



# HEALTH REGULATIONS

*Comprising*  
*Health (General) Regulations*  
*and*  
*Health (Hairdressers) Regulations*

[Consolidated as at 5 January 2007  
on the authority of the Administrator  
and in accordance with  
the *Enactments Reprinting Act 1980*]

NORFOLK



ISLAND

# HEALTH (GENERAL) REGULATIONS

[Consolidated as at 5 January 2007  
on the authority of the Administrator  
and in accordance with  
the *Enactments Reprinting Act 1980*]

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## Health (General) Regulations

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Regulations under the *Health Act 1913*

### PART 1 — PRELIMINARY

#### Citation

1. These Regulations may be cited as the *Health (General) Regulations*.

#### Parts

2. These Regulations are divided into Parts, as follows —
  - Part 1 — Preliminary  
(Regulations 1 - 3)
  - Part 2 — Sanitary Conveniences  
(Regulations 4 - 19)
  - Part 3 — Garbage  
(Regulations 20 - 21)
  - Part 4 — Protection of Water Supplies  
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(Regulations 32 - 39)
  - Part 7 — Abatement of Nuisances  
(Regulation 40)
  - Part 8 — Miscellaneous  
(Regulations 41 - 48).

#### Definitions

3. In these Regulations, unless the contrary intention appears —  
“approved” means approved by the Administrator by instrument in writing;

- “cesspit” means a pit, whether constructed or not, under or connected with a closet;
- “chemical closet” means a closet in which, or in connection with which, there is a fixed or movable receptacle of material that is impervious to water and that contains a chemical for the purpose of maintaining in a sterile and inodorous condition all excreta deposited therein;
- “closet” means any structure used for the purpose of or in connection with the reception of human excreta;
- “domestic bird” includes a fowl, duck, goose, turkey or guinea fowl;
- “drain” includes a drainage trap;
- “night-soil” means human excreta and includes —
- (a) material mixed with human excreta; and
  - (b) sludge from a septic tank or chemical closet;
- “nuisance” means a nuisance that is, or is likely to be, injurious or prejudicial to health and includes —
- (a) premises in such a state as to be injurious or prejudicial to health;
  - (b) an animal or bird so kept as to be injurious or prejudicial to health;
  - (c) an accumulation or deposit of material that is injurious or prejudicial to health;
  - (d) a factory, workshop or other place of employment not kept in a clean state, or not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or impurities that are generated in the course of the work carried on therein and are injurious or prejudicial to the health of the persons employed therein; and
  - (e) the infestation of any premises by rats, mice, flies, mosquitoes or other vermin;
- “occupier”, in relation to premises, means the person apparently in actual occupation of the premises or apparently having the charge, management or control of the premises and, in the case of a building that is let out in separate tenements, or let to lodgers, includes the person receiving the rent payable by the tenants or lodgers, either on his own account or as agent;
- “owner”, in relation to premises, means —
- (a) in the case of premises that are held under lease granted under the *Crown Lands Act 1913*, the lessee;
  - (b) in the case of premises that are an easement, the proprietor of the easement; or

(c) in any other case, the person for the time being entitled to receive the rent of the premises, whether on his own account or as agent or trustee for another, or who would be so entitled if the premises were let at a rent,

and includes, where 2 or more persons are the joint or several owners of the premises, each of those persons;

“premises” includes a parcel of land, a building or part of a building or an easement;

“public place” has the same meaning as in the *Summary Offences Act 2005*;

Note – the prior reference to the *Police Offences Act 1933* has been changed to the *Summary Offences Act 2005* in accordance with the *Enactments Reprinting Act 1980*.

“refuse” means dung, offal, garbage or other matter that is unwholesome or from which an offensive odour arises;

“sanitary convenience” means a cesspit, chemical closet, pan closet, septic tank, water closet, urinal or other receptacle for the deposit of night-soil;

“septic tank” means a tank or series of tanks through which night-soil is passed, and in which it is detained for the purpose of sedimentation, disintegration or digestion;

“source of water” means a bore, creek, dam, reservoir, spring, tank, watercourse or well;

“well” includes a bore, dam or tank from which water is drawn for domestic purposes.

## PART 2 — SANITARY CONVENIENCES

### Sanitary conveniences

**4. (1)** Subject to this regulation, the owner or occupier of premises shall provide —

- (a) in the case of premises that are used for the purpose of a private dwelling house - at least one sanitary convenience of an approved type; and
- (b) in any other case - such number and type of sanitary conveniences as the Administrator thinks suitable.

**(2)** The Administrator may, by notice in writing, require the owner of premises to install such number and type of sanitary conveniences on the premises as are specified in the notice.

### Temporary sanitary conveniences

**5. (1)** Where an employer proposes to commence work on a project and no existing sanitary conveniences are reasonably available for use by his workmen engaged on the project, he shall provide for the use of those workmen a temporary closet of an approved type for each 20 workmen or part thereof engaged on the project.

(2) A person who provides a closet in accordance with subregulation (1) shall keep the closet in a clean and tidy condition.

**Construction of a pan closet**

6. A person shall not construct or cause to be constructed a pan closet that —
- (a) is situated at a distance of less than —
    - (i) 20 feet from a dwelling house or water storage tank; or
    - (ii) 50 feet from any other domestic water supply or a milking shed, milk room or dairy; and
  - (b) is not constructed in accordance with the provisions of the First Schedule to these Regulations to these Regulations.

**Approval required for construction of septic tank or chemical closet**

7. (1) The owner or occupier of any premises shall not —
- (a) install or cause to be installed on the premises a septic tank or chemical closet; or
  - (b) alter the construction of an existing septic tank or chemical closet on the premises,

without the approval in writing of the Administrator.

(2) A fee of \$5 is payable in respect of the approval of the Administrator under subregulation (1).

**Application to install septic tank or chemical closet**

8. (1) The owner or occupier of any premises may make application in writing in accordance with this regulation to the Administrator for permission to install a septic tank or chemical closet on the premises.

- (2) An application under subregulation (1) shall be accompanied by —
- (a) in the case of an application for permission to install a septic tank —
    - (i) complete plans and specifications of the proposed septic tank;
    - (ii) a scale plan of the premises on which it is proposed to install the septic tank showing the position of any building or source of water on the premises, the adjoining roads and footpaths and the proposed position of the septic tank;
    - (iii) a statement of the manner in which it is proposed to dispose of the effluent waters from the septic tank;
  - (b) in the case of an application for permission to install a chemical closet —
    - (i) an illustration or sketch of the proposed type of closet;
    - (ii) a scale plan of the premises showing the position of any building or well on the premises and the proposed position of the closet;
    - (iii) a statement of the method by which it is proposed to dispose of the contents of the closet; and
  - (c) in either case - a statement of the number of persons resident or likely to reside, or ordinarily present or likely to be ordinarily present, on the premises.

(3) The Administrator may require the applicant to furnish such other particulars in relation to the proposed installation as the Administrator requires.

#### **Cleaning of septic tanks and chemical closets**

9. Where the Administrator is of the opinion that a septic tank or chemical closet is or is likely to become injurious to health, he may —

- (a) by notice in writing directed to the owner of the premises on which the septic tank or chemical closet is situated, require the owner to repair, cleanse, desludge, empty or remove the septic tank or chemical closet on or before a date specified in the notice; and
- (b) by notice in writing directed to the occupier of the premises on which the septic tank or chemical closet is situated, require the occupier not to use or permit a person to use the septic tank or chemical closet until permission is granted by the Administrator.

#### **Approval for construction of cesspit**

10. The owner or occupier of any premises shall not construct, or permit the construction of, a cesspit on the premises without the approval in writing of the Administrator.

#### **Application for approval to construct cesspit**

11. (1) The owner or occupier of any premises may make application in writing in accordance with this regulation to the Administrator for permission to construct a cesspit on the premises.

(2) An application under subregulation (1) shall be accompanied by a scale plan of the premises on which it is proposed to construct the cesspit showing the position of any building or source of water on the premises and the proposed position of the cesspit.

(3) The Administrator may require the applicant to furnish such other particulars in relation to the proposed construction of the cesspit as the Administrator requires.

#### **Cesspits to be constructed as specified**

12. A person shall not construct or cause to be constructed a cesspit or a closet with cesspit that is constructed otherwise than —

- (a) on an approved site; and
- (b) in accordance with the provisions of the Second Schedule of these Regulations.

#### **Cesspit not to be used until approved**

13. Unless the Administrator has given approval in writing for the use of a cesspit —

- (a) a person shall not use the cesspit; and
- (b) the occupier of the premises on which the cesspit is situated shall not permit a person to use the cesspit.

**Covering of night-soil deposited in cesspit**

14. The occupier of any premises on which a cesspit is situated shall —
- (a) provide at all times a suitable receptacle for dry earth or other suitable covering material, together with a scoop or other appliance for the application of the covering material to cover deposits of night-soil; and
  - (b) cause all night-soil deposited in the cesspit to be covered immediately with dry earth or other suitable covering material.

**Cesspit not to be used in certain circumstances**

15. The occupier of any premises on which a cesspit is situated shall not use the cesspit or permit it to be used —
- (a) when the contents of the cesspit have reached within 2 feet of the natural level of the surrounding land; or
  - (b) when required by notice in writing by the Administrator to cease to use the cesspit.

**Demolition of cesspits**

16. Where —
- (a) the contents of a cesspit have reached within 2 feet of the natural level of the surrounding land; or
  - (b) the Administrator, by notice in writing, requires the occupier of the premises on which a cesspit is situated to demolish the cesspit,

the occupier of the premises on which the cesspit is situated shall —

- (c) demolish the cesspit to a depth of one foot below the natural level of the surrounding land;
- (d) place in the cesspit sufficient fresh lime to the satisfaction of the Administrator; and
- (e) fill in the cesspit with earth banked to a height of at least 18 inches above the natural level of the surrounding land.

**Disposal of night-soil**

17. (1) The Administrator may, by notice in writing, direct that night-soil from premises, or from premises included in a class of premises, specified in the notice shall be disposed of at an approved depot.

(2) A notice under subregulation (1) shall be published in the Gazette.

(3) The notice shall come into effect on the date on which it is published in the Gazette or on such later date as is specified in the notice.

(4) Where a notice under subregulation (1) has come into operation, a person shall not dispose of night-soil from the premises, or premises included in a class of premises, specified in the notice otherwise than at an approved depot.

**Emptying of closet pans**

18. The occupier of any premises shall cause the pan of every pan closet on the premises to be emptied and cleansed at least twice in each week.

**Hinged seat covers to be kept closed**

19. The occupier of any premises on which there is a pan closet or a closet with cesspit shall ensure that the hinged flap cover for the seat aperture of the pan stand or cabinet, as the case may be, is kept closed at all times when the closet is not in use.

**PART 3 — GARBAGE****Removal of garbage**

20. (1) In this regulation, “prescribed garbage receptacle” means a receptacle constructed of metal or other approved material and having a tight-fitting cover.

(2) The occupier of any premises shall provide for use on the premises a sufficient number of prescribed garbage receptacles for the reception of garbage.

(3) The occupier of any premises shall —

- (a) cause all garbage on the premises to be placed in a prescribed garbage receptacle;
- (b) cause all garbage receptacles on the premises to be kept clean and maintained in good order and condition;
- (c) not at any time allow a garbage receptacle on the premises to become a nuisance;
- (d) keep all garbage receptacles covered; and
- (e) cause each garbage receptacle on the premises to be emptied at least once in each week.

(4) The Administrator may, by notice in writing, require the occupier of any premises to remove garbage or other refuse that has accumulated on the premises.

**Disposal of garbage at approved depot**

21. A person shall not dispose of garbage otherwise than at an approved garbage depot.

**PART 4 — PROTECTION OF WATER SUPPLIES****Occupier of premises to furnish information concerning wells**

22. The Administrator may, by notice in writing, require the occupier of any premises to give to the Administrator particulars in writing of the site, dimensions and capacity of any well on the premises and of the equipment used in connection with the well.

**Well not to be constructed without approval**

23. (1) A person shall not construct or alter a well without the approval in writing of the Administrator.

(2) A fee of \$5 is payable in respect of the approval of the Administrator under subregulation (1).

**Application for approval for construction or alteration of a well**

**24. (1)** The owner or occupier of any premises may make application in writing in accordance with this regulation to the Administrator for permission to construct or alter a well on the premises.

**(2)** An application under subregulation (1) shall contain particulars of the site, dimensions, equipment and method of construction of the proposed well or of the proposed alterations to the well, as the case may be, and the purposes for which the water from the well is required.

**(3)** The applicant shall furnish to the Administrator such other information in relation to the proposed well or proposed alteration to the well as the Administrator requires.

**Administrator may prohibit use of water**

**25.** Where the Administrator is of the opinion that the use of water from a source of water is or is likely to be injurious to health, he may, by notice in writing addressed to the occupier of the premises on which the source of water is situated, require the occupier —

- (a) to cease to use the water from the source of water for a purpose indicated in the notice for such period as he thinks necessary;
- (b) to close a well on the premises in such manner as is specified in the notice, either permanently or until such date as is specified by the Administrator;
- (c) to instal such filtration or other purification plant for the purification of the water from the source of water as the Administrator thinks necessary; and
- (d) to do such other work in relation to the source of water as the Administrator thinks necessary for the protection of health.

**Contamination of sources of water**

**26.** The owner or occupier of any premises shall not permit effluent from —

- (a) a drain through which domestic or industrial waste water flows; or
- (b) a septic tank or chemical closet,

on those premises to discharge into a source of water.

**Protection of domestic water supplies**

**27.** A person shall not —

- (a) bathe or wash in;
- (b) throw or place or cause to be thrown or placed any refuse, earth, glass, paper or other offensive matter in an area within 100 feet of,

a source of water from which water is drawn for domestic purposes.

**PART 5 — KEEPING OF ANIMALS****Keeping of animals and domestic birds**

**28.** A person shall not keep or permit to be kept —

- (a) an animal, other than a cat or dog, within a distance of 40 feet; or
- (b) a domestic bird within a distance of 50 feet,

from a dwelling house, hospital or school building.

**Construction and cleaning of premises where animals are kept**

**29. (1)** The owner or occupier of premises used as a stable, horse-yard, cattle shed, cow-yard or pigsty shall —

- (a) provide the premises with adequate drainage and ventilation to the satisfaction of the Administrator;
- (b) where so required by notice in writing by the Administrator — reconstruct the floor of those premises so as to make it impervious to water or to rats;
- (c) cause the premises to be cleansed daily;
- (d) cause all refuse to be removed from the premises at least once in every week; and
- (e) keep the premises in a clean and sanitary condition.

**(2)** The owner or occupier of premises used for the keeping of domestic birds shall ensure that those premises are kept in a clean and sanitary condition at all times.

**Animals or birds suffering from diseases to be destroyed**

**30. (1)** Subject to this regulation, the owner of or person keeping or permitting to be kept an animal or bird that develops a contagious or infectious disease injurious to human beings shall, immediately he becomes aware of the development of the disease, cause the animal or bird to be destroyed.

**(2)** Subregulation (1) does not apply to the case of a dog affected with the hydatid disease parasite if the dog is treated for the parasite to the satisfaction of the Administrator.

**Disposal of dead animals**

**31. (1)** Where an animal dies —

- (a) in a public place, the owner of the animal; or
- (b) on any other land, the occupier of the land,

shall immediately dispose of the carcass.

**(2)** Where, in the opinion of the Administrator, a dead animal constitutes a danger to public health, he may cause the carcass to be disposed of, and may recover the cost of disposal from the owner of the dead animal.

**(3)** A person shall not dispose of the carcass of an animal in such a manner as to be likely to cause pollution of any source of water.

**(4)** A person shall not place the carcass of an animal, or an animal with intent to drown the animal, into a source of water.

(5) Where an animal becomes bogged or caught on the banks of or in a source of water the owner or person in charge of the animal shall forthwith remove the animal.

(6) In this regulation, a reference to the disposal of the carcass of an animal shall be read as a reference to the disposal of the carcass by —

- (a) effectively burning the carcass;
- (b) burying the carcass so that it is covered by a depth of at least 3 feet of soil; or
- (c) otherwise disposing of the carcass by an approved method.

(7) In this regulation, “animal” includes a bird.

## PART 6 — GENERAL SANITATION

### Keeping of unwholesome matter on premises

32. The owner or occupier of any premises shall not keep or permit to remain on the premises any matter from which an unwholesome or offensive odour arises or that is kept or used in such a manner or is in such condition that it is, or is likely to be, injurious or prejudicial to health.

### Rats and vermin

33. Where the Administrator is of the opinion that there exist upon any premises conditions favourable to the breeding and existence of rats, mice, flies, mosquitoes or other vermin, he may, by notice in writing, require the owner or occupier of the premises to take such action as is specified in the notice to remove those conditions within such time as is specified in the notice.

### Drainage of premises

34. (1) The owner or occupier of any premises shall ensure that the premises are adequately drained.

(2) The owner or occupier of any premises shall not construct or cause to be constructed a drain on the premises so that the drainage from that drain —

- (a) flows across or upon a public road or footpath; or
- (b) pollutes or is likely to pollute any source of water.

(3) The Administrator may, by notice in writing, require the owner or occupier of any premises, within the time specified in the notice —

- (a) to construct on the premises such drains as are specified in the notice; or
- (b) to clean a drain on the premises to the satisfaction of the Administrator.

### Drainage trap

35. A person shall not, without the approval in writing of the Administrator, construct a drainage trap on any premises.

**Interference with public drains**

**36. (1)** A person shall not, without the approval of the Administrator, damage or interfere with a drain in a public road, common or public reserve.

**(2)** Where the approval of the Administrator under subregulation (1) is given subject to conditions, the person to whom the approval is given shall not fail to comply with a condition of the approval.

**Vehicles carrying refuse to be kept covered**

**37.** A person shall not convey refuse through a public place otherwise than in a vehicle or receptacle properly covered to the satisfaction of the Administrator and, in the case where the refuse contains any liquid, so constructed as to prevent the escape of that liquid.

**Leaving refuse in a public place**

**38.** A person shall not throw or leave, or cause to be thrown or left, in or upon a public place otherwise than in a receptacle provided for the purpose, any refuse or any offensive, obnoxious or dangerous matter.

**Expectorating in public places**

**39.** A person shall not expectorate in a public place.

**PART 7 — ABATEMENT OF NUISANCES****Abatement of nuisance**

**40. (1)** Subject to this regulation, where the Administrator is of the opinion that a nuisance exists, he may, by notice in writing require —

- (a) the person by whose act, default or sufferance the nuisance arises or continues; or
- (b) if that person cannot be found, the owner or occupier of the premises from which the nuisance arises,

to abate the nuisance within the time specified in the notice.

**(2)** Where a nuisance arises as a result of the defective construction of a building, a notice under subregulation (1) shall be directed to the owner of the premises.

**(3)** Where the person causing a nuisance cannot be found, and the Administrator is of the opinion that the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises from which the nuisance arises, the Administrator may cause such action to be taken as he considers necessary to abate the nuisance.

**(4)** Where —

- (a) a person fails to comply with a notice under subregulation (1); or
- (b) the nuisance, although abated since the service of the notice, is, in the opinion of the Administrator, likely to recur on the same premises,

the Administrator may cause a plaint relating to that nuisance to be made before the Court of Petty Sessions.

(5) The Court may, on a complaint being made under subregulation (4), make an order doing either or both of the following things —

- (a) requiring a person specified in the order to abate the nuisance within the time specified in the order; and
- (b) prohibiting the recurrence of the nuisance and directing a person specified in the order to do such acts or to perform such works as are necessary to prevent the recurrence of the nuisance within the time specified in the order.

(6) The Court may, on making an order under subregulation (5), direct the person against whom the order is made to pay all costs incurred by the Administrator in relation to the complaint up to the time of the making of the order.

(7) Where, upon a complaint being made under subregulation (4) of this regulation, the Court is of the opinion that the nuisance is such as to render a building unfit for use or occupation, it may, by order, prohibit the use or occupation of the building until such time as the Court is satisfied that the building is rendered fit for use or occupation.

(8) A person who fails to comply with an order made under this regulation is, unless he satisfies the Court that he has used all due diligence to comply with the order, guilty of an offence and is, upon conviction, liable to a penalty not exceeding \$4 for each day in respect of which his failure to comply with the order continues.

(9) A person who wilfully disobeys an order under subregulation (7) of this regulation is guilty of an offence and is liable, upon conviction, to a penalty not exceeding \$6 for each day during which the building is used or occupied in contravention of the order.

(10) Where a person has failed to comply with the provisions of an order under subregulation (5) of this regulation, the Administrator may cause such acts to be done or such work to be performed as he considers necessary to abate the nuisance or to prevent the recurrence of the nuisance.

(11) The Administrator may recover the cost of so abating the nuisance or preventing the recurrence of the nuisance from the person against whom the order was made.

## PART 8 — MISCELLANEOUS

### Power to serve notices and perform work

41. (1) Where the Administrator is of the opinion that a provision of these Regulations is not being complied with in relation to any premises, he may by notice in writing require the owner or occupier of the premises, within such time as is specified in the notice, to do such act or to perform such work as is specified in the notice, being an act or work that, in the opinion of the Administrator, is necessary to ensure compliance with the provision of the Regulations.

(2) Where a person fails to comply with a notice under subregulation (1), the Administrator may —

- (a) cause such act to be done or such work to be performed as is, in his opinion, necessary to prevent or remove a condition that causes or is likely to cause contamination of a source of water or is, or is likely to be, otherwise injurious to health, being an act or work specified in the notice; and
- (b) recover the cost of doing the act or performing the work from the person.

### **Right of entry**

42. (1) Where, by a provision of these Regulations, the Administrator is empowered to cause an act to be done or work to be performed on any premises, a person authorised in writing by the Administrator to do that act or to perform that work may enter on the premises for the purpose of doing the act or performing the work, together with such workmen and equipment as the person considers necessary for the purpose.

(2) A person shall not resist or obstruct, in the execution of his duty, a person who is entitled, by virtue of subregulation (1) to enter on any premises.

### **Service of notices**

43. (1) Where, by a provision of these Regulations, the Administrator may require, by notice in writing, a person to do or to abstain from doing any act, the notice shall be served upon the person to whom it is directed.

(2) Service of a notice under these Regulations shall be deemed to have been duly effected if the notice is —

- (a) delivered to the person to whom it is directed;
- (b) delivered to a person apparently over the age of 16 years on, and apparently residing on, the premises on which the person to whom the notice is directed resides;
- (c) posted by prepaid registered post to the person to whom it is directed at his last known place of abode; or
- (d) affixed in a prominent position on the premises to which it relates.

### **Compensation**

44. (1) Where a person sustains damage by reason of the exercise by the Administrator of any of the powers conferred on him by these Regulations in relation to a matter that does not arise from an act, default or sufferance of that person, he is entitled to compensation in respect of that damage from the Administration.

(2) The amount of the compensation to which a person is entitled under subregulation (1) is such amount as is agreed upon between that person and the Administrator or, in the absence of agreement, as is determined by a Court of competent jurisdiction in a civil claim against the Administrator.

### Recovery of cost of doing work

45. Where, by these Regulations, it is provided that the Administrator may recover the cost of doing an act or performing a work from a person, that cost may be recovered from that person in a Court of competent jurisdiction as a debt due to the Administrator.

### Occupier to supply name and address of owner of premises

46. The occupier of any premises shall, upon being requested by the Administrator in writing to do so, furnish to the Administrator, to the best of his knowledge, the name and address of the owner of the premises.

### Existing sanitary conveniences

47. (1) After the expiration of a period of 6 months from the date of commencement of these regulations, the owner or occupier of premises shall not use, or permit a person to use, a pan closet or cesspit or closet with cesspit in existence on the premises at the date of commencement of these Regulations if the pan closet or cesspit or closet with cesspit does not comply with the requirements of regulation 6 or regulation 12, as the case may be of these Regulations.

(2) Regulation 13 of these Regulations does not apply in relation to a cesspit that is in use at the date of commencement of these regulations.

### Offences

48. A person who —

- (a) contravenes or fails to comply with a provision of these regulations; or
- (b) fails to comply with a requirement of a notice given by the Administrator under these regulations,

is guilty of an offence against these Regulations and, if no other penalty is expressly provided in these Regulations for the offence, is liable, upon conviction, to a penalty not exceeding \$50 and, where the offence is a continuing offence, a penalty not exceeding \$4 per day for every day during which the offence continues, but so that the total penalty in respect of any one offence shall not exceed \$100.

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## FIRST SCHEDULE

## Regulation 6

### REQUIREMENTS FOR THE CONSTRUCTION OF PAN CLOSETS

1. The walls shall be constructed of stone, brick, cement or other approved material.
  2. The roof shall be constructed of corrugated iron or other material impervious to water.
  3. There shall be at least 2 openings for ventilation, each of an area of not less than 50 square inches.
  4. The openings for ventilation shall be on opposite walls and the lower edge of each opening shall be at least 6 feet above the level of the floor.
  5. The pan stand shall be —
    - (a) constructed of galvanized iron of not less than 24 gauge;
    - (b) of such dimensions as may be specified by the Administrator; and
    - (c) furnished with a hinged flap cover for the seat aperture.
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## SECOND SCHEDULE

## Regulation 12

**REQUIREMENTS FOR THE CONSTRUCTION OF CESSPITS AND CLOSETS WITH CESSPITS**

1. A cesspit for use under one seat shall be not less than 2 feet 6 inches square, and not less than 8 feet deep, and, where there is more than one seat, the size of the pit shall be increased as directed by the Administrator.
  2. A margin of 9 inches of undisturbed ground shall be left between the pit and the ground plates of the closet building and the closet building shall be set level on the ground over the cesspit.
  3. The earth dug from the pit shall be placed around the closet for a distance of not less than 3 feet in the form of a mound having a slight fall away from the building.
  4. Where a cesspit closet is built on land having a fall, a level site shall be excavated on which to erect the closet building and the earth dug from the pit used to form a parapet at least one foot high on the slope above the closet so as to divert stormwater past the structure and prevent flooding of the cesspit.
  5. The parapet shall be banked in such manner as to prevent the earth being washed away.
  6. The cabinet shall be constructed of flat iron, wood or other approved material.
  7. There shall be a seat and hinged flap cover for the seat aperture, and the orifice in the closet seat shall be not less than 4.5 inches from the front edge of the seat.
  8. The whole cabinet unit, including sides, seat and flap cover, shall be so constructed as to render the space beneath the seat flyproof.
  9. The cabinet shall be so placed that deposit falls clear of the walls of the cesspit.
  10. The floor and cabinet shall be so constructed that rodents and flies are excluded from the cesspit.
  11. The walls of the closet shall be constructed of timber, asbestos cement or other approved material.
  12. The closet shall have an entrance not less than 2 feet 6 inches wide and shall be fitted with a door or otherwise effectively screened.
  13. The closet shall be roofed with corrugated iron or other approved material, and a ventilation opening of not less than 100 square inches shall be provided in the upper part of the wall opposite the entrance and the cabinet shall have a fly trap opening to the exterior.
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**NOTES**

The *Health (General) Regulations* as shown in this consolidation comprises Regulations No. 5 of 1969 and amendments as indicated in the Tables below.

<b>Enactment</b>	<b>Number and year</b>	<b>Date of commencement</b>	<b>Application saving or transitional provision</b>
<i>Health (General) Regulations</i>	5, 1969	20.11.69	
<i>Ordinances Citations Act 1976</i>	11, 1976	25.11.76	
<i>Health (General) Regulations</i>	4, 1976	16.12.76	

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 Table of Amendments

ad = added or inserted      am = amended      rep = repealed      rs = repealed and substituted

<b>Provisions affected</b>	<b>How affected</b>
3	am    11, 1976
7(2)	ad    4, 1976
23(2)	ad    4, 1976

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