

**FOURTH SCHEDULE***(Section 11)***PUBLIC HEALTH  
(OFFENSIVE TRADES) REGULATIONS****Short title.**

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

**Interpretation.**

2. In these Regulations “Offensive Trade” means—

- (a) blood or offal boiling or treating;
- (b) bone boiling or crushing;
- (c) chicken hatcheries, chicken farms or poultry units;
- (d) candle making, where tallow is rendered on the premises;
- (e) the curing, tanning or storing of hides;
- (f) fellmongering;
- (g) gut scraping;
- (h) lime making;
- (i) manufacture of gases;
- (j) manufacture of material for manure or fertilizers;
- (k) the slaughtering of animals or poultry;
- (l) soap boiling or soap manufacture;
- (m) any other trade, business or manufacture which the Minister may, from time to time, by notice published in the *Gazette*, declare to be an offensive trade.

**Restriction on Establishment of Offensive Trades.**

3. (1) No person shall, without the consent in writing of the Chief Medical Officer, establish or carry on any offensive trade.

(2) Any person who establishes or carries on an offensive trade, if such consent was required by law at the time of establishment, shall be liable, on summary conviction before a Magistrate, to a fine not exceeding two hundred dollars, and any person who carries on an offensive trade so established shall be liable, on summary conviction before a Magistrate, to a fine not exceeding twenty-four dollars for every day on which he or she carries on the trade after having been convicted in respect of the establishment thereof or, where he or she has not been so convicted, after receiving notice from the Chief Medical Officer to discontinue the trade:

Provided that in no case shall the penalty payable in respect of the carrying on of the trade after conviction or notice from the Chief Medical Officer, as the case may be, exceed the sum of five hundred dollars.

(3) Any consent of the Chief Medical Officer under this regulation to the establishment of an offensive trade may be given so as to authorise the carrying on of

the trade for a limited period specified in the consent, and for such extension of that period as may, from time to time, be granted by the Chief Medical Officer.

(4) Any person carrying on the trade after the expiration of the period so specified, or any extension thereof, as the case may be, shall be liable, on summary conviction before a Magistrate, to a fine not exceeding twenty-four dollars for each day on which he or she carries on the trade after notice from the Chief Medical Officer stating that the period, or, as the case may be, the period as extended, has expired:

Provided that in no case shall the penalty payable exceed the sum of five hundred dollars.

(5) Any person aggrieved by the refusal of the Chief Medical Officer to consent under this regulation to the establishment of a trade, or by any time limit attached to his or her consent, or by his or her refusal to extend such a time limit, may appeal to the Minister in the first instance.

(6) Further appeal shall be to a Magistrate of the District in which the offensive trade is carried on.

(7) For the purposes of this regulation, an offensive trade shall be deemed to be established not only when it is established in the first instance, but also if and when—

- (a) it is transferred or extended from the premises on which it is for the time being carried on to other premises;
- (b) it is resumed on any premises on which it was previously carried on; or
- (c) the buildings in which it is carried on are enlarged or substantially altered in any way:

Provided that in any change of ownership a fresh application shall be deemed to be necessary.

#### **Forms of Consent.**

4. The consent of the Chief Medical Officer for the purpose of these Regulations shall be given in the form contained in the Schedule hereto, or in such form as may from time to time be approved by the Minister.

#### **Erection or use of Buildings for Offensive Trade.**

5. No building shall be erected, converted or used for any offensive trade unless the location, site, plans and specifications for the offensive trade for which the building is to be used have been submitted and approved by the Chief Medical Officer.

#### **Offensive hides of animals.**

6. No person shall have, keep, or receive on any premises owned or occupied by him or her the fell or hide of any animal which is offensive or which may injuriously affect the health or comfort of individuals or the public.

#### **Duty to carry on Offensive Trades in a reasonable and proper manner.**

7. Notwithstanding such aforesaid consent in writing from the Chief Medical Officer to the establishment or carrying on of an offensive trade, the person so

licenced shall take all reasonable steps to prevent any gases, vapours or effluvia from being a nuisance or being injurious to the public health by—

- (a) preventing the occurrence of any offensive gases, vapours or effluvia; or
- (b) rendering innocuous such gases, vapours or effluvia emitted as a result of the offensive trade.

**General Requirements of the Chief Medical Officer in Respect of Offensive Trades.**

8. Every building or premises in which any offensive trade is carried on and all the utensils and equipments therein shall at all times be kept in a clean and sanitary condition and in good repair to the satisfaction of the Chief Medical Officer, or an officer duly authorised to act on his or her behalf.

**General Penalty.**

9. Any person who acts in contravention of or fails to comply with the provisions of any of these Regulations for which no special penalty is provided shall be liable, on summary conviction therefor before a Magistrate, to a fine of one hundred dollars.

**Remedies for Nuisance not excluded.**

10. Nothing in these Regulations shall be construed so as to exclude any person injured by an offensive trade from pursuing his or her legal or equitable remedies therefor as a nuisance if such it is.

**SCHEDULE TO THE REGULATIONS**

*(Regulation 4)*

THE PUBLIC HEALTH ACT

CONSENT OF THE CHIEF MEDICAL OFFICER  
TO THE ESTABLISHMENT OF AN OFFENSIVE TRADE

To: Mr./Mrs. .... of .....

Permission is hereby granted to you to establish and operate the trade of ..... situated at ..... in accordance with the requirements of the above mentioned Regulations, subject to ..... for a period of/indefinitely .....

*Chief Medical Officer*