

*Public Health (Water Quality Control) (Amendment) Regulations***SAINT LUCIA**

STATUTORY INSTRUMENT, 2020, No. 58

ARRANGEMENT OF REGULATIONS*Regulation*

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SAINT LUCIA

STATUTORY INSTRUMENT, 2020, No. 58

[14th April, 2020]

In exercise of the power conferred under section 9 of the Public Health Act, Cap. 11.01, the Minister responsible for health makes these Regulations:

Citation

1. These Regulations may be cited as the Public Health (Water Quality Control) (Amendment) Regulations, 2020.

Interpretation

2. In these Regulations “principal Regulations” means the Public Health (Water Quality Control) Regulations, Cap. 11.01.

Amendment of regulation 2

3. Regulation 2 of the principal Regulations is amended —
- (a) by deleting the definition of the word “Authority”;
 - (b) by inserting in the correct alphabetical order, the following definition —
- “water bottling plant” means a facility in which bottled water is treated and bottled for sale”.

Insertion of new regulation 4A

4. The principal Regulations are amended by inserting immediately after regulation 4 the following new regulation 4A —

“Fees

4A. For the purposes of these Regulations, the following fees must be paid to the Accountant General —

- (a) in the case of a permit for use of a water tank or other receptacle, fifty dollars;

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- (b) for conducting an inspection of a water tank or other receptacle, one hundred dollars; and
- (c) for conducting an inspection of a water bottling plant —

“A fee of forty cents per square foot for the first one hundred square feet of operative space and twenty cents per square feet for the next five hundred square feet and ten cents per square foot for the remaining space.”.

Insertion of new regulations 6A to 6E

5. The principal Regulations are amended by inserting immediately after regulation 6 the following new regulations 6A to 6E —

“Licence for conveyance in water tank or other receptacle

6A.—(1) A person shall not convey water in a water tank or other receptacle used for the conveyance of water unless he or she has first been granted a licence by the Board.

(2) A person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to a term of imprisonment not exceeding six months.

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

Application for licence for conveyance in water tank or other receptacle

6B.—(1) An application for a licence or for the renewal of a licence is in the form set out in Schedule 1.

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

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

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

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

6C.—(1) Whenever the Board approves an application, it shall issue to the person a licence in the form set out in Schedule 3.

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

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

6D. The Board may cancel or suspend a licence on being satisfied that —

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

Delivery of licence on suspension, cancellation or cessation

6E.—(1) When a person to whom a licence has been issued ceases to convey water in a water tank or other receptacle used for the conveyance of water, he or she shall within seven days of so doing give notice to the medical officer of health or environmental health officer and at the same time deliver to him or her the licence.

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

Insertion of new regulations 7A to 7D

6. The principal Regulations are amended by inserting immediately after regulation 7 the following new regulations 7A to 7D —

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“Licence for water bottling plant

7A.—(1) A person shall not operate a water bottling plant unless he or she has first been granted a licence by the Board.

(2) A person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to a term of imprisonment not exceeding six months.

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

Application for water bottling plant licence

7B.—(1) An application for a licence or for the renewal of a licence must be in the form set out in Schedule 1 and must be lodged in the office of the medical officer of health.

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

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

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

Application of regulations 6C to 6E

7C. Regulations 6C to 6E apply to a licence for a water bottling plant with such modifications as is necessary.

Certificate of health

7D. —(1) A person shall not —

- (a) convey water in a water tank or other receptacle used for the conveyance of water;
or
- (b) work in a water bottling plant,

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

(2) A person who —

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

(b) works in a water bottling plant,

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

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

(a) two passport sized photographs;

(b) a valid Government issued identification card; and

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

(i) a registration fee of twenty dollars for new applicants,

(ii) a fee of twenty dollars for a renewal,

(iii) a fee of thirty dollars for a replacement certificate, if the certificate is lost or damaged.

(4) A certificate of health must be —

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

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

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

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

Amendment of regulation 13

7. Regulation 13 of the principal Regulations is amended —

(a) by deleting the words “\$250.00” and replacing the words “five thousand dollars”;

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- (b) by deleting the word “3” and replacing the word “six”;
- (c) by deleting the words “\$50.00” and replacing the words “one hundred and fifty dollars”.

Insertion of new Schedule 1, Schedule 2, Schedule 3 and Schedule 4

8. The principal Regulations are amended by inserting immediately after regulation 13 the following new Schedule 1, Schedule 2, Schedule 3 and Schedule 4 —

“SCHEDULE 1

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

APPLICATION FOR LICENCE

TO: THE SAINT LUCIA PUBLIC HEALTH BOARD

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

I/We.....
(Name of business or firm)

of Address).....

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

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

Signature of Applicant:

.....

Date:.....

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SCHEDULE 2

FORM 1

(Regulation 6B(4))

**MINISTRY OF HEALTH
ENVIRONMENTAL HEALTH DIVISION
DEMERIT SCORE SHEET
WATER TANK OR OTHER RECEPTACLE INSPECTION FORM**

Inspecting Officer :

Time:

Date:

Name and address of Operator :

Phone No.:

Owner/Operator:

Supervisor/operator on duty at time of inspection:

		YES	NO	REMARKS
I	PERSONAL			
*5	Haulers must be in possession of a valid Health Certificate, which must be renewed twice yearly in June and December.			
II	OPERATION			
10	Delivery hoses, outlet valves etc. must be protected against contamination (especially when not in use) with suitable watertight caps.			

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		YES	NO	REMARKS
10	Vehicle tank, (both interior and exterior) and appurtenance devices such as hoses, pumps etc. must be routinely cleaned and sanitize.			
10	Interior of metal water tank must be coated with a suitable asphalt paint or bitrimastic enamel or coal tar product to reduce the occurrence of corrosion.			
10	Tank manhole (s) must be covered with a watertight cover (s) constructed of impervious material. Manhole cover (s) must be kept secured with a locking device.			
10	Overflow(s) and vent(s) of tank must be effectively screened. All other openings in tank must be so designed and constructed to prevent the entrance and exposure of stored water to contamination.			
5	Manhole(s) must be constructed with overlapping covers, designed and constructed to prevent the entrance of surface rainwater and other potential contaminants.			

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		YES	NO	REMARKS
*10	At all times water offered for sale to the general public must be obtained from an approved Water and Sewerage Company source.			
*10	Holding tank mounted on a truck is thoroughly cleaned, sanitized and tested for bacteriological and chemical contamination whenever — (a) non-potable water or other contaminants are stored or comes into contact with their interior surfaces of the tank; (b) a new holding tank is installed on the truck; (c) tank has not been utilized for an extended period of time.			
*10	Certificate of analysis from a certified laboratory.			
*5	Valid public health licence			
5	Identification number is required to be inscribed (in a conspicuous area) on holding tank (s) that are not permanently attached to the water truck.			

Tank No. :

Score :

Comments:

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ENVIRONMENTAL HEALTH
OFFICER

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(Regulation 7B(4))

WATER BOTTLING PLANT INSPECTION FORM

Date of Inspection : _____

Name of Business: _____

Distribution of Product : _____

☐ Only local☐ Locally and Overseas

Treated Capacity of Plant : _____

Design _____ Actual _____

Year Started Operation : _____

Security of Plant

Fenced Yes ☐ No ☐Security Guard Yes ☐ No ☐

Person in Charged : _____

Payment of public Health License for Year

Yes ☐ No ☐

No. of Employees: Male _____ Female _____

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I	PERSONNEL
5	Workers with infections restricted/valid Health certificate All employee properly clad with:
1	• Hair Restraint
1	• Apron
1	• Face mask
1	Hand washed and clean, good hygiene, practices
II	EQUIPMENT AND UTENSILS
2	Proper handling and storage of sterilized container and closures.
2	Bottle area completely separated from other areas of the plant and has self-closing doors.
2	Equipment, containers and closure are sanitized with steam or chemical agent
2	Residue of chemical sanitizing agents thoroughly rinsed from equipment and containers.
5	Surfaces of all equipment, utensils, pipes-lines and valves that come into contact with treated water clean and sanitized
2	Reusable retail plastic container and closure thoroughly cleaned and sanitized prior to reuse
III	TREATMENT PROCESS
5	Filtration, activated carbon, ultraviolet disinfection, reverse osmosis, ozonation, storage.
1	Schematic - site (facility) diagram
1	Schematic - water treatment diagram/process
1	Schematic - bottling process diagram
1	Equipment specifications
5	Recall plan
5	Storage tank holding the product before, during and after processing clean, adequately protected from contamination
IV	TOILET FACILITIES
2	Number, Convenient, Accessible, Designed and Installed
2	Toilet rooms enclosed, Self – Closing doors, fixtures good repair, clean hand cleanser, hand drying device provided, proper waste receptacles.

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V	GARBAGE / REFUSE DISPOSAL
1	Containers covered and adequate number
1	Outside storage are enclosed, properly constructed, clean
VI	PEST CONTROL
4	Presence of insects / rodents : outer openings protected, pest control measures applied
VII	PHYSICAL PLANT
2	Bottling room and plant constructed and design
2	Floors constructed, drained , clean, good repair, covering installed, dustless cleaning methods walls, ceiling, attached equipment constructed , good repair, clean surfaces, dustless cleaning methods
	Lighting
1	Fixtures shielded
1	Lighting provided as required
	Ventilation
1	Ventilation in plant sufficient to prevent condensation
	Dressing Room
1	Room clean, lockers provided
1	Facilities clean
VIII	QUALITY ASSURANCE
5	Regular performance of bacteriological and chemical analysis: a. In house b. Third party laboratory
2	Preventive Maintenance
1	Record keeping
2	Source and product water quality test results and records
2	Batch number and expiration date indicated on each container
IX	STORAGE FACILITIES
1	Faulty Tanks/Reservoir
2	Leaks in the pipe line
2	Site(s) adequately secured
2	Surface coating in contact with water acceptable

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2	Tanks/Reservoir protected against corrosion
2	Tanks/reservoir are cleaned frequently
1	Air vents and overflow protected by screen
2	Are tanks disinfected after repairs
X	SOURCES
2	Springs: Source protected by masonry box to reduce contamination Municipal: No other appurtenances connected to taps used for filling storage tanks
2	Spring: Masonry protecting the spring source faulty Municipal: Tap head free of leaks
1	Spring: Air vented and overflow on masonry box Municipal: Tank vents and overflow protected
2	Spring: Limited animal access to within 30ft./(10m) radius of the spring source Municipal: Limited access to tank filling area. (Only authorized individuals)
3	Spring: Absence of pollution source above the spring Municipal: The extraction or collection of water conducted safely hence preventing other than the intended water from entering the tank
XI	TRANSPORTATION
2	Vehicles used to transport finished products adequate, clean, and in good repair
*Critical items requiring immediate action	
Rating score (“100”) Less weight of items violated	

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 ENVIRONMENTAL HEALTH
 OFFICER

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(Regulation 6C(1))

LICENCE TO OPERATE

.....20.....

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

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

.....
 Chairperson Public Health Board

Note: Licence must be conspicuously displayed on the premises.

SCHEDULE 4

(Regulation 7D(5)(a))

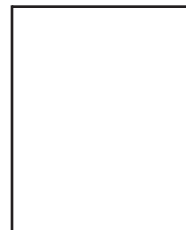
CERTIFICATE OF HEALTH

Name of Holder _____

Address of Holder _____

Trade or Business _____

Date Issued _____

**REMARKS**

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RENEWAL (back)

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

Made this 7th day of February, 2020.

MARY ISAAC
Minister responsible for health.