

**2007 ENVIRONMENTAL HEALTH SERVICES S.R.O. 2  
(CONTROL OF MOSQUITOES)**

**COMMONWEALTH OF DOMINICA**

STATUTORY RULES AND ORDERS NO. 2 OF 2007

**REGULATIONS**

MADE by the Minister under section 30 of the Environmental Health Services Act 1997 (Act No. 8 of 1997).

(Gazetted 11<sup>th</sup> January, 2007.)

**1.** These regulations may be cited as the -

Short title.

**ENVIRONMENTAL HEALTH SERVICES  
(CONTROL OF MOSQUITOES) REGULATIONS 2006.**

**2.** In these regulations -

Interpretation.

“Act” means the Environmental Health Services Act 1997;

“authorised person” means a person acting under the authority of the Minister, the Chief Environmental Health Officer or Chief Medical Officer in carrying out the provisions of these regulations;

“premises” shall have the meaning assigned to it in the Act.

**3. (1)** All premises shall be kept free of -

Premises to Be free of  
stagnant water.

(a) stagnant water; and

(b) all appliances, trees, plants or other things which are capable of breeding mosquitoes.

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(2) Any bush or undergrowth on any premises likely to harbour mosquitoes shall be cut down and removed.

(3) Fountains, pools, ponds, antiformicas, excavations, openings or structures made for any purpose, containing water, shall be kept stocked with larvivorous fish or covered with a film of petroleum oil, or the water therein shall be mixed with an insecticide to prevent the breeding of mosquitoes.

(4) No water shall be allowed to accumulate or become stagnant under any tap, pipe or other device for supplying water.

(5) Premises shall be kept in a clean and sanitary manner and all empty bottles or tins, coconut shells, uncovered barrels, boxes, tyres and any other articles shall be so kept; stored or dealt with as to prevent the likelihood of water collecting therein.

(6) Flower vases, jars or other receptacles in cemeteries shall not be allowed to contain water and such receptacles shall be filled with sand or earth.

(7) Mausolems, Vaults and burial urns shall be maintained in such conditions as not to collect water.

Cess-pits, Catch-pits  
etc.

**4.** (1) Cess-pits on premises shall be disinfected and covered with a film of oil at least once per month or as often as an Environmental Health Officer may require.

(2) Catch-pits shall be cleaned out as often as Environmental Health Officer may require.

Roofs etc.

**5.** (1) Roof gutters, eaves, gutters and down pipes attached to any premises shall be maintained in good repair and free from obstruction so as to allow the ready passage of water from the roof.

(2) Roof gutters are subject to inspection and shall have a sufficient capacity and fall to ensure rainwater will not be retained at any point.

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(3) If an authorized person finds any roof gutter in a state capable of retaining water in which mosquitoes are likely to breed he shall give notice thereof in writing to the owner or occupier of the premises, and if within 24 hours-

(a) such owner or occupier fails to remedy the condition complained of; or

(b) such roof gutter is subsequently found to be in a condition liable to breed mosquitoes,

such authorized person shall take any remedial steps as may be considered necessary.

**6.** (1) Barrels, tubs, drums, wells, tanks and other receptacles for containing water shall be effectively protected from mosquitoes by screening or by such other method as the Chief Environmental Health Officer approves.

Barrels, tubs.

(2) Receptacles which provide drinking water for animals or poultry shall be such as can be quickly and completely emptied.

**7.** (1) A covered drain shall be provided with an inspection chamber which shall be placed in a position which is easily accessible for inspection.

Covered drains and  
sewer traps.

(2) Sewer-traps shall be placed in positions which are easily accessible for inspection.

**8.** (1) Subject to the provisions of these regulations, no part of any building shall be so constructed as to be capable of retaining water.

Prohibition regarding  
the construction of  
buildings.

(2) The owner of a building shall upon being duly notified in writing that any part of the building is capable of retaining water immediately take such remedial steps as may be necessary.

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Power to order spraying  
of premises.

**9.** (1) An authorised person may cause premises to be sprayed with an insecticide approved by the Chief Medical Officer.

(2) Mosquito nets, mattresses, bedding and food safes may also be sprayed.

(3) The Chief Environmental Health Officer or an authorised person shall either verbally or in writing notify the occupier of premises to be sprayed and the time fixed for such spraying.

(4) When notified that premises are to be sprayed, the occupier shall, before the time fixed for spraying extinguish all fires and naked flames until the process of spraying is complete, and shall take such other steps as the notice may require.

(5) No person shall, by use of any liquid, substance or otherwise, wash off, alter or otherwise eliminate or reduce the effect of any insecticide sprayed on any premises pursuant to this regulation.

Procedures where entry  
refused or premises  
closed.

**10.** (1) Where an authorized person visits any premises in pursuance of regulation 9 and the owner or occupier thereof refuses to allow, or unreasonably delays in allowing any such person to enter therein, such authorised person shall enter with a member of the Police Force and execute whatever works he considers necessary for carrying out the provisions of these regulations.

(2) Where it appears to an authorized person that any premises visited in pursuance of these regulations are closed, such authorised person may cause to be affixed in a conspicuous position thereon a notice requiring the owner or occupier thereof to arrange with the Environmental Health Officer for the district within a specified period to enable him to visit the premises.

(3) Such notice shall require the owner or occupier of the premises to grant access to the person named in the notice.

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(4) The person named in the notice shall enter the premises in the presence of a member of the Police Force, by force if necessary, to inspect or spray such premises.

(5) Immediately after inspection or spraying, the premises shall be sealed by the person carrying out such work, in the presence of the member of the Police Force.

(6) Adequate measures shall be taken by the person carrying out such work under paragraphs (4) and (5) to ensure that the premises and any articles thereon are not left in a worse condition and in particular he shall take all the steps which paragraph (4) of this regulation requires an occupier to take, and so soon as the inspection or spraying is over he shall repair any damage done in obtaining entry to the premises.

(7) No person shall enter any premises sealed by virtue of these regulations unless authorised by the Chief Medical Officer or the Chief Environmental Health Officer.

**11.** If an authorised person discovers any receptacle capable of breeding mosquitoes he may -

Action by authorised person to prevent breeding of mosquitoes.

- (a) apply the larvicide or insecticide approved by the Chief Medical Officer; or
- (b) require the owner or occupier of the premises to stock the water with larvivorous fish of a species approved by the Chief Medical Officer; or
- (c) require the owner or occupier to apply an approved larvicide or insecticide; or
- (d) require the owner or occupier to render and keep the receptacle mosquito proof; or
- (e) render the receptacle, if it be of little or no commercial value, incapable of holding water.

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Enforcement of  
Regulations.

**12.** (1) The Chief environmental Health Officer or the Chief Medical Officer may authorise such persons as may be considered necessary to enforce the provisions of these regulations.

(2) Any person assisting a person so authorised shall have all the rights, powers and immunities of that person.

Power of entry.

**13.** An authorised person may enter any premises between the hours of 7 a.m. and 6 p.m. with a view to discovering whether the provisions of these regulations are being complied with, and to carrying out such works as may be provided or authorised by these regulations.

Onus of compliance.

**14.** Where in respect of any premises, any act or thing is by any of these regulations either prohibited or prescribed to be done, the duty of seeing that such prohibition or requirement is complied with shall rest upon both the owner and the occupier for the time being of the premises and in the event of a breach of any such regulation either the owner or the occupier or both shall be liable to be prosecuted.

Offences and penalties.

**15.** A person who contravenes any of the provisions of these regulations commits an offence and on summary conviction is liable to a fine of one thousand dollars or to imprisonment for a term of three months or to both such fine and imprisonment, and in the case of a continuing offence to a further fine of one hundred dollars for each day or part thereof during which the offence continues after a conviction is first obtained.

Made this 4<sup>th</sup> day of January, 2007.

JOHN FABIEN  
*Minister for Health*

DOMINICA

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