for registration, etc.
- 38. Water supply.
- 39. Spring water.
- 40. Cleaning bottles, etc.
- 41. Sterilisation of bottles, etc.
- 42. Use of sugar, etc.
- 43. Approval of filters.
- 44. Restrictions on sale.
- 45. Offences.
- 46. Cleanliness of clothing, etc.
- 47. Restrictions on use of machines.
- 48. Closure of factory.
- 49. Re-opening of factory.
- 50. Inspection by Health Inspector.

*Ice Factories*

- 51. Registration of factories, etc.

*Barber's Shops*

- 52. Approval by Authority, etc.

*Dairies, Dairymen and Vendors of Milk*

- 53. Registration of owners.
- 54. Registration of vendors.
- 55. Certification by medical officer.
- 56. Cleanliness of premises.
- 57. Cleanliness of cows.
- 58. Storage of milk.
- 59. Cleanliness of containers.
- 60. Delivery of milk.
- 61. No adulteration, etc.

*Food Exposed for Sale*

- 62. Care of food items.
- 63. Prevention of contamination.
- 64. Conditions of sale.
- 65. Prohibited persons.
- 66. Production of medical certificate.
- 67. Employment of prohibited persons.
- 68. Cleanliness of clothes.
- 69. Cleanliness of receptacles.
- 70. Cleanliness of counters, etc.
- 71. Use of implements.
- 72. Clean hands.

*Public Health Act – Subsidiary Legislation*

- 73. Handling of food items by owner, etc.
- 74. Handling of food items by purchaser.
- 75. Conditions of sale.
- 76. Prescribed conditions.
- 77. Certificate of health.

*Pollution of Streams*

- 78. Pollution of streams.
- 79. Prohibited areas.
- 80. Offences.

*Keeping of Swine*

- 81. Keeping of swine.
- 82. Sties for swine.
- 83. Construction of pigsty.
- 84. Site of pigsty.
- 85. Cleanliness of pigsty.
- 86. Sanitary condition of pigsty.

*Epidemic, Endemic and Infectious Diseases*

- 87. Visit by Medical Officer.
- 88. Isolation of houses.
- 89. Provision of medical facilities.
- 90. Removal of isolated person.
- 91. Provision of isolated places.
- 92. Isolation hospitals.
- 93. Hoisting of flag.
- 94. Disinfection of suspected places.
- 95. Provision of facilities by Authority.
- 96. Destruction of articles.
- 97. Isolation of suspected persons.
- 98. Exclusion of infected persons.
- 99. House-to-house inspection.
- 100. Entry to premises.

*Special Clause Relating to Small-pox*

- 101. Small-pox.

*Special Clauses Relating to Yellow Fever*

- 102. Yellow fever.
- 103. Removal of patients.
- 104. Fumigation.
- 105. Mosquitoes.

*Special Clauses Relating to Bubonic Plague*

- 106. Bubonic plague.
- 107. Evacuation of premises.
- 108. Isolation of contacts.
- 109. Examination of dead bodies.
- 110. Treatment of dead bodies.

*Interment of Persons Dying of any Infectious Disease*

*Public Health Act – Subsidiary Legislation*

- 
- 111. Interment.
  - 112. Site of cemeteries.
  - 113. Burial in private ground.
  - 114. Depth of graves.
  - 115. Disturbance of graves.
  - 116. Prompt burial.
  - 117. Removal of dying persons.
  - 118. Approval for burial.

*Disposal of Refuse and Rubbish*

- 119. Dumping of refuse.
- 120. Cleanliness of houses, etc.
- 121. Cleanliness of land.
- 122. Receptacles.
- 123. Cleaning of receptacles.
- 124. Supply of receptacles.
- 125. Disposal of dead animals.
- 126. Manner of disposal.
- 127. Kitchen slops, etc.
- 128. Burial of dead animals.
- 129. Removal of refuse.
- 130. Removal of spilled refuse.

*Disposal of Excreta*

- 131. Privy accommodation.
- 132. Water-closets, etc.
- 133. Site of water closets.
- 134. Construction of water-closets.
- 135. Construction of pit-closets.
- 136. Pails.
- 137. Cleanliness of receptacles.
- 138. Disposal of excreta.
- 139. Excrement.
- 140. Siting of disposal areas.
- 141. Construction of septic tanks.
- 142. Placing of pits, etc.
- 143. Withdrawal of permission.
- 144. Application of Regulations.

*Removal of Night Soil*

- 145. Conveying of night soil.
- 146. Deposit of night soil.
- 147. Places of deposit.
- 148. Offences.
- 149. Liability of occupier.

*Disposal of Corpses Brought into the State*

- 150. Master of ship to report.
- 151. Information to Authority.
- 152. Delivery to Authority.
- 153. Burial or conveyance to mortuary.
- 154. Permission for burial, etc.



*Public Health Act – Subsidiary Legislation*

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*Unsound Food*

- 155. Inspection of food.
- 156. Seizure of unwholesome food.
- 157. Condemning unwholesome food.
- 158. Certificate of unfitness for consumption.
- 159. Jurisdiction of Magistrate.
- 160. Cancellation of licence.
- 161. Obstruction of officers.
- 162. Search warrant.
- 163. Examination of animals.
- 164. Removal of unwholesome food, etc.

## PART III

*Rats**Destruction of Rats on Vessels*

- 165. Extermination of rats on ships.
- 166. Compliance with Regulations.
- 167. Enforcement of Regulations.
- 168. Penalty.

*Destruction of Rats on Land*

- 169. Grants.
- 170. Utilisation of grants.
- 171. Reward for delivery of rats.
- 172. Destruction of rats.
- 173. Notice to destroy rats.
- 174. Powers of entry.
- 175. Prosecution for non-compliance.
- 176. Action by Sanitary Authority.
- 177. Objections.
- 178. Vacant premises.

## PART IV

*Restaurants**Definitions*

- 179. Definitions.

*Registration*

- 180. Registration of premises.

*Examination and Inspection*

- 181. Examination of food samples.

*Requirements as to Premises*

- 182. Floors.
- 183. Walls and ceiling.
- 184. Doors and windows.
- 185. Lighting.

*Public Health Act – Subsidiary Legislation*

- 
- 186. Ventilation.
  - 187. Toilet facilities.
  - 188. Water supply.
  - 189. Lavatory facilities.
  - 190. Utensils.
  - 191. Prohibited utensils.
  - 192. Cleanliness of utensils.
  - 193. Bactericidal processes.
  - 194. Storage of garbage.
  - 195. Perishable food.
  - 196. Cleanliness of food.
  - 197. Protection from dust, etc.
  - 198. Cleanliness of restaurants.
  - 199. Location of restaurants.
  - 200. Lockers, etc.
  - 201. Itinerant restaurants.

*Disease Control*

- 202. Prohibition on certain employment.
- 203. Exclusion of certain employees.
- 204. Penalty.
- Schedule Forms

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**PUBLIC HEALTH REGULATIONS**

[Section 15. Amended by SRO 44 of 2006.]

[2nd November, 1925.]

**1. Citation**

These Regulations may be cited as the Public Health Regulations.

**PART I***Sanitary Authority***2. Sanitary Authority**

The Chief Medical Officer shall be the chief executive officer of the Sanitary Authority, and in the administration by a local authority of the sanitary provisions of the Act and of any regulations made thereunder such local authority shall observe and follow the instructions and directions of the Chief Medical Officer.

*Appointed Areas***3. Appointed areas**

For the purpose of the performance of their duties by Public Health Inspectors the State shall be divided into the following areas—

- 
- AREA I – That portion of the city and parish of St. George on the right of Church Street along Lucas Street down Lowthers Lane and following along the right of the St. George’s lower road to the Calivigny bridge then to the sea.
- AREA II – That portion of the city and parish of St. George running along the left of Church and Lucas Streets down the left of Tempe Road along Ravine and including La Mode, St. George’s Estate thence to Lakehouse Grand Etang and the entire area to the Woodford River.
- AREA IIA – That portion of the Parish of St. George on the right of Tempe Road along the right of Ravine including Radix, Mt. Parnassus, St. Paul’s to Park Bridge and Ravine on the left then down Morne Delice to Calivigny Bridge on the left.
- AREA III – The Parishes of St. John and St. Mark from Perseverance including the entire areas of St. John and St. Mark to the Duquesne River on the left bank.
- AREA IV – The Parish of St. Patrick from the right of the Duquesne River including the whole area of St. Patrick down to the left bank of River Antoine along its entire course.
- AREA V – That portion of the parish of St. Andrew from the bank of River Antoine including the entire area along the Great River.
- AREA VI – That portion of the parish of St. Andrew including the entire area on the right bank of the Great River to Lakehouse Grand Etang thence to the Grand Bacolet River on the left bank.
- AREA VII – The parish of St. David including the entire area from the right bank of the Grand Bacolet River to the Park Bridge and Ravine on the right.
- AREA VIII – The Island of Carriacou.

#### **4. Public Health Inspector**

One District Public Health Inspector shall be assigned to each of the above-mentioned areas.

#### *Nuisances*

#### **5. Declaration of nuisance**

(1) The Sanitary Authority hereby declares to be a nuisance, liable to be dealt with summarily under the provisions of the said Act, any of the undermentioned trees, plants or vegetation, being within any city, town or in close vicinity to any human habitation, namely—

- (a) vegetation, bush, or trees so rank and thickly growing as to prevent the free circulation of air, or the penetration of sunlight under or through the same;
- (b) parasitic plants, such as “Wild Pines” (*Bromeliaceae*), growing on trees or rocks, and capable of holding stagnant water in which mosquitoes may breed;
- (c) trees or stumps of trees or of bamboos, containing holes capable of holding stagnant water in which mosquitoes may breed;

- (d) water-holding plants, which provide a place wherein mosquitoes may breed;
- (e) any accumulation of any stagnant water in any city, town or in or about any human habitation, which accumulation results from want of proper care or from want of repair to any construction or defective construction;
- (f) any articles or receptacles or any construction, holding stagnant water, not being a receptacle or construction designed and used for the storage of water;
- (g) any receptacle or construction, designed and used for the storage of water, which is not either—
  - (i) cleared or emptied daily,
  - (ii) effectively screened, from the access thereto by mosquitoes, with wire-gauze (eighteen mesh, at least, to the inch) or, in the case of receptacles kept in a house, with a covering of cheese-cloth,
  - (iii) stocked with mosquito-destroying fish, or
  - (iv) covered with a film of oil;
- (h) any pond or pit containing water, situate in a city, town, or within one hundred and fifty yards of a human habitation, which is not stocked with mosquito-destroying fish or covered with a film of oil;
- (i) any receptacle used for storing water, which receptacle may have been condemned as unnecessary under notice in writing of the local Sanitary Authority served or left on any premises in pursuance of the provisions of any regulations made under the Act;
- (j) the planting of any plantain, banana or bluggoe trees at a distance less than fifteen feet apart;
- (k) the planting of or permitting to remain more than three trees in any one stool;
- (l) the planting of any plantain, banana or bluggoe trees at a distance of less than twenty feet from any building.

(2) Any collection of water shall for the purposes of these Regulations be regarded as “stagnant water” if the same contains mosquito larvae or if the same has been left undisturbed for a period exceeding eighteen hours.

### *Infectious Diseases*

#### **6. Application of Act**

Part IV of the Act (which relates to the notification and prevention of infectious disease) shall apply to tuberculosis, infantile paralysis, cerebro-spinal meningitis, Spanish influenza, measles, influenza, pneumonia, epidemic influenza and dysentery, chicken pox, poliomyelitis.

#### **7. Application of regulations to ships**

Regulations 87 to 118 shall apply to ships in the ports of the State.

## PART II

### *Definitions*

**8. Definitions**

In this Part of the Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“Authority” means the Sanitary Authority;

“food” includes every article used for food or drink by man other than drugs or water and any article which ordinarily enters into or is used in the composition or preparation of human food; it also includes condiments or flavouring matters;

“milk distributor” means any person who carries from one place to another milk sold or intended for sale;

“milk vendor” means any person who sells milk or offers milk for sale either by retail or in bulk;

“milker” means any person, whether he or she be regularly so employed or not, who shall draw milk from any animal kept for the production of milk for sale;

“refuse” and “rubbish” mean all waste matter accumulated or deposited or improperly disposed of so as to become a nuisance or injurious to health, and are hereby so declared under section 17(*h*) of the Act. The terms “refuse” and “rubbish” shall include all waste substance forming house refuse such as any fruit or vegetable skins, stones, seeds or shells, sticks, straw, leaves, grass, bush, paper, rags, bottles (whole or broken), tin receptacles for canned provisions, ware of any kind (whole or broken), litter, offal, excreta, or any other vegetable matter, or fluid (except disinfectants) or other thing whatever liable to cause any street or public place or part thereof, yard or other private lands—

- (a) to be insanitary, unsightly or untidy; or
- (b) to emit any noxious effluvia or offensive smell.

*Bakehouses***9. Registration of bakehouses**

No premises shall be used as a bakehouse unless the same shall have been duly registered in accordance with the provisions of the Act.

**10. Applications**

(1) Every person desirous of carrying on a bakehouse shall in accordance with section 13(1) of the said Act, make application in writing to the Authority, to have the same registered as such, and to have himself or herself or herself registered as owner or manager thereof.

(2) Every application must state the situation of such building, and give therein particulars of the construction thereof, and of the suitability for the purpose of such building, or the portion intended to be used as a bakehouse.

**11. Inspection of premises**

On receiving an application to register a bakehouse it shall be the duty of the Authority to proceed within three days thereafter to inspect the premises indicated in such application and, if the premises be in compliance with the requirements of section 11 of the Act, to register and certify the same in the name of the applicant.

**12. Fees for certificate**

There shall be paid to the Authority for such certificate, previous to the issue thereof, the sum of forty dollars.

*Inspection and Securing Cleanliness***13. List of personnel**

The owner or manager of any bakehouse shall keep in some conspicuous place therein, a list of the names of the persons employed thereat or in connection therewith. The name of each such employee shall correspond with the name on the medical certificate held by such employee, and be legibly written in such list.

**14. Restrictions on entry to bakehouse**

No person shall be allowed in any bakehouse, except—

- (a) the owner or manager thereof and persons employed therein and certificated in accordance with section 8 of the Act; and
- (b) persons not suffering from any infectious disease, or other disease within the meaning of the same section.

**15. General cleanliness**

The floor, ceilings, and inside walls and roofings of any bakehouse must be kept clean and free from dust to the satisfaction of the Authority.

**16. Cleaning receptacles, etc.**

(a) All receptacles kept in any bakery with flour or any other ingredients to be used in the preparation of articles of food to be baked for human consumption;

(b) all flour or other ingredients so kept and intended to be used as hereinbefore mentioned; and

(c) any machinery, apparatus or implement in any bakery for use in the manufacture of any such article of food as aforesaid,

shall be kept thoroughly clean and in good condition free from mould, vermin or any deleterious matter whatever.

**17. Cleaning of articles, etc.**

No person employed in or about any bakehouse shall knowingly use in the preparation or manufacture therein of any article of food to be baked for human consumption, any ingredients, receptacle, machinery, apparatus, or implement unless the same shall be thoroughly clean and in good condition and free from mould, vermin or any deleterious matter whatever.

**18. Prohibition of expectoration**

No person in any bakehouse shall expectorate on any portion thereof.

**19. Clean clothing, etc.**

Every person employed at or in any bakehouse shall—

- (a) be attired in clean clothes and wear a clean apron or overall; and
- (b) use only clean hands and forearms when kneading dough or handling any ingredients used in the preparation of any article of food to be baked for human consumption.

#### **20. Supply of soap, etc.**

The owner or manager of any bakehouse shall provide sufficient soap, clean water, and a clean towel for the use of each person employed at or in connection with such bakehouse while such person is actually employed thereat or in connection therewith.

#### **21. Restrictions on use of bakehouse**

No clothing or wearing apparel of any kind or bedding shall be hung or spread in the place used as a bakehouse, and no-one shall be allowed to sleep therein either in the day or night, nor shall any washing be done therein except in so far as relates to the cleansing of troughs or any vessels used for the baking of such bread, cakes or food.

#### **22. Authorised personnel**

No person other than those mentioned in the application for registration, and who have obtained the necessary medical certificate shall be allowed to take part in the baking or selling of any bread, cakes or food in the bakehouse.

### *Slaughter-Houses*

#### *Registration and Certification*

#### **23. Registration of slaughter-houses**

No premises shall be used as a slaughter-house unless the same shall be registered at the office of the Authority.

#### **24. Licensing of slaughter-houses**

No slaughterer of cattle or horses, as defined in section 2 of the Act, shall use any premises for the purpose of his or her trade unless licensed under the Licences Act, Chapter 172.

#### **25. Medical examination of personnel**

(1) Every person working at or for a slaughter-house 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 six months following its issue by the manager or owner of the slaughter-house, and shall be produced by him or her whenever required to do so for the information of the Authority or of any Sanitary Officer.

(2) Any person failing to comply with any of the requirements of this Regulation shall be guilty of an offence under the Act.

*Inspection and Securing Cleanliness*

**26. Authorised personnel**

(1) No person shall be allowed in any slaughter-house or meat stall except—

- (a) the owner or manager thereof and 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.

(2) The owner or manager thereof violating this Regulation, or permitting any person suffering from any such disease to remain in or about any slaughter-house, after being required to depart therefrom, shall be guilty of a violation of these Regulations.

**27. Restrictions on use of slaughter-houses**

Any owner or manager of a slaughter-house who uses or permits to be used, and any other person who uses any slaughter-house 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 slaughter-house, shall be guilty of a violation of these Regulations.

**28. General cleanliness**

(1) The floor, ceilings and inside walls and roofings of any slaughter-house must be kept clean and free from dust to the satisfaction of the 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 three hours after any animal has been slaughtered, and all skins, offal and waste substances removed, within the same period.

(4) Every six months or oftener if necessary to the satisfaction of the Authority the walls and floors must be thoroughly cleansed with a detergent approved for the purpose by the Authority.

**29. Prohibition on dogs**

No dogs shall be permitted to enter or be kept within any slaughter-house, 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.

**30. Slaughter of healthy animals**



(1) No animal shall 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 Public Health Inspector to examine any animal suspected to be diseased.

(2) In case any animal shall not be passed as fit for human food by a Sanitary Officer or the person in charge of such animal or the owner thereof upon intimation to that effect shall, within a reasonable time not exceeding twenty-four hours from the time of the inspection remove or cause such animal to be removed from the slaughter-house.

(3) The carcass of every animal slaughtered shall, before removal or sale be examined by the owner or manager or a sanitary officer 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 sanitary officer to examine any such carcass or part thereof.

(5) If the sanitary officer 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.

(6) No carcass or any part thereof shall be offered for sale until it has been passed fit for human consumption by a Medical Officer, Veterinary Officer or Public Health Inspector:

Provided that if two hours have elapsed after the time appointed for the visit of inspection of the Medical Officer, Veterinary Officer or Public Health Inspector and without any default on the part of the manager or owner there has been no inspection of the carcass, and the owner or manager has no reason to believe that the carcass or any part thereof is unfit for human food, he or she may commence sale.

### **31. Water supply**

Every slaughter-house 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.

### **32. Collection of refuse, etc.**

Receptacles of non-absorbent material for the collection of refuse and offal must be provided by the owner or manager of every slaughter-house and kept clean when not in actual use. All such receptacles must be emptied within a reasonable time not exceeding six hours after the completion of the slaughtering operations.

### **33. Cleanliness of personnel**

(1) Every person employed at or in any slaughter-house 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 slaughter-house shall provide sufficient soap, clean water and a clean towel for the use of each person employed at or in connection with any slaughter-house.

### **34. Site of slaughter-house**

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

*Transport of Meat***35. Cleanliness of transport, etc.**

(1) Any vehicle used for the transport of meat shall be cleaned and the interior surfaces shall be hard, smooth, impervious and capable of being easily cleansed.

(2) The covering and any implements or loading apparatus of any such vehicle which come into contact with the meat or its covering shall also be kept clean.

(3) If any commodity is being conveyed in the vehicle at the same time as the meat, then the meat shall be protected from contact by a clean cloth, or suitable clean material.

(4) No live animal shall be conveyed in the vehicle at the same time as meat.

(5) No meat shall be transported in open carts or in any vehicle which does not allow every portion of it to be completely protected from contamination by dust, flies or otherwise.

(6) All meat shall be adequately protected during transit by wrapping in clean white cloth.

(7) All persons engaged in transporting meat from one place to another shall wear clean and washable head covering and overalls.

*Aerated Water Factories***36. Registration of premises**

No premises shall be used as an aerated water factory unless the same shall have been duly registered in compliance with the provisions of these Regulations.

**37. Application for registration, etc.**

(1) Every aerated water factory shall be registered annually at the office of the 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 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 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 one thousand dollars shall be payable to the Authority by the Applicant for each certificate thus issued.

(2) Every 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 shall be guilty of a violation of these Regulations.

**38. Water supply**

Every factory situate in any city or 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 filters, tank or other vessel used in the process of manufacture, be first filtered.

**39. Spring water**

(1) The water used in any factory where a service tap cannot be installed for any of the purposes mentioned in the preceding regulation 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 Authority to have been so approved;
- (b) boiled; and
- (c) filtered.

(2) Any owner or manager of a factory contravening this or the preceding regulation shall be guilty of a violation of these Regulations.

#### **40. Cleaning bottles, etc.**

No aerated drinks shall be manufactured and no bottles for holding the same, nor filters, tank or other vessel used in the process of manufacture shall be cleaned except with such water as is hereinbefore prescribed for use in the factory in which such drinks are manufactured.

#### **41. Sterilisation of bottles, etc.**

No bottle shall be used for containing aerated drinks which has not been properly cleansed and sterilised; either by boiling for not less than twenty minutes in boiling water or by immersion for not less than thirty minutes in a solution of permanganate of potash of a strength of five grains to one gallon of water, this solution to be washed out of bottles by filtered water. Brushes and any other appliances used for cleansing bottles shall be sterilised – immediately before use – by boiling them for not less than twenty minutes in boiling water.

#### **42. Use of sugar, etc.**

(1) No sugar or other article shall be used in the manufacture of any aerated drinks except the same be clean and free from any deleterious matter.

(2) No saccharine shall be used in the manufacture of any aerated drink.

#### **43. Approval of filters**

All filters used in any factory must be approved by the Authority; and any owner or manager using any filter after intimation in writing to him or her that such Authority disapproves of the same, shall be guilty of a violation of these Regulations.

#### **44. Restrictions on sale**

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 hereinbefore prescribed.

#### **45. Offences**

Any owner or manager of a factory knowingly employing therein any person suffering from any contagious or infectious disease or from any ulcer, or infectious abrasions of the skin shall be guilty of a violation of these Regulations.

**46. Cleanliness of clothing, etc.**

Any person employed at or in any factory shall—

- (a) be attired in clean clothes;
- (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; and
- (d) be certified free from disease by a Medical Officer.

**47. Restrictions on use of machines**

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.

**48. Closure of factory**

For a breach of any of the foregoing regulations the Court shall be empowered in addition to any penalty to order that the said factory be closed.

**49. Re-opening of factory**

Any aerated water factory which has been closed by the Order of any Court of the State shall not re-open for the manufacture of aerated drinks until the Magistrate is satisfied and has certified that the said factory conforms to all the requirements of these Regulations.

**50. Inspection by Health Inspector**

The Public Health 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.

*Ice Factories***51. Registration of factories, etc.**

(1) No premises shall be used as an ice factory unless the same shall be duly registered in compliance with the provisions of these Regulations.

(2) Every such factory shall be registered annually at the office of the Authority; and for this purpose every person who intends to use during any year any premises as an ice factory shall make application in writing to the 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 in a sanitary condition, the Authority shall issue to the applicant a certificate to the effect that they can properly be used as an ice factory, in respect of the year for which the applicant seeks to register the premises. A fee of thirty dollars shall be payable to the Authority by the applicant for every certificate thus issued:

Provided that every 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 ice factory without being registered shall be guilty of an offence against these Regulations.

(3) Every factory shall have its supply of water taken direct from a service tap in the said factory, and such water shall, before being used in the manufacture of ice, or for cleansing any tanks or other vessels used in the process of manufacture, be first filtered.

(4) The water used in any ice factory where a service tap cannot be installed, or has not yet been installed, shall be taken from a spring or other place approved by the Authority, and before being used for any of the purposes mentioned in the preceding paragraph be first filtered.

(5) All filters used in any factory shall be approved by the Authority, and any owner or manager using any filter after intimation in writing to him or her that such Authority disapproved of the same, shall be guilty of a violation of these Regulations.

(6) No machinery shall be used in the manufacture of ice 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.

(7) Any owner or manager of a factory knowingly employing therein any person suffering from any infectious disease or from any ulcer, or infectious abrasions of the skin, shall be guilty of an offence against these Regulations.

(8) Any person employed at or in a factory—

- (a) shall be attired in clean clothes;
- (b) shall use clean hands and forearms while engaged in the manufacture or selling of ice;
- (c) shall not expectorate or commit a nuisance in or about the said factory; and
- (d) shall be certified free from disease by a Medical Officer.

(9) The floor, ceilings and inside walls and roofings of all factories shall be kept clean and free from dust and other accumulations of refuse to the satisfaction of the Authority.

(10) The owner or manager of a factory shall cause every part of the interior of the cold storage chambers to be thoroughly cleansed as often as may be necessary and to secure that such rooms shall be at all times clean and free from effluvia.

(11) The owner or manager of a factory shall not suffer nor permit any room or place in or forming part of an ice factory to be used as a sleeping or living room.

(12) No building shall be used as an ice factory unless it is provided with sufficient privy accommodation for the use of each sex, to the satisfaction of the Authority.

(13) The owner or manager of a factory shall provide sufficient soap, clean water and a clean towel for the use of each person employed at or in connection with the factory.

(14) The owner or manager of every factory shall cause all refuse and waste matter to be removed and placed in properly covered metal, metal-lined or other suitable receptacles or to be otherwise disposed of in such a manner as to prevent any nuisance arising therefrom or to be injurious to health.

(15) The Chief Public Health Inspector or his or her deputy shall once a week visit the ice manufacturing plant and cold storage chambers and examine all fresh meat, fish, canned stuff, vegetables, fruits and any article of food found therein. In the event of any of the aforementioned being considered unfit for human consumption by the Public Health Inspector, the same shall be seized and taken to the Medical Officer or a Justice of

the Peace in the district for examination and instruction as to the means of disposal or otherwise.

#### *Barber's Shops*

### **52. Approval by Authority, etc.**

(1) Premises for use as a barber's shop shall be of suitable size and properly ventilated and approved by the Authority. 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.

(2) Premises used as a barber's shop—

- (a) shall not be used for the sale, or in connection with a place for the sale of, foodstuffs; and
- (b) shall not be used as, or in connection with, a tailoring or dressmaking establishment.

(3) When required by the Authority a barber's shop shall be supplied with water laid on from the mains by a tap in the shop.

(4) Premises and fittings shall at all times be kept clean and in a sanitary condition to the satisfaction of the Authority.

(5) 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 Authority.

(6) All brushes and combs shall at all times be kept in a clean and sanitary condition.

(7) Any premises used as a barber's shop shall be registered as such annually after inspection and grant of a certificate by a Government Medical Officer for which a fee of seventy-five cents shall be paid, and no premises shall be so used without such registration.

(8) Any person carrying on the trade of, or employed as, a barber or barber's assistant shall be licensed as such annually after the grant of a certificate by a Medical Officer for which a fee of twenty-five cents shall be paid, and no person shall carry on such trade or employment as aforesaid without such licence.

(9) 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 person, he or she shall be guilty of an offence against these Regulations.

#### *Dairies, Dairymen and Vendors of Milk*

### **53. Registration of owners**

All persons who keep or have the care of cows for the production of milk for sale shall be registered at the office of the Authority. They shall supply particulars of residence, number of cows kept, the locality where they are kept, and such other particulars as may be required by the Authority from time to time.

### **54. Registration of vendors**

All persons who are employed as milk distributors, milk vendors, or milkers shall likewise be registered, annually, and shall be supplied by the Authority with a badge inscribed “Sanitary Authority, Grenada Milk Vendor” for which a fee of twenty-five cents as well as the registration fee shall be paid. This badge shall also show the year and number of registration and shall always be carried by any person when employed in any of the capacities referred to:

Provided that where one person only is employed in any two or all of the capacities covered by this registration, one registration fee only shall be payable in respect of the necessary badges.

#### **55. Certification by medical officer**

All persons who are liable to be registered as aforesaid must be certified free from disease by a Medical Officer prior to registration. These certificates shall be renewed half-yearly in January and July.

#### **56. Cleanliness of premises**

No person shall milk any cow in any place, unless such place shall at the time when any cow is being milked therein be thoroughly swept and cleansed and free from all manure, dirt, dust, cobweb, and any other matter liable to expose the milk to infection or contamination.

#### **57. Cleanliness of cows**

No person shall milk any cow or cause or suffer any cow kept by him or her or under his or her care or control to be milked for the purpose of obtaining milk for sale—

- (a) unless, at the time of milking, the udder and teats of such cow are thoroughly clean;
- (b) unless the person milking such cow is personally clean and his or her hands have been thoroughly cleansed with soap, clean water and clean towel before milking such cow;
- (c) unless the person milking such cow at the time of such milking wears a clean outer garment; and
- (d) unless the utensils in which the milk thus obtained is placed at the time of such milking are thoroughly cleansed and scalded.

#### **58. Storage of milk**

No person engaged in the handling or sale of milk shall deposit or keep any milk intended for sale—

- (a) in any room or place where it would be liable to become infected or contaminated by impure air or by any offensive, noxious or deleterious gas or substance, or by flies, dust or dirt;
- (b) in any room used as a kitchen or living room;
- (c) in any room communicating with any other room used as a sleeping room, or in which there is any person suffering from any infectious or contagious disease, or which has been used by any person suffering from such disease, and which has not been properly disinfected; or

- (d) in any room or building or part of a building or in which there is any direct inlet to any underground or covered drain or house sewer.

**59. Cleanliness of containers**

No person shall keep milk for sale, or cause or suffer any such milk to be placed in any vessel, receptacle or utensil which is not thoroughly cleansed and protected from contamination by flies, dust or otherwise.

**60. Delivery of milk**

Milk for sale must be delivered by registered distributors in receptacles effectively protected, to the satisfaction of the Authority, from contamination by flies, dust or otherwise.

**61. No adulteration, etc.**

(1) No person shall sell or offer for sale as milk any adulterated, impoverished or skimmed milk.

(2) Any officer or servant of the Authority, a Public Health Inspector, Medical Officer or member of the Police Force or a rural 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 any dairy and examine and test any milk being conveyed or found in such dairy and may take samples thereof.

(3) Any milk which, when tested by a Medical Officer or a Government Veterinary Surgeon or other person appointed for the purpose by the Minister or the Authority, does not contain at least two and one-half per cent of milk fat, and which fails to satisfy any other test prescribed by the Authority for the time being shall be presumed, until the contrary is proved, to be impoverished or adulterated milk.

(4) The burden of proving that any milk being conveyed by, or found in the possession of, any person, or found in any dairy was not intended for sale shall be upon the person in whose possession such milk was found.

(5) 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 he or she 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 may 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 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, and he or she shall be liable to punishment accordingly.

(6) Possession by any servant or agent shall be deemed to be the possession by both the owner and the servant or agent.

*Food Exposed for Sale***62. Care of food items**

Every owner or, in his or her absence, person in charge of any store or shop where any article of food, cooked or uncooked, intended for human consumption is offered or



exposed, for sale by retail, shall keep every such article of food in receptacles or containers, with suitable wooden or metal covers, so that every such article of food shall be effectively protected against contamination by dust, flies or otherwise.

### **63. Prevention of contamination**

Every person in every such store or shop while engaged in offering for sale or inspection, or in selling, or in receiving or delivering, any such article of food as is mentioned in regulation 62, shall take all reasonable precautions for preventing contamination of such article of food by dust, flies or otherwise.

### **64. Conditions of sale**

No person shall in any street or road, or in any building, or other place whatever (whether public or private) sell, hawk, offer or expose for sale, any article of food intended for human consumption, except in and from such receptacles or containers with such covers as are respectively prescribed so that every such article of food shall be effectively protected against contamination by dust, flies or otherwise:

Provided that these Regulations shall not apply to any article of human food which must be peeled or pared before consumption, or to any article of human food which ordinarily requires a further process of preparation to be rendered fit for human consumption.

### **65. Prohibited persons**

No person who knows he or she is suffering from any infectious or contagious disease or from any open or running sore, shall sell, hawk, expose, or offer for sale, any article of food intended for human consumption.

### **66. Production of medical certificate**

The Authority may call upon any person employed or engaged in the sale of food or exposing or offering food for sale to produce a medical certificate of freedom from infectious or contagious disease or from any open or running sore, and such person shall within seven days of being so called upon produce to the Authority a certificate as aforesaid.

### **67. Employment of prohibited persons**

No owner, or person in charge of any store or shop where any article of food (cooked or uncooked) intended for human consumption is sold, offered, or exposed for sale, by retail shall employ any person for selling therein, unless such person is free from infectious or contagious diseases and from open or running sores.

### **68. Cleanliness of clothes**

Any person hawking or otherwise offering, or exposing for sale any article of food cooked or uncooked intended for human consumption, shall be attired in clean clothes.

### **69. Cleanliness of receptacles**

Any person hawking, or otherwise offering or exposing for sale in any place, any article of food cooked or uncooked intended for human consumption, shall keep the receptacles and covers thereof in a thoroughly clean and wholesome condition.

**70. Cleanliness of counters, etc.**

The owner of any retail shop as aforesaid or person in charge thereof, shall cause the counters and floors thereof, to be thoroughly swept and/or cleansed.

**71. Use of implements**

Every person selling, or offering or exposing for sale, any article of food not ordinarily requiring a further process of preparation before rendering such article of food fit for human consumption, shall use a fork, spoon, towel, napkin, or similar implement or other thing for removing any such article from its receptacle or container and for conveying the same to any person:

Provided that this Regulation shall not apply to cases where the Magistrate is satisfied that the reasonable use of any implement or thing for the purpose aforesaid would damage such article.

**72. Clean hands**

Any person selling, or offering or exposing for sale or hawking, any article of food in manner mentioned in the proviso to regulation 64 or in the proviso to regulation 71 shall use clean hands.

**73. Handling of food items by owner, etc.**

No owner of any store or shop as is mentioned in regulation 62 or person in charge thereof, and no person offering, hawking or exposing for sale in any place any article of food intended for human consumption (other than those contained in the proviso to regulation 64) shall permit any intending purchaser or other person to handle any such article of food, unless and until he or she has actually purchased the same.

**74. Handling of food items by purchaser**

No person unless and until he or she has actually purchased the same, shall handle any article of food intended for human consumption which is being sold, or offered, hawked or exposed for sale.

**75. Conditions of sale**

No person shall offer or expose for sale—

- (a) on the ground or on any pavement or floor;
- (b) on any cloth laid on wet ground; or
- (c) on any board or cloth not thoroughly clean,

any article of food intended for human consumption, except such article as must be peeled or pared before consumption.

**76. Prescribed conditions**

The owner or his or her agent of any store or shop mentioned in regulation 62, shall provide such store or shop, and the employer of every person mentioned in regulation 64, shall provide such person, with the receptacles and containers prescribed therein respectively.

**77. Certificate of health**

No person shall sell or expose or offer for sale any food unless such person shall, in the months of January and July in each year, obtain and produce to the Authority a certificate from a Medical Officer that he or she is free from any infectious or contagious disease and from any open or running sore.

*Pollution of Streams***78. Pollution of streams**

Every person who puts, or causes to be put or to fall or flow, or knowingly permits to be put or to fall or flow or be carried, into any stream, so as to pollute its waters, any noxious polluting matter or thing shall be guilty of a violation of these Regulations.

**79. Prohibited areas**

(1) The Authority may declare from time to time any portion or extent of a stream to be a prohibited area for taking or drawing of water for drinking purposes.

(2) The Authority may from time to time prohibit the washing of clothes or watering of animals in any stream or on the bank of any stream within such distance of any city, town or village as to the Authority may seem fit.

(3) It shall be sufficient for the purpose of such prohibition for the Authority to affix a notice to that effect in a conspicuous place in close proximity to the prohibited area.

**80. Offences**

Every person who acts contrary to any such prohibition shall be guilty of a violation of these Regulations.

*Keeping of Swine***81. Keeping of swine**

No swine may be kept within the boundaries of any city or town.

**82. Sties for swine**

Persons keeping swine outside the boundaries of cities or towns shall keep such swine in sties or tethered to stakes, except in the case of swine under the age of two months:

Provided that in the case of swine kept on enclosed lands or estates within such a distance from any human habitation unlikely to cause any nuisance such swine may be permitted to be at large.

**83. Construction of pigsty**

The walls and floor of every pigsty 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 in a proper slope towards a suitable drain-gully of approved construction, placed outside the pigsty. A properly constructed watertight roof shall be provided for at least one-third of the area of the pigsty.

**84. Site of pigsty**

No pigsty shall be erected within a distance of fifty feet of any dwelling-house or dairy, or of any public road, except with the express consent of the Authority previously obtained in writing.

**85. Cleanliness of pigsty**

Every pigsty shall be thoroughly cleansed at least once a week and oftener if required by the Authority, so as to prevent such pigsty from becoming a nuisance, and the owner may be required to lime-wash the walls if the Authority so requires.

**86. Sanitary condition of pigsty**

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 effluvia arising from such swine dung or sties; and
- (c) shall maintain all swine and sties in a sanitary condition.

*Epidemic, Endemic and Infectious Diseases***87. Visit by Medical Officer**

A Medical Officer on becoming aware or on suspecting that any person in this State is suffering from an “infectious disease” within the meaning of the Public Health Act shall, if he or she has not already done so, visit such person without delay, and report the facts immediately to the Chief Medical Officer.

**88. Isolation of houses**

Where any person so certified to be suffering from any such disease in a house so situated as, in the opinion of the Authority, to permit of the effectual isolation of the case, the Authority may direct the said house and its inmates to be isolated for such a period as may be fixed in each case with the concurrence of the District Medical Officer. It shall be the duty of the Police, upon being notified thereof, to enforce the strict observance of such isolation, and until the period ordered (which may for good cause be extended by the Authority) has expired, and the inmates of the house have been duly discharged by the Medical Officer, no person, except the Medical Officer or such other person as may be authorised by him or her, shall go to such house or leave the same, except with the permission of the Authority.

**89. Provision of medical facilities**

Where the persons so isolated in any such house are unable in the opinion of the Authority, on account of poverty or other good cause, to provide food, medicine, and the necessaries of life, the Authority may cause them to be provided therewith at the cost of the Consolidated Fund.

**90. Removal of isolated person**

Where any person certified, as hereinbefore provided, to be suffering from any such disease is either without proper lodging, or is residing in a house, room or other place, which cannot, in the opinion of the Authority, be effectively isolated, the Authority may direct such person to be removed to a hospital, public institution or house provided for the purpose or to an isolation hospital, for treatment therein. Where the Authority directs any person to be removed under this Regulation, such direction shall be forthwith observed by the person directed to be removed and by all other persons concerned; and if any person wilfully disobeys or obstructs the execution of such direction he or she shall be guilty of a violation of this Regulation.

#### **91. Provision of isolated places**

(1) The Authority may provide in suitable places in any district one or more buildings, or, if necessary, tents as isolation hospitals, and such hospitals shall be under the general control and management of the Chief Medical Officer. The District Medical Officer shall visit such hospital daily; and all food, medicines, disinfectants and other necessary supplies for such hospitals and their inmates shall be supplied by the Authority at the cost of the Consolidated Fund.

(2) The Authority may declare any area adjoining any isolation hospital to be an area within the meaning of section 59(b) of the Act.

#### **92. Isolation hospitals**

An isolation hospital shall be guarded by the Police, whose duty it shall be to enforce the strict observance of the isolation ordered; and no person, except the Medical Officer or such other person as may be authorised by him or her shall go to or enter such hospital, and no inmates of any such hospital shall leave the same until duly discharged by the Medical Officer in charge of the hospital.

#### **93. Hoisting of flag**

At each isolation hospital, or house specially isolated by permission of the Authority as hereinbefore provided, a yellow flag shall be kept hoisted by day, and a red lamp by night, in a convenient position, so as to be easily seen in the neighbourhood; and notices shall be posted in the vicinity, and be published in the local press warning all persons against communicating in any way with such station or house.

#### **94. Disinfection of suspected places**

Whenever it shall appear to the Authority that the cleansing or disinfection of any house or part thereof or of any articles therein likely to retain infection or contagion, would tend to prevent the spread of any such disease, such Authority may by notice in writing require the owner or occupier of such house or part thereof to cleanse and disinfect such house or part thereof and the articles therein likely to retain infection or contagion within a specified time. If such owner or occupier fails to comply with such notice, he or she shall be liable to prosecution for a breach of these Regulations or of any orders issued by the Authority hereunder and the Authority may cause such house, or part thereof, and such articles to be cleansed and disinfected, and may recover the cost thereof from the owner or occupier as a debt.

#### **95. Provision of facilities by Authority**

Where the owner or occupier of any such house or part thereof is from poverty or otherwise, unable, in the opinion of the Authority, effectually to carry out the

requirements of these Regulations, such Authority may, without enforcing such requirements on such owner or occupier, cleanse and disinfect such house or part thereof, and articles, and may either defray the expenses of such disinfection and cleansing, or recover from such owner or occupier so much of such expenses as in the opinion of the Authority such owner or occupier is able to afford to pay.

**96. Destruction of articles**

The Authority may direct the destruction of any clothing, bedding, or other articles, which it may consider absolutely necessary to so destroy, on account of having been exposed to infection and of not being capable of being properly disinfected; and, should any article so destroyed be of any value, the Authority may give reasonable compensation for the same.

**97. Isolation of suspected persons**

Where any person is certified by the Medical Officer to be suffering from any such disease, all persons who have been residing with such person in the same house, or who are known to have in any way had contact with such person shall be liable, if the Authority shall so decide upon the recommendation of the Medical Officer, to be isolated for such period as may be prescribed by the Authority; and where not isolated, shall be required to present themselves daily, and shall so present themselves to the District Medical Officer for inspection, for such period after removal of the case with which they have had contact as he or she may prescribe in view of the nature of the disease.

**98. Exclusion of infected persons**

Whenever it shall be certified to the Authority by a medical practitioner that any such disease exists in any city, town or place and that the exclusion of any children resident in any house, street, division or quarter of the city, town or place from attendance at any school, or the closure of any school is necessary for checking the spread of such disease, it shall be lawful for the Authority to order the manager or person in charge of any school to exclude from attendance at such school any children or person resident in any such house, street, division or quarter of the city, town or place, or to close the school, as the case may be, and such manager or person in charge shall forthwith carry out these orders, till otherwise directed by the Authority.

**99. House-to-house inspection**

Whenever any such disease is prevalent in any district of the State the Chief Medical Officer may direct that a house-to-house inspection of the infected area or place, or of such part of the district as he or she may prescribe, shall be made, and shall notify the Minister of the circumstances. It shall thereupon be the duty of sanitary inspectors appointed for the purpose to make such house-to-house inspection at such intervals as may be directed by the Chief Medical Officer and to submit reports thereof to the Medical Officer of the district.

**100. Entry to premises**

For the purpose of seeing that any of these Regulations is carried out, the District Medical Officer or any person authorised by him or her in writing may enter any premises at any time between the hours of 6 a.m. and 8 p.m.

**101. Small-pox**

Where any person is certified under these Regulations to be suffering from small-pox all contacts of such person, in other words, all persons who in the opinion of the Medical Officer have been exposed to infection by or through such person, shall be vaccinated or re-vaccinated, if they have not been already successfully vaccinated.

*Special Clauses Relating to Yellow Fever***102. Yellow fever**

Where any person is found or suspected by a Medical Officer to be suffering from yellow fever such Medical Officer shall forthwith cause him or her to be placed under a mosquito net, and may direct him or her to be isolated in an apartment or building so screened as to effectually prevent the access of mosquitoes thereto, and it shall be the duty of the occupier of such premises to carefully cause such screens to be kept closed.

**103. Removal of patients**

Where the patient aforesaid is ordered by the Authority to be removed to an isolation hospital, he or she shall only be so removed in an ambulance or vehicle which is effectually screened against mosquitoes, and it shall be the duty of the person in charge of such ambulance or vehicle to see that such screen is not opened unnecessarily. Any such isolation hospital shall be so screened as to effectually prevent the access of mosquitoes thereto.

**104. Fumigation**

Where any house or building or any part thereof is in consequence of the occurrence of any case of yellow fever, or suspected case of yellow fever, ordered to be cleansed and disinfected such operation shall include its fumigation to the satisfaction of the Medical Officer, and so as to effectually destroy any mosquitoes therein, as well as the fumigation in like manner of such of the houses or buildings in the immediate neighbourhood thereof as the said Medical Officer may certify in writing to be necessary with a view to the destruction of possibly infected mosquitoes.

**105. Mosquitoes**

For the purposes of preventing the breeding of mosquitoes and of guarding against the spread thereby of this infectious disease, the Authority shall take the following measures and shall receive the assistance and advice of the District Medical Officer in dealing with and enforcing the same—

- (a) cause a regular house-to-house visitation, with the object of ascertaining the existence in the district of any stagnant water liable to breed mosquitoes, to be made as provided for in regulation 99;
- (b) cause visits and inspections with the like object to be made on every ship, vessel and boat lying in any river harbour or other water within the district, and also all or any such ships, vessels and boats in the vicinity of the district;
- (c) require the occupier or, if the premises are unoccupied, the owner of the premises so visited, to immediately clear away any stagnant water found thereon; for this purpose, the presence of mosquito larvae therein shall be sufficient evidence that the water is stagnant;

- (d) direct that no water shall be stored in any receptacle (except in small quantities for immediate drinking purposes) unless such receptacle is sufficiently protected against mosquitoes by having all the openings thereof covered with wire-gauze or butter-cloth;
- (e) on premises situate within a water-supply district, if there is found any receptacle used for the storage of water which in the opinion of the Authority is unnecessary for the needs of the occupants, the Authority shall require the occupier or, if the premises are unoccupied, the owner to cause such receptacle to be emptied, within a time to be specified; and further by notice in writing to be served on the occupier or owner or left on the premises, the Authority may order and direct that such receptacle shall not be used thereafter for such storage purposes, under the penalty on the violation penalty, on omission of having such receptacle dealt with, as an offence against these Regulations;
- (f) require the occupier or owner to remove all articles, bottles, whole or broken, old tins, boxes, conch shells, etc., which may retain water, and so become the breeding places of mosquitoes, including broken glass on walls;
- (g) require the occupier or owner to have any watery cesspits disinfected or oiled, and any catch-pits cleaned out, within a time to be specified; and further to direct by written notice either served on the occupier or owner or left on the premises, that such disinfection or oiling and cleaning shall be renewed thereafter at least once a week under the penalty, on omission of having such pit dealt with, as an offence against these Regulations;
- (h) require the occupier or, if the premises are unoccupied, the owner to have all eavesgutters and downpipes freed from obstruction so as to allow the ready passage therein of water from the roofs of houses and to prevent any collection of stagnant water on the premises; and further if found necessary, to direct, by written notice served or left as aforesaid, that such gutters and pipes shall be placed and maintained in proper repair, under the penalty, in case of continued disrepair, of having the same dealt with thereafter as an offence against these Regulations;
- (i) if an occupier or owner fails to comply with any of such requirements as are referred to in this Regulation, within the time specified in such requirement or, if no time is specified, within a reasonable time after the making of such requirement, or, if, when such requirement is made, the occupier or owner cannot be found, or if he or she is present and expresses his or her inability or unwillingness to comply therewith, the Authority shall cause the subject matter of the requirement to be dealt with and abated without further delay; and the occupier or owner failing or refusing to comply with any requirement shall, subject to the provisions of regulation 95 of these Regulations, be liable to prosecution for such breach of the regulations in addition to being sued for the recovery of expenses incurred on his or her behalf by the Authority.

*Special Clauses Relating to Bubonic Plague***106. Bubonic plague**

Whenever a medical officer becomes aware or suspects that any person in this State is suffering from bubonic plague, the Authority shall, immediately upon the receipt of his or her report and with his or her assistance and advice, take the following measures—



- (a) cause the house or houses in which the patient had resided to within ten days prior to his or her illness to be vacated, and to be fumigated with a special view to destroying all rats and other vermin therein, and all the contents to be thoroughly disinfected under the immediate direction of the Medical Officer, or if the premises or contents are deemed incapable of efficient fumigation or disinfection, cause the same to be destroyed by fire. The entire destruction of premises under this Regulation shall not however be proceeded with, except upon the express authority of the Minister, after full particulars have been submitted to him or her by the Authority;
- (b) issue urgent and clear instructions to the occupiers and owners of the surrounding tenements and premises that no rat poison or virus should be laid down therein until further notice, and that every attempt should be made to catch all rats and mice alive and to deliver the same alive to the Authority for destruction by the Authority;
- (c) cause traps to be supplied and laid for catching alive all rats and mice in and on such tenements and premises;
- (d) offer rewards for each rat and mouse caught alive on such tenements and premises and delivered alive, in the trap wherein it was caught, to an agent of the Authority;
- (e) provide a receptacle containing kerosene oil wherein the Authority shall cause all traps with the captured rats and mice to be immersed so that the vermin may be killed together with their fleas;
- (f) direct that the traps after such immersion shall be dipped into boiling water to remove the oil adhering thereto.

#### **107. Evacuation of premises**

Should more than one case of plague occur in any limited area to be determined by the Authority, the Authority may order the evacuation of all premises within such distance of the infected house or houses as the Authority may deem advisable, and suitable arrangements shall be made for the housing of the occupants of such house or houses, until the latter have been efficiently fumigated and disinfected with their contents.

#### **108. Isolation of contacts**

(1) Any of the occupants of the house or houses in which the patient had resided within ten days prior to his or her illness may be regarded as “contacts”, and the following arrangements may be made by the Authority, for the housing and if necessary the isolation of the said contacts during such period as the Authority shall fix with the concurrence of the medical officer—

- (a) provide one or more buildings or, if necessary, tents as a “health camp” for the housing or isolation of the said contacts;
- (b) set apart a building or buildings, as a “hospital for observation”, to accommodate any contact who may develop a temperature.

(2) The health camp and hospital should be established near the isolation station in order to facilitate the supervision of all contacts and patients and for the purpose of enabling all three establishments to make use of the undermentioned facilities which may also be provided by the Authority with the approval of the Board, namely—

- (a) a “disinfecting lodge” to contain disrobing, disinfecting and dressing rooms for the use of the staff and of any contacts arriving at or leaving the camp, and of patients leaving the hospital or station prior to admission at the camp;
  - (b) laundry and furnace with boiling copper;
  - (c) a small wooden disinfecting box for disinfecting the clothing of inmates by means of hot formaldehyde vapour.
- (3) The Authority may also erect a mortuary near the isolation hospital.

**109. Examination of dead bodies**

The Authority may order the inspection and anatomical examination of the body of any person suspected to have died from plague, and for such purpose may order the removal of the body to a mortuary.

**110. Treatment of dead bodies**

Subject to special orders by the Medical Officer, the dead body of any person who has died of plague or of a suspected case of plague, shall be wrapped in a sheet soaked in corrosive sublimate solution or other suitable disinfectant, placed in the coffin as soon as possible, covered with a layer of quicklime, the lid of the coffin fastened down without delay, and the outside of the coffin sprayed with a disinfectant.

*Interment of Persons Dying of any Infectious Disease***111. Interment**

The Authority shall cause the bodies of persons dying from infectious diseases to be buried in a cemetery at a suitable distance from any human habitation:

Provided that where such a death takes place at a distance of more than two miles from such cemetery, the body may be buried in such other place as may be approved by the Authority.

**112. Site of cemeteries**

Such cemeteries shall not be within one hundred yards of any stream or river that is liable to be used for domestic purposes, nor within forty yards of any dwelling-house or public place. The Authority shall have power to alter the limits of any such reservation at any time.

**113. Burial in private ground**

The bodies of all persons who have died of an infectious or contagious disease within a radius of two miles from any such cemetery shall be buried therein. The body of any person who has died of an infectious or contagious disease beyond a radius of two miles from any such cemetery may be buried in private ground subject to the approval and consent of the Authority in writing.

**114. Depth of graves**

Graves shall be at least six feet in depth and shall contain no masonry.

**115. Disturbance of graves**

No grave shall be disturbed in such cemeteries at any time, unless the consent in writing of the Authority has been previously obtained.

**116. Prompt burial**

No body of any person who has died from an infectious or contagious disease shall remain unburied longer than twelve hours; if this time be exceeded it shall be the duty of the Authority to remove for burial any such body:

Provided that where the Authority is satisfied that the burial cannot be reasonably performed within twelve hours, the Authority may extend the period under such precautions as shall prevent infection being spread from the body.

**117. Removal of dying persons**

It shall be lawful for the Authority to take possession of the body of any person dying from or suspected of dying from any infectious disease and of the house or room in which such death took place until the body has been buried, and the house or room has been disinfected.

**118. Approval for burial**

Where a person dies in a house from any infectious disease within the meaning of section 38 of the Act, the head of the family occupying the house and in his or her default the person in charge of the deceased person at the time of his or her death, on becoming aware that the person has died of an infectious disease – of which fact it shall be the duty of the medical practitioner attending the case to inform him or her – and before making arrangements for the burial shall cause to be delivered a notice thereof to the Authority during office hours or at the residence of the Chief Public Health Inspector or to the Public Health Inspector for the district at other times, and no grave shall be opened for the burial of such person except at such place as may be approved by the Authority.

*Disposal of Refuse and Rubbish***119. Dumping of refuse**

No person shall intentionally or negligently throw, place or deposit on any street or other public place or any yard or other land being private property any refuse or rubbish.

**120. Cleanliness of houses, etc.**

Every occupier of any house or part of a house or yard or garden adjacent thereto shall keep, and every owner of any unoccupied house or yard or garden adjacent thereto (or his or her agent) shall cause to be kept free from—

- (a) refuse and rubbish;
- (b) overgrowth of grass, bush or any vegetation liable to harbour mosquitoes or create any nuisance,

in such yard or garden or any lands within thirty feet of any inhabited house, street, road or lane; so that no part of any such yard, garden, or other such lands shall be rendered insanitary or emit any noxious effluvia or offensive odour.

**121. Cleanliness of land**

Every occupier of any land whatever and wherever situated within a radius of half a mile of any city, town or village shall keep such land, and every owner of unoccupied or uncultivated land within the same radius shall cause the same land to be kept free from any refuse or rubbish as defined in these Regulations:

Provided that any person burying at a sufficient depth, to prevent a nuisance arising therefrom, any of the things contemplated by these Regulations, shall not be guilty of an offence hereunder.

**122. Receptacles**

Nothing in any preceding regulation shall prevent any occupier of any house, yard, garden, or other lands from keeping a receptacle which shall be approved of by the Authority, for the deposit of sweepings and household refuse.

**123. Cleaning of receptacles**

(1) Every occupier of any house, room, yard, garden or other lands keeping such receptacle or receptacles, as mentioned in regulation 122, shall daily clear and deposit contents of same as provided for by the Authority.

(2) Every occupier shall keep such receptacle or receptacles securely covered and protected from the access of flies and free from all noxious effluvia or offensive odour.

**124. Supply of receptacles**

The Authority shall provide and shall distribute at convenient situations in every city, town, receptacles for the deposit of household refuse which shall be cleared and the contents removed by the Authority once daily and more often if necessary.

**125. Disposal of dead animals**

No person shall dispose of any dead animal, decomposed meat, fish or vegetable matter or any shavings, dirt, ashes, house or yard sweepings or any refuse or rubbish as defined in these Regulations in any place public or private except in such receptacles or places as shall be prescribed by the Authority.

**126. Manner of disposal**

No person shall dispose of the matters mentioned in regulation 125 except as follows—

- (a) by depositing the same at any place or dumping centre approved of by the Authority, and if such deposit is not made between the hours of 6 a.m. and 10 a.m., then only at such spot as any authorised officer of the Authority shall indicate. No deposit shall be made at such place or dumping centre at any other time of the day;
- (b) by depositing the same in a receptacle, in any public place, provided by the Authority for the temporary disposal and collection of any such dry refuse or rubbish, between the hours of 6 a.m. and 10 a.m. daily on weekdays, and on Sundays between the hours of 5 a.m. and 7 a.m. Persons making deposits in such receptacles at any other time than that laid down in this Regulation shall be deemed guilty of a violation of these Regulations.

Every such receptacle shall be marked with the capital letters “S.D.” in black on a red ground;

- (c) by delivering same to any person employed by the Authority for the removal of refuse and rubbish in a motor-lorry, cart, or other vehicle specifically engaged in collecting such matters:

Provided that such matter could not be deposited in a receptacle under the provisions of paragraph (b) of this Regulation:

Provided further that nothing described or intended to be disposed of under this Regulation shall be deposited in any place herein prescribed, if such thing when so deposited is likely to be prejudicial to health or emits any offensive odour.

#### **127. Kitchen slops, etc.**

(1) No person shall dispose of any kitchen slops or other liquid refuse except, where this is possible, by depositing same in the sea, and otherwise, by depositing the same in the place and manner approved of by the Authority.

(2) Where such liquid refuse is deposited in the sea, it shall be thrown into the sea at such a distance from the beach as to prevent its return upon the beach. Such kitchen slops or other liquid refuse must be so diluted with water, or deodorised as to emit no offensive odour.

#### **128. Burial of dead animals**

No dead animal, meat, fish, vegetable matter or thing to be disposed of under these Regulations shall be buried in such a manner as to create a nuisance and no such matter or thing shall be disposed of in the sea unless the same be sunk securely to prevent its floating on the surface or being washed ashore, and in no case, at a distance of less than one hundred and fifty yards from the shore at the nearest point of the latter.

#### **129. Removal of refuse**

Whenever refuse or rubbish cannot be disposed of in a public receptacle as provided in regulation 126(b), and it is intended that removal shall be made direct from any premises, notification shall be made by the person responsible for such removal to the foreman or other employee of the Authority authorised to carry out such removals.

#### **130. Removal of spilled refuse**

If in the process of removing anything mentioned or included in these Regulations or of depositing the same in any receptacle, it or any portion thereof shall be spilled or fall upon any place public or private, the person or persons removing or depositing same shall forthwith remove such thing from the place whereon the same may have been spilled or fallen and shall immediately thereafter thoroughly sweep and cleanse such place. The lids of all receptacles must be securely replaced to close such receptacles, by any person depositing any matter therein.

### *Disposal of Excreta*

#### **131. Privy accommodation**

No building shall be occupied for human habitation unless and until the owner or occupier has provided privy accommodation to the satisfaction of the Authority.

**132. Water-closets, etc.**

Such accommodation may be provided by means of water-closets, earth-closets, pit-closets, or other closets approved of by the Authority.

**133. Site of water closets**

Every water-closet, constructed within a building must be so placed that at least one of the side walls of the apartment in which it is situated is an external wall.

**134. Construction of water-closets**

Water-closets shall not be constructed without the written approval of the Authority, to be obtained by an application made to the Authority in writing, with a statement giving—

- (a) the name and address of the owner or occupier of the building wherein it is proposed to erect a water-closet;
- (b) a description of the premises, indicating the proposed situation of the water-closet;
- (c) the water supply to be used for flushing;
- (d) the method of disposal, in other words, whether by drain-pipe into the sea, or into the septic tank or other receptacle;
- (e) a plan of the house with an indication of the site of the closet, connections with the sea or receptacle, and in the case of a septic tank, the plan of the septic tank.

**135. Construction of pit-closets**

Every earth-closet and pit-closet shall be so constructed that the contents thereof may not at any time be exposed to any rainfall or surface drainage, and that flies or other insects shall not have access to such contents.

**136. Pails**

Closets which are served by pails, with daily removal of excreta therefrom, shall be provided with pails with tight-fitting covers, and shall be used only within fly-proof seats.

**137. Cleanliness of receptacles**

Every owner or occupier of any premises shall keep all receptacles for excreta on such premises free from offensive odours, and for this purpose shall use dry earth or other deodorise and have such receptacles removed and emptied daily, unless, upon application to the Authority in writing, that Authority shall approve of a period of disposal less frequent than once daily.

**138. Disposal of excreta**

Excreta, whether from an earth-closet or otherwise, shall not be deposited on the surface of the ground or soil anywhere, nor in any stream, watercourse, or drain.

**139. Excrement**

Excrement, not otherwise disposed of as approved by the Authority, shall—

- (a) be deposited in the sea in such situation and place as the Authority shall direct and in such a manner as to prevent the occurrence of any nuisance;
- (b) be deposited in a pit in the ground which shall be of a depth of not less than six feet, and a surface section of not less than three feet by three feet, and which shall be protected from storm water and the access of all animals; it shall also have its contents protected from the access of flies or other insects; and shall not be emptied, but shall, when the contents of the pit are within not less than two feet of the surrounding ground, be filled up by having a layer of soil placed on top of the contents of the pit, and the surface of same securely levelled so as to prevent disturbance by swine or other animals;
- (c) provided that written permission of the Authority is first obtained, and not since withdrawn, be buried at least two feet deep in a hole in the ground and completely and securely covered in with earth in the manner required in paragraph (b); or
- (d) be disposed of by combustion by fire in such a manner as to prevent nuisance and as shall be approved of by the Authority.

#### **140. Siting of disposal areas**

No pit or hole in which excreta is deposited or buried and no septic tank shall be situated within one hundred yards of any river, stream, or watercourse, or within such distance from any dwelling-house or public road as shall not be approved by the Authority.

#### **141. Construction of septic tanks**

No septic tank shall be constructed in such a manner as to permit of the effluent from such tank coming on to the surface of the land within fifty feet of such tank or of a dwelling-house; nor shall such septic tank be constructed within the boundaries of any town without the express permission in writing of the Authority.

#### **142. Placing of pits, etc.**

Notwithstanding anything in regulation 141, where from the situation of any dwelling-house compliance with this Regulation is impossible or the enforcement thereof may work a hardship, such pit, hole or septic tank may be placed in any situation approved by the Authority, upon a report from the District Medical Officer that the situation to be approved incurs no risk to the public health.

#### **143. Withdrawal of permission**

Any permission granted by the Authority in respect of the construction of a septic tank may be withdrawn if the Authority is satisfied that any requirement of these Regulations or any provision insisted upon in the form of approval by the Authority is not being complied with.

#### **144. Application of Regulations**

These Regulations shall apply to all houses and closets whether erected or constructed before or after the passing of these Regulations:

Provided that in the case of any pit or septic tank, constructed before the passing of these Regulations, in respect of its distance from a dwelling-house or a river, stream, or

watercourse or a public road, the Authority may, if satisfied upon the report and recommendation of the District Medical Officer to the effect that such pit or septic tank is not and is not likely to be a nuisance or injurious to the public health, abstain from enforcing compliance with such requirements.

#### *Removal of Night Soil*

##### **145. Conveying of night soil**

No person shall convey any night soil along any street or public place except in a receptacle securely covered in such a manner as to prevent spilling or overflow of its contents and the emission of any offensive odour, and only between the hours of 10 p.m. and 5.30 a.m.

##### **146. Deposit of night soil**

No night soil shall be deposited in any drain, or in the sweepings and rubbish delivered to scavengers for removal.

##### **147. Places of deposit**

Night soil shall be deposited only at the place appointed by the Authority for each city, town or village or area of a city, town or village.

##### **148. Offences**

Any person found conveying night soil from any area to a place not appointed by the Authority as the appointed place of deposit for that area; and any person found conveying night soil to any place at a time not falling within the hours specified in regulation 145; and any person depositing night soil otherwise than is laid down in these Regulations shall be guilty of an offence against these Regulations.

##### **149. Liability of occupier**

Where the words “owner or occupier” occur in these Regulations the occupier shall be deemed primarily liable, but in cases where owners let their houses in rooms and one closet or receptacle is used in common by tenants, the owner shall be deemed liable.

#### *Disposal of Corpses Brought into the State*

##### **150. Master of ship to report**

It shall be the duty of the master of every ship which has brought a dead human body into any port of the State to give notice of that fact to the Port Officer immediately after such officer has boarded such ship.

##### **151. Information to Authority**

It shall be the duty of the Port Officer to inform the Authority through the Health Officer of the port of the arrival in the State of a dead human body, and the person to whom the dead body is consigned.

##### **152. Delivery to Authority**



The master of the ship shall not deliver such dead body to any person other than the Authority or some person authorised by the Authority.

**153. Burial or conveyance to mortuary**

Subject as hereinafter provided—

- (a) the Authority shall take control of such dead body brought into any port of the State from some other State or country and shall cause it to be immediately conveyed to a public mortuary or other place provided for the purpose, or sanctioned by the Chief Medical Officer and no such body shall be removed from such mortuary or other place except for the purpose of being forthwith buried in the nearest public cemetery;
- (b) the coffin containing any such dead body may not be opened.

**154. Permission for burial, etc.**

If the Chief 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 the removal for burial to some other specified cemetery; or for opening the coffin; or for both such removal and opening.

*Unsound Food***155. Inspection of food**

Any Public Health Inspector may at all reasonable times inspect any animal, carcass, meat, poultry, game, fish, flesh, fruit, vegetable, corn, bread, flour, milk, eggs, butter, cheese, or any other article, whether liquid or solid, sold or exposed for sale, or deposited in any place for the purpose of sale, and intended for the food of man; the proof that the same was not exposed or deposited for any such purpose or was not intended for the food of man rests with the person charged.

**156. Seizure of unwholesome food**

If any such animal, carcass, or other article appears to the Public Health Inspector to be diseased or unsound or unwholesome or unfit for the food of man, he or she may seize and carry away the same himself or herself or by an assistant in order to have the same dealt with by a Magistrate or Justice of the Peace.

**157. Condemning unwholesome food**

If it appears to the Magistrate or to the Justice of the Peace that any animal, carcass or other article so seized is diseased or unsound or unwholesome, or unfit for the food of man he or she shall condemn the same, and order it to be destroyed or so disposed of as to prevent it from being exposed for sale or use for the food of man; and the person to whom the same belongs or did belong at the time of exposure for sale or in whose possession, or on whose premises the same was found shall be guilty of a violation of these Regulations.

**158. Certificate of unfitness for consumption**

(1) If after inspection of any article or thing intended for the food of man, a Sanitary Officer is of the opinion that the said article or thing is unfit for human consumption he or she shall, if requested to do so by the owner thereof or his or her agent, issue a certificate to that effect.

(2) A fee of one dollar and twenty-five cents shall be paid into the Treasury for the certificate by the person making the request:

Provided that such proportion of the said fee as may be decided upon by the Cabinet shall be payable to the Sanitary Officer in respect of such service.

#### **159. Jurisdiction of Magistrate**

(1) The Magistrate or Justice who convicts need not be the Magistrate or Justice who may have ordered the article to be disposed of or destroyed.

(2) Although such article is not seized as directed in regulation 156, the Justice may condemn it and order it to be destroyed or disposed of.

#### **160. Cancellation of licence**

If the person convicted is a licensed occupier of a slaughterhouse, his or her licence may be cancelled.

#### **161. Obstruction of officers**

Any person who in any manner prevents any Sanitary Officer from entering any premises and inspecting any animal, carcass or other article exposed or deposited for the purpose of sale, or of preparation for sale and intended for the food of man, or who obstructs or impedes any such Sanitary Officer or his or her assistant when carrying into execution the provisions of these Regulations shall be guilty of a violation of these Regulations.

#### **162. Search warrant**

(1) On complaint made on oath by a Sanitary Officer or other officer of the Authority any Justice of the Peace may grant a warrant to any such officer to enter any building or part of a building or any place whatsoever in which such officer has reason for believing that there is kept or concealed any animal, carcass, or other article which is intended for sale for the food of man; and is diseased, unsound or unwholesome or unfit for the food of man; and to search for, seize and carry away any such animal, carcass or other article in order to have the same dealt with by a Justice of the Peace under the provisions of these Regulations.

(2) Any person who obstructs any such officer in the performance of his or her duty under such warrant shall, in addition to any other punishment to which he or she may be subject, be guilty of a violation of these Regulations.

#### **163. Examination of animals**

(1) The Authority may at any time fix a place or places where, and appoint a time or times when, examinations of living or dead animals may be carried out.

(2) The Authority may also appoint with the Minister's consent a Veterinary Surgeon or any other officer to carry out such examinations.

#### **164. Removal of unwholesome food, etc.**

A person having in his or her possession any article which is unsound, or unwholesome, or unfit for human food, may by written notice request the Authority to remove it and the Authority must cause it to be removed as if it were trade refuse.

### PART III

#### *Rats*

#### *Destruction of Rats on Vessels*

#### **165. Extermination of rats on ships**

Any Medical Officer, on becoming aware or upon suspecting that any vessel lying within any waters of the State is infested with rats or other vermin, is hereby empowered to strictly enforce the adoption of such measures as may in his or her discretion be deemed most efficacious for the purposes of exterminating the said rats or vermin and of preventing such rats or vermin passing from such vessel to the shore or from the shore to such vessel. Such measures may include the following—

- (a) require the owner, master or person in charge of the vessel when at any mooring or when loading or unloading cargo at any port within the State, to use rat-guards of a pattern approved by the said officer on every rope, cable or such like communication passing between such vessel and the shore or between the vessel, and any lighter or barge or other vessel, or between the vessel and its buoys or anchors or the mooring;
- (b) require the owner, master or person in charge to generally abate all insanitary conditions where they exist, and to effectually remove or burn all rubbish and deposits on the vessel likely to harbour rats or vermin;
- (c) whenever it shall appear to the Medical Officer that the rats or vermin can only be exterminated by cleansing and disinfection in a specified manner, the Medical Officer may, by notice in writing, either require the owner, master or person in charge of the vessel to cleanse and disinfect or fumigate the same accordingly or may inform such owner, master or person that it is the intention of the Medical Officer to conduct such cleansing and disinfection or fumigation at a time to be specified in the notice.

#### **166. Compliance with Regulations**

Where the owner, master or person in charge of such vessel fails to comply with any requirements made under these Regulations, or is, from poverty or otherwise, unable to effectually carry out such requirements, the Medical Officer may cause the requisite measure to be taken forthwith, and the expenses thereby incurred may, at the discretion of the Sanitary Authority be either defrayed from general revenue, or be recovered wholly, or in part, from such owner, master, or person.

#### **167. Enforcement of Regulations**

It shall be the duty of all port, revenue, and police officers to assist the Medical Officers in enforcing the provisions of, and preventing any infringement of, these Regulations.

#### **168. Penalty**

Any person acting in violation of regulations 165 to 167, either by way of refusing to obey any requisition or instructions made or given hereunder, or by obstructing in any way the due execution of such regulations, renders himself or herself liable to a fine not exceeding five hundred dollars.

#### *Destruction of Rats on Land*

#### **169. Grants**

The Minister may, from time to time, make to the Local Sanitary Authority of any Area, out of any funds voted for the purpose by the House of Representatives, such grants of money for the destruction of rats in the area and on such conditions as may appear to him or her desirable.

#### **170. Utilisation of grants**

Any such Local Sanitary Authority receiving such grant shall utilise the same in accordance with the conditions laid down by the Minister and in carrying out these Regulations.

#### **171. Reward for delivery of rats**

Any such Local Sanitary Authority may, by public notice, offer to pay a reward for every rat, dead or alive, delivered by any person at the office or to the party named in such notice, and may at any time by further public notice, amend such offer or suspend the payment of the reward, or by a like notice, again resume such payment.

#### **172. Destruction of rats**

Where such Local Sanitary Authority receives information that any place in the area is infested with rats, it shall be the duty of such Local Sanitary Authority to inquire into the truth of such information, and, if such information is verified, to direct the owners or occupiers of all premises, at or within such place or area, to take measures for the destruction of rats.

#### **173. Notice to destroy rats**

Where such Local Sanitary Authority has reason to believe that any of such owners or occupiers has omitted to take the measures so directed, the Local Sanitary Authority may serve on such owner or occupier a notice, in the Form A in the Schedule hereto, requiring him or her to take effectual measures for the destruction of rats on the said premises within a period of fourteen days.

#### **174. Powers of entry**

It shall be lawful for the Local Sanitary Authority to enter upon the premises named in any such notice, at any reasonable time in the day, for the purpose of ascertaining whether the requirements specified in such notice have been complied with.

#### **175. Prosecution for non-compliance**

Any owner or occupier who, after such notice, fails or neglects to comply with its requirements shall be liable to be prosecuted at the instance of the Commissioner of Police or other member of the Police Force in charge of the district police station and, on

conviction before a Magistrate, to be fined in a sum, not exceeding five hundred dollars and, if the offence is a continuing one, to a daily fine not exceeding fifty dollars a day so long as the offence continues.

#### **176. Action by Sanitary Authority**

Where the owner or occupier of premises fails to take the measures directed as aforesaid by the Local Sanitary Authority or is unable from poverty or other cause, to carry out such measures, the Local Sanitary Authority may report the circumstances to the Sanitary Authority and, if the Sanitary Authority shall approve of such action being taken, the Local Sanitary Authority shall serve the owner or occupier with a seven days' notice, in the Form B in the Schedule hereto, and shall, on the expiration of such notice enter such premises at any time in the day and cause the requisite measures to be taken for ridding the premises of rats.

#### **177. Objections**

(1) Any person, who claims an interest in premises in respect of which a notice in Form B has been served as aforesaid and who objects to the Local Sanitary Authority entering such premises in pursuance of the terms of such notice, shall be at liberty to apply for relief to the Magistrate of the District at any time before the expiration of such notice; and the Magistrate shall, after hearing the applicant's objections and giving the Local Sanitary Authority an opportunity to adduce evidence thereon, decide whether the objections of the applicant or the action proposed by the Sanitary Authority are or is reasonable, or whether the applicant should be given further time within which he or she should take the requisite measures for exterminating rats on such premises.

(2) No court fees or stamp duty shall be payable by any applicant who applies for relief under this Regulation.

#### **178. Vacant premises**

Where any premises believed to be infested with rats are vacant and the owner thereof is unknown, the Local Sanitary Authority may, after first obtaining the approval of the Sanitary Authority in that behalf, affix a notice on such premises in the Form C comprised in the Schedule hereto, stating that it is the intention of the Sanitary Authority to enter the premises and to commence operations for ridding the same of rats on or about a date to be specified (such date to be at least seven days after the date when such notice is so affixed); and after the expiration of such notice, it shall be lawful for the Sanitary Authority to enter the premises and take the requisite measures accordingly:

Provided as follows—

- (a) the Local Sanitary Authority shall not exercise the power of entry aforesaid if any person, claiming ownership or any interest in the vacant premises, comes forward and undertakes to comply with the requirements of the Sanitary Authority in respect to the extermination of rats on such premises;
- (b) the Local Sanitary Authority shall not effect an entry under this Regulation which would entail the breaking open of any door, gate or other fastening or enclosure; but in such case, the magistrate of the District upon the application of the Local Sanitary Authority and upon his or her being satisfied that the prescribed notice has been duly affixed on the vacant premises, is hereby empowered to order the police to effect the entry and to take charge of the premises during the period that the necessary measures are being taken by the Sanitary Authority for exterminating the rats therein.

During such period the police shall be responsible for the safe custody of the vacant premises and for securely refastening the same after the necessary measures have been completed.

#### PART IV

##### *Restaurants*

##### *Definitions*

#### **179. Definitions**

In this Part, unless the context otherwise requires—

“employee” includes any person who handles food or drink during preparation or serving or who may come into contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served;

“itinerant restaurant” means a restaurant operating for a temporary period in connection with a fair, carnival, circus, public exhibition or show or other similar occasion;

“person” means any person, firm, corporation, association or company;

“restaurant” includes restaurant, hotel, cafeteria, luncheonette, parlour, club or other eating and drinking establishment and every kitchen or other place where food or drink is prepared for sale;

“utensil” includes kitchenware, glassware, cutlery, container or equipment with which food or drink comes in contact during storage preparation or storage.

##### *Registration*

#### **180. Registration of premises**

(1) No premises shall be used as a restaurant unless the same shall have been duly registered in accordance with the provisions of these Regulations.

(2) No person shall operate a restaurant until or unless he or she has obtained a Registration Certificate from the Sanitary Authority.

(3) Any person desirous of obtaining a Registration Certificate shall make application in writing to the Sanitary Authority to have the premises thereon fully described registered as a restaurant and to have himself or herself registered as owner.

(4) Upon receipt of an application to register a restaurant, the Sanitary Authority shall cause the premises to be inspected within seven days, and if the premises be in compliance with the requirements of these Regulations register the same in the name of the applicant.

(5) The sum of sixty dollars shall be paid to the Sanitary Authority before a Registration Certificate is issued.

(6) The owner or manager shall keep in a conspicuous place in a restaurant the Registration Certificate together with a list of employees and the dates of issue of their medical certificate.

(7) (a) A Registration Certificate may be suspended by a Sanitary Officer if it appears to his or her satisfaction that there is a continuing violation upon the premises of this Part of these Regulations.

(b) The holder of a Registration Certificate who has been aggrieved by any suspension of his or her certificate under these Regulations may appeal to the Sanitary Authority who may restore or cancel the certificate.

#### *Examination and Inspection*

### **181. Examination of food samples**

(1) Samples of food and drink and other substances may be taken and examined by a Public Health Inspector as often as may be necessary for the detection of unwholesome food or adulteration. The Public Health Inspector shall seize, condemn, destroy or otherwise dispose of any food or drink which is unwholesome or adulterated.

(2) At least once every month a Public Health Inspector shall inspect every restaurant located within his or her district. If he or she discovers that any requirement of sanitation has been violated, he or she may grant such time as he or she deems necessary for the defect to be remedied. At the expiration of that period, he or she shall make a second inspection, and if the violation continues, the Registration Certificate shall be temporarily suspended until the defect is remedied.

(3) The person operating a restaurant shall upon the request of a Sanitary Officer permit access to all parts of the establishment and shall submit if required copies of records of all food purchased.

#### *Requirements as to Premises*

### **182. Floors**

The floors of all rooms in which food or drink is stored, prepared or served, or in which utensils are washed, shall be of such construction as to be easily cleaned and shall be of concrete or other hard material kept clean and in good repair.

### **183. Walls and ceiling**

Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be painted in a light colouring.

### **184. Doors and windows**

All openings into the outer air shall be effectively screened, and doors shall be self-closing, if in the opinion of the Sanitary Officer, the prevalence of flies warrants it.

### **185. Lighting**

All rooms in which food or drink is stored, prepared or served or in which utensils are washed shall be well lighted.

### **186. Ventilation**

All rooms in which food or drink is stored, prepared or served or in which utensils are washed shall be well ventilated.

**187. Toilet facilities**

(1) Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees and patrons. Toilet rooms shall not open directly into any room in which food, drink or utensils are handled, stored or served. All doors shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated.

(2) In case earth closets are permitted and used they shall be separate from the restaurant building, of a sanitary type, constructed and operated in conformity with the standards of the Health Department.

**188. Water supply**

Running water, of a safe sanitary quality, and adequate quantity shall be easily accessible to all rooms in which food is prepared or served and utensils are washed.

**189. Lavatory facilities**

At least one sink shall be provided in each room in addition to approved sanitary towels. The use of the common towel is prohibited.

**190. Utensils**

All utensils, show cases, display windows, counters, shelves, tables, sinks, refrigerating equipment and other equipment or utensils used in connection with the operation of a restaurant shall be constructed of a material that is easily cleaned, preferably glass or metal, and kept in good repair. All equipment shall be free from dust, dirt, insects or other contaminating material.

**191. Prohibited utensils**

Utensils containing or plated with cadmium or lead shall not be used. Lead may only be used in solder for making joints.

**192. Cleanliness of utensils**

All eating and drinking utensils shall be first thoroughly cleansed and then effectively subjected to a bactericidal process approved by the Sanitary Authority after usage. All utensils used in the preparation or serving of food or drink shall be treated in the above manner after each day's work.

**193. Bactericidal processes**

- (1) An approved bactericidal process should be—
- (a) immersion for at least two (2) minutes in clean hot water at a temperature of at least 170 degrees Fahrenheit for half a minute in boiling water;
  - (b) immersion for at least two minutes in a lukewarm chlorine bath containing not less than 50 p.p.m. available chlorine;



- (c) exposure in a steam cabinet of at least 170 degrees Fahrenheit for not less than fifteen (15) minutes, or 200 degrees Fahrenheit for not less than five (5) minutes.

(2) After bactericidal treatment, utensils shall be stored in a clean dry place protected from flies, dust and other contamination. They shall be handled in such a manner as to prevent contamination as far as practicable.

(3) Single-service utensils shall be purchased only in sanitary containers, stored therein in a clean dry place until used and handled in a sanitary manner.

#### **194. Storage of garbage**

All refuse garbage and waste shall be stored in properly constructed metal receptacles and then properly disposed of in such manner that no nuisance results.

#### **195. Perishable food**

All readily perishable food and drink shall be kept at or below 50 degrees Fahrenheit except when being prepared or served.

#### **196. Cleanliness of food**

(1) All food and drink shall be clean, free from spoilage and so prepared as to be safe for human consumption.

(2) All milk, fluid milk products, ice-cream and other frozen deserts served shall be from sources approved by the Authority.

(3) All oysters, clams and mussels shall be from sources approved by the Authority and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.

#### **197. Protection from dust, etc.**

(1) All food and drink shall be stored, displayed and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplets-infection, overhead leakage, and other contamination.

(2) No fowls or animals shall be kept or allowed in any room in which food or drink is prepared or stored.

(3) Food or drink polluted or contaminated by any of the above means, shall be immediately seized and destroyed by a Public Health Inspector.

#### **198. Cleanliness of restaurants**

The premises of all restaurants shall be kept clean and free from litter or rubbish, including bottles, tins, shells, decomposing matter of any kind.

#### **199. Location of restaurants**

None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. If the restaurant is located on the lower floor of a building, the upper storey of which is occupied for human habitation or any other purposes, then the roof of the restaurant shall be securely lined with tintest.

**200. Lockers, etc.**

Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linen, coats and aprons shall be kept in containers provided for this purpose.

**201. Itinerant restaurants**

Itinerant restaurants shall be constructed and operated in a manner approved in writing by the Chief Medical Officer and Permanent Secretary (Finance) and should as far as possible comply with the requirements of these Regulations.

*Disease Control***202. Prohibition on certain employment**

(1) No person who is suffering from any communicable or infectious disease or is a carrier of such disease, shall work in any restaurant, and no owner of any restaurant shall employ such person suspected of being affected by any communicable disease, or of being a carrier of such disease.

(2) If the restaurant owner knows or suspects, that any employee has contracted any communicable or infectious disease or has become a carrier of such disease he or she shall notify a Public Health Inspector immediately.

**203. Exclusion of certain employees**

If a Health Officer knows or suspects that there is the possibility of transmission of infection from any restaurant employee, he or she may order the following measures—

- (a) the immediate exclusion of the employee from all restaurants;
- (b) the immediate closing of the restaurants concerned until in his or her opinion, no further danger of disease outbreak exists;
- (c) adequate medical examination of the employees and of his or her associates, with such laboratory examination as may be indicated.

**204. Penalty**

Any person who violates any provision of Part IV of these Regulations shall be liable to a fine not exceeding five hundred dollars and if the offence is a continuing one, to a fine of fifty dollars for each day the offence continues.

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**Schedule***Forms*

## PUBLIC HEALTH ACT

## PUBLIC HEALTH REGULATIONS

## FORM A

Public Health Act – Subsidiary Legislation

Notice Requiring Owner or Occupier of Premises to Exterminate Rats thereon  
[Regulation 173.]

To

M .....

The Local Sanitary Authority has reason to believe that your premises situated at .....  
now in the occupation of ..... are infested with rats, and you are hereby  
required to take the measures specified below, within fourteen days of the service of this notice,  
for the destruction of rats—

In default of your complying with the above requirements, legal proceedings may be instituted  
against you and further action taken in accordance with the regulations made by the Cabinet under  
the authority of the Public Health Act.

Dated this ..... day of ....., 20.....

.....

For Local Sanitary Authority

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FORM B

PUBLIC HEALTH ACT

PUBLIC HEALTH REGULATIONS

Notice to Owner or Occupier of Premises that the Sanitary Authority intends Entering  
such Premises to Destroy the Rats

[Regulation 176.]

To

M .....

Whereas on the ..... day of ..... last, a notice in prescribed  
form was served on you requiring that certain measures should be taken as therein specified for  
exterminating the rats which are believed to infest the undermentioned premises:

And whereas no such measures as aforesaid have been taken; you are hereby notified that the  
Local Sanitary Authority, acting by the directions of the Sanitary Authority in this behalf, intends  
causing your premises situate at ..... now in occupation  
of ..... to be entered for the purpose of effective measures being  
taken to rid the same of rats.

Such entry will be made and measures commenced on or about \* .....  
day the ..... instant, unless you consent to such measures being taken before that day.

[You or any other person who has an interest in the above-mentioned premises may appeal to  
the Magistrate against the action of the Local Sanitary Authority, herein notified, at any time  
before the date last hereinbefore mentioned.]

Dated this ..... day of ....., 20.....

.....

For Local Sanitary Authority

\* Note.—This date to be at least seven days after the affixing of notice on premises.

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FORM C

PUBLIC HEALTH ACT

PUBLIC HEALTH REGULATIONS

Notice to be Affixed on Vacant Premises, of which Owner is unknown  
[Regulation 178.]

It is the intention of the Local Sanitary Authority, acting herein by the direction of the Sanitary Authority, to enter upon these vacant premises on or about the\* ..... day of ..... instant, and then to commence operations for ridding the same of rats.

If any person claiming ownership or having an interest in these premises wishes to undertake, himself or herself, the necessary measures for exterminating rats, he or she should inform the Local Sanitary Authority personally, or by writing addressed to the Sanitary Authority at its Office at ..... before the day above-mentioned.

Dated this ..... day of ....., 20.....

.....

For Local Sanitary Authority

\* Note.—This date to be at least seven days after the affixing of notice on premises.

