

Public Health Regulations 1973

In exercise of the powers conferred on me by sections 16(j) and 71(m) of the Public Health Order 1970, I,

Charles Dube Molapo

Minister of Health, Education and Social Welfare hereby make the following regulations:—

1. These regulations may be cited as the Public Health Regulations 1973.

2. (1) In these regulations unless the context otherwise requires, expressions used shall have the same respective meanings as in the Public Health Order 1970.

(2) "Carrier" means a person who, though not at any time presenting the clinical symptoms of an infectious disease, has been proved or is believed upon reasonable grounds and after laboratory investigation to be harbouring the infection of and consequently liable to cause the spread of such disease.

3. (1) No person (hereinafter referred to as an employee) who has open sores on any part of his body or is a carrier or is suffering from any infectious disease or has been in contact with such disease or suffering from a venereal disease, as defined in section 46 of the Public Health Order 1970 or any communicable disease mentioned in section 5(1) (a) of that Order shall be employed in any dairy, cafe, restaurant, refreshment room, hotel or eatinghouse or butchery and no employer shall permit any such person to be engaged in connection with the preparation or handling or serving or selling or packing of foodstuffs on his premises.

Certain employment subject to production of Health certificates

(2) Any employer referred to in sub-regulation (1) shall at all times be able to produce valid health certificates in respect of his employees when called upon to do so by a health officer.

(3) The validity of a health certificate issued in terms of these regulations shall expire six months after the date of issue and it shall be the duty of an employer to obtain a fresh certificate before the expiry date.

(4) The six monthly examination of employees in terms of these regulations shall be clinical and where applicable laboratory and radiological tests conducted.

(5) Whenever it is found that an employee is suffering from any of the diseases referred to in sub-regulation (1) he and his employer shall be guilty of an offence if he continues or if he is allowed to continue in employment after becoming aware of the disease.

4. (1) Any person believed or suspected on reasonable grounds to be a carrier, shall afford every facility to a health officer for obtaining specimens of blood, excreta, discharges or other material required for examination and investigation and shall take such medicine as may be prescribed by the health officer for that purpose.

Carriers of disease

(2) Every carrier shall at all times observe and give effect to all reasonably practicable instructions given to him by a health officer in regard to the disposal of his excreta, the cleansing of articles used by him, or other precautions for preventing the spread of infection.

(3) Every carrier shall inform the health authorities of his intention to change his place of residence or employment and of his intended new place of residence or employment. Such information shall, when possible, be furnished not less than seven days before the proposed change.

(4) Where, on the certificate of a medical practitioner it appears to a Magistrate that a person is a carrier, the Magistrate, on application of such practitioner and after inquiry, may, having regard to the nature of the infection and any material assistance which the Government is prepared to give to mitigate hardship to the individual or his dependants, make (and may from time to time modify, alter, or rescind) an order or orders requiring such person —

- (a) to proceed or be removed to and to remain or be detained for a period to be specified in such order in a hospital or other suitable place for the purpose of medical treatment;
- (b) to attend regularly for medical treatment or examination at times and places specified in such order;
- (c) not to handle or otherwise come in contact with food or vessels or articles containing or used to contain or which come in contact with food intended for consumption by others or to engage in any occupation entailing the handling or coming in contact with such food, vessels, or articles; and
- (d) to comply with such other requirements specified in such order as the Magistrate on application of a medical practitioner may deem necessary for safeguarding the public health.

(5) The parent or guardian or person in charge of a child who is or is believed or suspected on reasonable grounds to be a carrier, shall assist in every possible manner in the carrying out of these regulations or any order made thereunder in respect of such child.

(6) It shall be the duty of all medical practitioners and Magistrates to ensure that these regulations are carried out sympathetically and without more hardship to any person than is necessary and unavoidable in the public interest.

(7) Any person who fails to comply with the provisions of these regulations or any order made thereunder shall be guilty of an offence and liable on conviction to a fine not exceeding R100 or to imprisonment for a period not exceeding 6 months or to both such fine and imprisonment or to detention in such place as the court may, in consultation with the health authorities, determine.