

In the Name of Allah, the Gracious, the Merciful

The Environment Health Act, 2009

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In the Name of Allah , the Gracious, the Merciful

The Environment Health Act 2009¹,

(17/2/2009)

Chapter I

Preliminary Provisions

Title

1. This Act may be cited as the “Environment Health Act, 2009”,

Repeal and saving

2. The Environment Health Act, 1975, shall be repealed; provided that all the regulations, orders and measures, made and taken thereunder shall remain in force until revoked, or amended , in accordance with the provisions of this Act.

Interpretation

3. In this Act, unless the context otherwise requires,-
“Minister”, means the National Minister of Health;

¹ Act No. (1), 2009

“Ministry”, means the National Ministry of Health;

“Minister of Health” means the Minister concerned with health affairs, at the various levels of government;

“Administration”, means the Environmental Health Administration at the Ministry;

“Garbage disposal”, means destruction of garbage in such method, as may not affect the environmental health;

“Water pollution” means voluntarily, or involuntarily, directly or indirectly, inserting entering of any substance in any source of potable water, as may result in injury, or threat to the health of human, or impede water activities, or decrease enjoying or change the characteristics thereof;

“Air pollution”, means every such change in the characteristics and specifications of natural air, as may result in danger to

humans or the environment or affect property, whether such pollution results from natural factors, or human activity, including noise or otherwise;

“Environmental Health”,

means the control and domination of the probable effects on health, as changing in environment components;

“Council”,

means the Environmental Health Council, established under the provisions of section 4 ;

“Water source”,

means any sea, river, lake, canal, springs, rain watercourse, flood, water reservoir well, water network, or any other source to for potable.

“Dangerous substances”, mean the substances having such dangerous characteristics as may injure human health, or injuriously affect environmental health, and

include poisonous, contagious, explosive, and in flammable substances, or having ionized radiation;

“Medical and health institutions”,

means public and private medical institutions, and include, hospitals, medical laboratories, medical clinics, dental laboratories, veterinary clinics, medicine depots, pharmacies, medical researches centres and higher education institutions having connection;

“Potable water”,

means water fit for human consumption, in accordance with the validated specifications;

“Garbage”,

means any solid, liquid or gaseous undesirable remains, resulting from human activity, in dwelling, factories, public places or animal pens.

“Dangerous health garbage”, means the remains, set out in Schedules 1 and 2, hereto and remains of the various health activities and operations, or the ashes of the same, keep the characteristics of dangerous substances, which have no other uses.

Chapter II

Establishment, Constitution, Functions and Powers of the Council

Establishment, quarter and supervision of the Council

- 4.(1) There shall be established a Council to be known as the “Environmental Health National Council”.**
- (2) The quarters of the Council shall be at the Ministry.**

Constitution of the Council

- 5.(1) The Council shall be constituted by a decision of the Council of Ministers, of a chairperson and a number of members, from those possessed of experience,**

competence and knowhow, representing the competent bodies having connection.

- (2) The Administration Director shall be a member and rapporteur of the Council.

Functions and powers of the Council

6.(1) The Council shall have the following functions and powers ,

to :-

- (a) propose general policies, national plans and programmes in the field of environmental health;
- (b) classify health substances, resulting from dangerous substances, according to the danger thereof; and lay down the health bases and safeguards for importing these substances, in co-ordination with the bodies having connection therewith;
- (c) lay down the bases and safeguard for inspection of sites, in case of suspicion of committing any health contravention, in the field of garbage, and dangerous health garbage in coordination with the bodies having connection;

- (d) make the internal regulations for organizing the business and meetings thereof;
 - (e) any other functions, or powers, as may be conferred thereon by the Council of Ministers.
- (2) The Council may constitute specialized technical committees, to assist the same in performing its tasks and shall specify the functions and powers thereof.

Chapter III

Preservation of Potable Water and Air and Combating Diseases Transmitters

Prevention of water pollution

7. No person shall throw, strive to drain or throw any solid, liquid, or gaseous substances, into any of the potable water sources, in such way as may inure, or likely to injure human health, or use of water by humans for other purposes; and without prejudice, to the generality of the foregoing, no person shall throw into potable water sources any:-
- (a) solid, liquid or gaseous industrial garbage, whether treated or not;

- (b) chemical substances which enter in any type of industry, whether treated or not;**
- (c) raw, or treated sewage water emanating from water closets, kitchens, bathrooms or latrines;**
- (d) solid residue, whether treated or not, emanating from human use in dwelling, factory or any other place;**
- (e) dead animals, animal remains, or dung near, or inside a well or canal.**

**Health bases and safeguards for the
preservation of potable water**

- 8. Every person working in the field of potable water, at the various government levels, shall be abide by the following conditions and safeguards, to:-**
- (a) ascertain fitness a potable water, and freedom of the networks thereof of pollution, in accordance with the validated specifications;**
 - (b) conduct periodical examination of the employees in potable water sources, to preserve their health, and ascertain their freedom of any contagious diseases.**

Health conditions and safeguards to prevent air pollution

- 9.(1) There shall be prohibited for any person, the practice of any activity causing air pollution, in such way, as may affect human health.**
- (2) There shall be prohibited the permit of erecting factories and industrial facilities, inside the residential areas, or near the same, in coordination with the bodies having connection, as to such distances, as the regulations may specify.**

Combating Transmitters of diseases

- 10. No person or body shall :-**
- (a) cause breeding of the insects transmitting diseases, or other diseases transmitters by direct or indirect way;**
 - (b) practise any work connected directly or indirectly to control of insects and pests injurious to public health, inside houses, commercial and industrial facilities, unless he obtains a permit from the environmental health authorities;**

(c) store any insecticides, or chemical substances, in any site, after obtaining a permit from the environmental health authorities.

Chapter IV

Dangerous Health Garbage and Solid and Liquid Garbage

Bases and safeguards of dealing with dangerous health garbage

- 11. Any person dealing with dangerous health garbage shall abide by the following conditions and safeguards:-**
- (a) use of modern technology means to reduce the rate of dangerous health garbage production, quantitatively and qualitatively , and to choose alternatives for the product, or primary substances, less injurious to environmental health;**
 - (b) treatment of dangerous health garbage at the source, in accordance with the specified technical bases and safeguards;**
 - (c) collecting and conveying the dangerous health garbage to such places, as may be prepared for**

disposal thereof, where their treatment is not possible;

- (d) specifying certain places and special receptacles to store dangerous health garbage, in which there are available the safety conditions, which prevent the occurrence of any injuries, as the regulations may specify;
- (e) Conveying the dangerous health garbage, as to such security and safety bases and safeguards, as the regulation may specify;
- (f) The sites for treating and disposing of dangerous health garbage are in such area, as may be far away from residential congregations, as the regulations may specify .

Bases and safeguards of dealing

with solid and liquid garbage

12.(1) The environmental health authorities shall lay down the health standards and conditions for management of solid and liquid garbage, and shall be binding on any body, as may be specified to conduct this work at all levels.

(2) No person or body shall throw garbage in public places, and abidance shall be by placing the solid garbage, at such places, as may be specified by the environmental health authorities at the level concerned.

(3) No person, or body shall flush the liquid garbage, save in such places as may be specified therefor, and by such methods, as may be specified by the environmental health authorities at the level concerned.

Evaluation of environmental health effect

13. No activity, industrial, or agricultural facility, or any development project shall be erected, whether in the public or private sector, save after conducting a study for evaluation of the environmental and health effects consequential to erecting this activity, facility, or project, through a government committee from the bodies having connection.

Chapter V

General Provisions

Contraventions and penalties

14. Whoever contravenes the provisions of this Act, shall be punished, with imprisonment, for a term, not less than one year, or with fine, or with both.

Suspension of the activity of national institutions

15. The Minister, upon recommendation by the Administration, and in consultation with the bodies having connection, may suspend any national institution producing dangerous health garbage or suspend activity of the same, whenever it is proved that this institution constitutes or health danger for the citizens.

Power to make regulations

16. The Minister of health may make such regulations and orders, as may be necessary for implementation of the provisions of this Act.