

Medical and Public Health Act [Cap 74]

Repealed

LAWS OF TONGA

[1988 Ed.]

CHAPTER 74

MEDICAL AND PUBLIC HEALTH

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Ordinance No. 2 of 1913; Acts Nos. 3 of 1916, 24 of 1916, 9 of 1920, 8 of 1922, 6 of 1923, 18 of 1926, 14 of 1930, 8 of 1931, 18 of 1934, 7 of 1935, 14 of 1936, 5 of 1945, 5 of 1964, 6 of 1967, 16 of 1986, 17 of 1986.

AN ACT RELATING TO PUBLIC HEALTH

[23rd September, 1916]

Short title.

1. This Act may be cited as The Public Health Act.

Interpretation.

2. In this Act unless the context otherwise requires-

"animal" means any bull, cow, calf, ox, ram, ewe, wether, lamb, goat, kid or swine;

"Principal Board" means the Board of Health for Tongatapu and 'Eua appointed under this Act;

"District Board" means the Board of Health appointed under this Act for any district and except where a contrary intention appears includes the Principal Board;

"Medical Officer" means the Director of Health and any other medical practitioner in employment for the time being of the Government;

"sanitary inspector" means any sanitary inspector appointed under this Act;

"occupier" means any person or body of persons corporate or unincorporate who is lawfully in possession other than as tenant for less than one year or who is exercising control of any land;

"public water supply" means any tank, cistern, spring, well or any water container which is now or may hereafter be owned by the public and includes anything appertaining to tanks, cisterns, or wells such as pumps, piping, spouting and roofing;

"contagious disease" means syphilis, gonorrhoea and all venereal diseases and contagious yaws;

"infectious disease" means cholera, plague, yellow fever, small-pox, typhoid fever, diphtheria, croup, puerperal fever, measles, dysentery, pulmonary tuberculosis, all forms of non-pulmonary tuberculosis, spinal meningitis, infantile paralysis, whooping cough and any other disease which the Minister of Health may by proclamation declare to be an infectious disease;

** (Amended by Acts 5 of 1964 and 46 of 1988.)*

"food" means every article used for food or drunk by man;

(Added by Act 14 of 1936.)

"premises" means any land and any store, dwelling house or building of any description and includes any vessel registered under the Shipping Act;
(Added by Act 18 of 1934.)

Definition of town areas.

3. For the purposes of this Act the town of Nuku'alofa shall be deemed to include Kolomotu'a, Kolofou and Maofanga; Pangai (Ha'apai) shall be deemed to include Hihifo; and Neiafu (Vava'u) shall be deemed to include Neiafu-tahi, Falaleu and Fungamisi.

PART I.-ADMINISTRATION

Power to make regulations.

4. The Minister of Health may with the consent of the Privy Council make regulations governing all or any matters relating to public health. (*Amended by Act 46 of 1988.*)

Boards of Health.

5. It shall be lawful for the Privy Council to appoint a Board of Health for the district of Tongatapu and 'Eua (hereinafter referred to as the Principal Board) and to appoint Boards of Health for any or all of the following districts: Ha'apai (including Nomuka), Vava'u, Niuafo'ou and Niuatoputapu (including Tafahi).

Vacancies.

6. It shall be lawful for the Privy Council from time to time to fill up any vacancy or vacancies which may occur in such Boards of Health or any of them.

Composition of Boards.

7. Every Board of Health shall consist of not less than 3 persons. The Director of Health shall be a member of the Principal Board and the Medical Officers in charge shall be members of the Boards appointed for their respective districts. The Minister of Health shall be the Chairman of the Principal Board whilst His Majesty in Council shall appoint the Chairmen of the District Boards. (*Substituted by Act 5 of 1945.*)

Quorum.

8. (1) Where any Board of Health consists of less than 4 members no business shall be transacted unless 2 members are present and where a Board of Health consists of 4 or more members no business shall be transacted unless 3 members are present.

(2) In the absence of the chairman at any meeting of a Board of Health the meeting shall select another member of the Board to take the chair at such meeting.

See Subsidiary Legislation to this Chapter (p. S-1).

Proceedings by or against a Board of Health.

9. (1) A Board of Health may sue and be sued in its own name.

(2) All prosecutions or other legal proceedings against a Board of Health or any medical officer, sanitary inspector or other person for anything done in pursuance of this Act shall be commenced within 3 months after the commission of the act complained of and not otherwise.

(3) Any order made or direction given by a Board of Health or by any person acting under the authority of such Board shall be in writing.

Functions of Principal Board.

10. The functions of the Principal Board shall be-

(a) to advise the Government on all subjects connected with the public health of the Kingdom and on the existence of any cause prejudicial thereto and to recommend such measures as appear judicious for the removal thereof;

(b) to do all such other acts and things as are hereinafter prescribed in this Act to be done by such Board.

Duties of District Boards.

11. It shall be the duty of each District Board-

(a) to consider all matters pertaining to the health of the district under its charge and report thereon to the Principal Board and to advise the Principal Board of the existence of any matter likely to endanger the public health of such district;

(b) to carry out the orders and regulations of the Principal Board and generally to do all such acts as are directed by this Act to be done by a District Board.

PART II.-CONTAGIOUS AND INFECTIOUS DISEASES

Sufferer to submit to treatment.

12. (1) Every person who knows or has reason to believe that he is suffering from a contagious or infectious disease shall forthwith consult a Medical Officer with respect thereto and shall place himself under the treatment prescribed by that Medical Officer or by some other Medical Officer or shall attend for treatment at any hospital or other place available for the treatment of contagious or infectious diseases.

(2) Every person undergoing treatment for a contagious or infectious disease as aforesaid shall, until cured or free from such disease in a communicable form, continue to submit himself for treatment at such intervals as may be prescribed by any such Medical Officer.

(3) Any person who fails to comply with any provision of this section commits an offence and is liable to a fine not exceeding \$20 or a term of imprisonment not exceeding 4 months.

(Inserted by Act 6 of 1967.)

Information relating to contagious or infectious disease.

13. (1) If a patient found by a Medical Officer or medical practitioner to be suffering from a contagious or infectious disease gives to him information as to a person from whom the patient suspects that the disease was contracted, such information shall be deemed, for the purposes of the law relating to defamation, to have been communicated in pursuance of a statutory duty.

(2) A person who, in furnishing any information as is mentioned in subsection (1), makes any statement which he knows to be false in a material particular, commits an offence and is liable to a fine not exceeding \$50 or to a term of imprisonment not exceeding 6 months.

(Inserted by Act 6 of 1967.)

Duties towards infected children.

14. (1) Every parent or guardian of a child who knows or has reason to believe that such child is suffering from a contagious or infectious disease shall cause such child to be treated for such disease by a Medical Officer until such child is cured or free from such disease in a communicable form.

(2) Every parent or guardian of any such child who fails or neglects to have that child treated as aforesaid commits an offence and is liable to a fine not exceeding \$20.

(Inserted by Act 6 of 1967.)

Infected employees.

15. (1) Every person-

(a) who, while suffering from a contagious or infectious disease in a communicable form, accepts or continues in employment; or

(b) who employs or continues to employ any person referred to in paragraph (a),

in or about any dairy, factory, shop, hotel, restaurant, premises or other place in any capacity entailing the care of children or the handling of food or food utensils intended for consumption or for use by any other person, commits an offence.

(2) A person who commits an offence under this section is liable to a fine not exceeding \$20.

(Inserted by Act 6 of 1967.)

Offence to transmit contagious or infectious disease.

16. Every person who wilfully or by culpable negligence infects any other person with a contagious or infectious disease or does or permits or suffers any act likely to lead to the infection of any other person with any such disease commits an offence and is liable to a fine not exceeding \$40 or for a term of imprisonment not exceeding 4 months.

(Inserted by Act 6 of 1967.)

Notification of diseases.

17. (1) Where an inmate of any dwelling (hereinafter referred to as the patient) is suffering from an infectious or contagious disease then unless such building is a hospital the following provisions shall be observed:-

(a) the head of the family to which the patient belongs and in default the nearest relative of such patient and in default of such relatives any person in charge of or in attendance on the patient and in default of any such person the occupier of the house shall as soon as he becomes aware that the patient is suffering from an infectious or contagious disease immediately send notice thereof to the Medical Officer for the district;

Notification by medical practitioner.

(b) every medical practitioner (not being the Medical Officer of the district) and every person who supplies medical treatment or renders medical aid to sick persons whether for reward or gratis who may attend on or is called in to visit any patient suffering from any infectious or contagious disease shall within 24 hours where such patient is living not more than 2 miles away from the hospital in Nuku'alofa Pangai (Ha'apai) or Neiafu (Vava'u) and at the first available opportunity where such patient lives at a greater distance from any of such hospitals send to the Medical Officer of the district a written notice stating the name of the patient, the situation of the dwelling and the disease from which the patient is thought to be suffering.

Penalty for failure to notify.

(2) Every person required by this section to give a notice who fails to give the same shall be liable to a fine not exceeding \$40 and in default of payment to imprisonment for any period not exceeding 4 months.

Duty of medical officer.

18. On the appearance of any infectious disease the Medical Officer shall immediately report in writing such case if the case occurs in Tongatapu or 'Eua to the Minister of Health or if the case occurs elsewhere to the Director of Health who shall convey such information to the Minister of Health. (*Amended by Act 46 of 1988*)

Quarantine of place where infectious disease exists.

19.(1) It shall be lawful for a Medical Officer to quarantine any town, dwelling, building or vessel in his district in which any infectious disease exists until such time as in his opinion all danger of infection has ceased to exist. The boundaries of such quarantined area shall be clearly outlined by yellow flags.

(2) Every person other than a Medical Officer or other person thereto authorised by a Board Of Health who shall enter or depart from any such town, dwelling, building or vessel after it has been so placed in quarantine as aforesaid or shall remove any yellow flag for marking the boundary of any quarantined area shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months and in the case of a person entering the quarantined area he shall be detained therein until the quarantine has been raised.

(Amended by Act 14 of 1936)

Cleansing and disinfection of premises.

20. (1) Where a Medical Officer or any registered medical practitioner certifies in writing to a Board of Health for the district that the cleansing and disinfection of any house or part thereof and of any articles therein likely to retain infection would tend to prevent or check infectious disease the Board shall give notice to the occupier of such house or part thereof that the said house or part thereof and any articles therein likely to retain infection will be cleansed and disinfected by the Medical Officer or a sanitary inspector unless such occupier shall within the time specified in such notice cleanse and disinfect such house or part thereof and such articles to the satisfaction of the Medical Officer or a sanitary inspector.

(2) If any person to whom such notice as is mentioned in the last preceding subsection has been given fails within the time fixed in the said notice to have such house or part thereof and such articles therein cleansed and disinfected to the satisfaction of the Medical Officer or a sanitary inspector, such house or part thereof and such articles therein shall be cleansed and disinfected by the Medical Officer or a sanitary inspector and the expenses incurred in so doing shall be recoverable by the Board from the occupier:

Provided that in any case where the occupier of any dwelling is in the opinion of the Medical Officer for the district unable effectually to cleanse and disinfect such house or part thereof or any articles therein likely to retain infection, it shall not be necessary to give any notice under subsection (1) but the same may be cleansed and disinfected by the Medical Officer or a sanitary inspector without notice:

Provided also that where any bedding, clothing or other articles have been exposed to any infectious disease, such bedding, clothing or other articles, may be destroyed by or under the directions of the Medical Officer.

Disinfection of bedding etc.

21. (1) Any Medical Officer may by notice require the owner of any bedding, clothing or other articles which have been exposed to any infectious disease to deliver the same to a sanitary inspector or other specified person for removal for the purpose of disinfection and any person who fails to comply with such requirement shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months.

(2) Any article removed for disinfection under notice from a Medical Officer shall be disinfected and brought back and delivered to the owner free of charge.

Burial of persons dying of infectious disease.

22. (1) The occupier and in default of an occupier the owner of any dwelling or place where any person has died from an infectious disease shall be responsible for the burial of the body of such person.

(2) Every person who without the sanction of the Medical Officer shall retain unburied elsewhere than in a public mortuary for more than 12 hours the body of any person who has died of an infectious disease shall be liable to a fine not exceeding \$40 and in default of

payment to imprisonment for any period not exceeding 4 months.

Burial from hospital.

23. (1) If any person shall die from an infectious disease in any hospital or temporary place of accommodation for the sick and in the opinion of the Medical Officer it is desirable in order to prevent the risk of communicating such infectious disease or spreading infection that the body of such person shall not be removed from such hospital or place except for the purpose of being forthwith buried, it shall be lawful for such Medical Officer to issue an order to that effect and when the body is taken from such hospital or place it shall be forthwith taken direct to some cemetery and shall be forthwith there buried.

(2) Any person who shall neglect or refuse to comply with such order of a Medical Officer as aforesaid or shall otherwise offend against this section shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months.

(3) Nothing in this Act shall prevent the removal of any dead body from any hospital or place of temporary accommodation for the sick to any mortuary and such mortuary shall for the purposes of this section be deemed to be part of such hospital or place as aforesaid.

Person suffering from infectious disease not to expose himself in public place.

24. Any person who-

(a) while suffering from infectious disease exposes himself without proper precautions against spreading the disease in any street, public place, shop, church, hall, place of public resort, public vehicle or ship; or

(b) while so suffering as aforesaid goes on board any ship without previously notifying the captain or person in charge thereof that he is so suffering or enters any public vehicle without previously notifying the owner or driver thereof that he is so suffering; or

(c) being in charge of any person so suffering exposes such sufferer without proper precautions against spreading the disease in any of the places specified in paragraph (a) of this section or takes such sufferer on board any ship or into any public vehicle without previously giving such notification as is required by paragraph (b) of this section; or

(d) gives, lends, sells, transmits or exposes without previous disinfection any bedding, clothing, rags or other things which have been exposed to infection from any infectious disease,

shall be liable to a fine not exceeding \$10 and in default of payment to imprisonment for any period not exceeding 3 months and in the case of a person who while suffering from any such disorder goes on board any ship or enters any public vehicle without having previously given such notification as is required by paragraph (b) of this section the Court may further order that he pay the captain of such ship or the owner or driver of such vehicle the amount of any loss incurred in having such ship or vehicle disinfected in accordance with the provisions of this Act:

Provided that no proceedings under this section shall be taken against persons transmitting with proper precaution any bedding, clothing, rags or other things for the purpose of having the same disinfected.

Penalty for permitting child suffering from infectious disease to attend school.

25. (1) No person being the parent or having charge of a child who is or has been suffering from infectious disease or has been resident in any dwelling in which such disease has existed within the space of 6 weeks shall after notification from a Medical Officer or person duly authorized that the child is not to be sent to school allow such child to attend school without furnishing the teacher of the school with a certificate from a Medical Officer or such other person as aforesaid that in his opinion such child may attend without risk of communicating infection to others.

(2) No person while suffering from infectious disease shall attend any college.

(3) Any person who shall offend against this section shall for every such offence be liable to a fine not exceeding \$10 and in default of payment to imprisonment for any period not exceeding 2 months.

When schools may be closed.

26. (1) Where a Medical Officer certifies that in his opinion it is desirable in the interests of public health that any school or college should be closed, it shall be lawful for the Board of Health to serve a notice on the proprietor or head teacher of such school or college requiring him to close the same until such time as in the opinion of the Medical Officer it may be again opened without endangering the public health.

(2) Any proprietor or head teacher of a school or college who after receiving such notice as aforesaid neglects or refuses to close or keep closed his school or college as required by such notice shall be liable to a fine not exceeding \$20 and in default of payment such fine shall be leviable by distress.

Imported second-hand clothing to be inspected and fumigated.

27. (1) It shall not be lawful for any person to sell or offer for sale imported or import or land in the Kingdom any second-hand clothing without the same having first been fumigated to the satisfaction of the Medical Officer of the port at which such goods are landed and any such clothing shall be detained by the Customs authorities until the Medical Officer has authorized its removal.

(2) The fumigation shall be carried out under the directions of the Medical Officer and he shall have power to order the destruction of any such clothing he may consider proper to be destroyed.

(3) The cost of fumigation and inspection shall be borne by the importer.

(4) This section shall not apply to second-hand clothing the *bona-fide* wearing apparel of any person travelling by any vessel.

(5) Any person committing a breach of this section shall on conviction be liable to a fine not exceeding \$40 recoverable by distress.

PART III.-SLAUGHTERING OF ANIMALS FOR FOOD

Power to make regulations.

28. (1) It shall be lawful for the Privy Council from time to time to make regulations regarding-

- (a) the inspection and examination of animals intended to be slaughtered for human consumption or the carcasses of such animals;
- (b) the licensing of slaughter houses;
- (c) the keeping of slaughter houses or any buildings or places used as such;
- (d) and generally for regulating the slaughter of animals, slaughter houses or any buildings or places used as such, the disposal of offal of slaughtered animals and the storage and sale of meat for human consumption.

(2) Such regulations may provide for the forfeiture and disposal of all meat or animals dealt with contrary to such regulations or condemned as being unfit for human consumption.

(3) Such regulations may prescribe fees to be paid for any inspection or examination made under or licence granted by virtue of such regulations.

(4) Any person guilty of any breach of such regulations shall be liable to a fine not exceeding \$40 and in default of payment to imprisonment for any period not exceeding 3 months.

(5) All such regulations shall be published in the Gazette.
(*Substituted by Act 8 of 1931.*)

PART IV.-ADULTERATED AND DISEASED FOOD

Penalty for selling unfit food.

29. No person shall sell or offer or expose for sale or deliver any adulterated article or article of food unfit for human consumption either in the streets or in any store, market, shop, stall, vehicle or vessel or other place of business or on a round from house to house under a penalty if a first offence of not more than \$20 and for a second or subsequent offence not exceeding \$100.

Samples.

30. (1) The Medical Officer or any officer of police may at any place of sale or elsewhere or during transit towards a place of sale-

(a) on payment or tender to any person having any food or drugs for sale or his agent or servant of the value thereof demand, select or take or obtain samples of the said food or drug; and

Inspection.

(b) require the said person or his agent or servant to show and permit the inspection of vessels in which such food or drug is at the time kept and to take and draw therefrom in his presence the samples demanded.

(2) It shall be lawful for a medical officer or a sanitary inspector to inspect any premises whereon or wherein any food is prepared for sale or whereon or wherein any food is sold or offered for sale for consumption either upon or off the said premises and to make such examination as is necessary to ascertain whether the provisions of this Act or any regulations made thereunder are complied with and any person who refuses to allow a Medical Officer or sanitary inspector free access to the said premises for the inspection aforesaid or any person who wilfully obstructs or in any way interferes with a Medical Officer or sanitary inspector while carrying out any such inspection shall be guilty of an offence and shall be liable on conviction to a penalty not exceeding \$40.

(Added by Act 14 of 1936.)

Obstructing officer.

31. Any person or his agent or servant who being lawfully required on payment or tender of the value thereof as prescribed by section **30** hereof-

(a) refuses or wilfully neglects to deliver to the Medical Officer or police officer or prevents or attempts to prevent the officer from selecting, taking or obtaining any such sample; or

(b) wilfully and without cause refuses or neglects to show to the officer or refuses to permit the inspection by the officer of such vessel as aforesaid or obstructs him in making the inspection or refuses or neglects to take or draw as aforesaid the samples demanded;

shall be liable to a penalty not exceeding \$40.

PART V.-SANITARY SUPERINTENDENCE AND NUISANCES

Powers and duties of boards in relation to latrines.

32. (1) A District Board may from time to time by notice published in the Gazette require in respect of the whole or any part of its district that the occupier or if there is no occupier the owner of any land on which is situated any dwelling, house, shop, store, workshop, factory, school or place of public entertainment shall within the time specified in such notice erect on such land on a site or sites to be approved by the Board one or more latrines of the standard pattern or any other pattern or type approved by the Board.

(2) Every occupier or owner-

- (a) who shall fail or refuse to erect a latrine to the approval of the Board within the time specified either under the notice prescribed in subsection (1) hereof or any other notice given under this Part of this Act; or
- (b) who shall erect any other than an approved pattern of latrine; or
- (c) who shall erect a latrine on a site other than that approved by the Board;

shall be liable to a fine not exceeding \$0.50 for each day during which he continues to make default and in default of payment such fine shall be leviable by distress.

(3) After the expiry of any notice issued as prescribed by subsection (1) any occupier or owner of land within the area covered by such notice who intends to erect any of the buildings specified in the said subsection shall give 28 days' notice in writing of such intention to the District Board and shall within a time to be fixed by the Board erect on the land where he intends to erect such building and on a site to be approved by the Board one or more latrines of the standard or other pattern as may be approved by the Board.

Abatement of nuisance or matter dangerous to health.

33. If it appears to any Medical Officer or sanitary inspector-

- (a) that any premises are in such a state as to be a nuisance or dangerous to health ;or
- (b) that any pool, tank, cistern, drain, gutter, privy, urinal, cesspool, dung-pit or receptacle for refuse matter is so foul as to be a nuisance or dangerous to health; or
- (c) that any animal is so kept as to be a nuisance or dangerous to health; or
- (d) that there is on any premises any accumulation or deposit which is a nuisance or dangerous to health; or
- (e) that any dwelling or part of a dwelling is so overcrowded as to be dangerous or injurious to the health of the inmates whether or not members of the same family,

such Medical Officer or sanitary inspector shall serve a notice on the owner or occupier of the premises on which such nuisance or matter dangerous to health exists requiring him to abate the same within a time to be specified in the notice and to execute such works and do such things necessary for that purpose as are specified in the notice:

Provided that in any case where it is clear that the nuisance or matter dangerous to health does not arise or continue by the act default or sufferance of the owner or occupier of the premises, such notice as aforesaid shall instead of being served on the owner or occupier be served on the person by whose act default or sufferance the nuisance or matter dangerous to health arises and if such person cannot be found the Medical Officer or sanitary inspector may cause the nuisance or matter dangerous to health to be abated at the expense of the Government.

Penalty for non-compliance with notice to abate.

34. (1) Any person on whom a notice to abate a nuisance or matter dangerous to health has been served who makes default in complying with any of the requirements thereof within the

time therein specified shall unless it is proved to the magistrate that the requirement was oppressive or vexatious be liable to a fine not exceeding \$10 and in default of payment to imprisonment for any period not exceeding 2 months.

(2) In addition to the power of imposing a fine conferred by subsection (1) the magistrate if satisfied that the nuisance or matter dangerous to health exists or that although abated it is likely to recur on the same premises shall make an order-

(a) requiring the defendant to abate the nuisance or matter dangerous to health within a time specified in the order or to do any works necessary for that purpose; or

(b) prohibiting the recurrence of the nuisance or matter dangerous to health and directing the execution of any works necessary for that purpose; or

(c) both requiring abatement and prohibiting the recurrence of the nuisance or matter dangerous to health.

Penalty for non-compliance with magistrate's order concerning a nuisance.

35. (1) Any person who fails to obey any order of a magistrate under section **34** shall unless he satisfies the magistrate that he has used due diligence to carry out such order be liable to a fine not exceeding \$1 per day during his default and in default of payment the amount of such fine shall be leviable by distress.

(2) In such cases the Board of Health may by its agents enter the premises and abate the nuisance or matter dangerous to health and do whatever appears to be necessary to prevent its recurrence and may by proceedings in the Magistrate's Court recover from the person in default the expenses so incurred.

Procedure for abatement of nuisance on public lands.

36. (1) If it appears to any Medical Officer or sanitary inspector that any town, common or other public land situated either within or close to any town is by reason of any accumulation, deposit, rank-growing bush, standing water of any description or other cause whatsoever in such a condition as to be dangerous to health, it shall be lawful for such Medical Officer or sanitary inspector to serve a notice on the District Officer of such town requiring him to cause such matter dangerous to health to be abated within a time specified in such notice and to cause to be done such things necessary for that purpose as are mentioned in the notice.

(2) Any District Officer of a town on whom such a notice as aforesaid has been served shall forthwith summon a fono of the taxpayers of such town and at such fono shall apportion amongst the taxpayers the work to be done and appoint the time or times when it is to be carried out. Any District Officer failing or refusing to comply with the requirements of this section shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months.

(3) Any taxpayer who without lawful excuse refuses or neglects to carry out the work allotted to him by the District Officer at any such fono as aforesaid shall be liable to a fine not exceeding \$10 and in default of payment to imprisonment for any period not exceeding 2 months.

PART VI.-PUBLIC WATER SUPPLY

Ownership of public water supplies.

37. The ownership of all public water supplies now existing or hereafter to be created throughout the Kingdom shall from henceforth be vested in His Majesty in Council and the Principal Board shall have the management and control thereof.

Cement tanks to have partitions.

38. Every public cement tank to be erected shall be provided with one or more partitions and with emptying taps to facilitate cleaning.

Openings into tanks to be securely fastened.

39. (1) It shall be the duty of the Principal Board and of the District Boards in their respective districts to ensure that the manhole leading into every public cement tank is securely fastened and that a galvanized iron bucket for use in emergency is provided inside each tank. Every such emergency bucket shall be firmly secured to the inside of the tank and shall be kept on a shelf provided for the purpose and situated inside the manhole.

Penalty for taking water otherwise than by pump.

(2) Any person other than a sanitary inspector or a person duly authorized thereto by a Board of Health who shall open the manhole into any public cement tank or shall take any water from such tank by any means other than the pump supplied for the purpose shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months:

Provided that in the event of the pump of any public cement tank becoming out of order and failing to work the District Officer of the town shall at once report such failure to the Board of Health and until such pump is again in working order it shall be lawful to open the manhole of such tank and use the emergency bucket mentioned in subsection (1) for the purpose of drawing water from such tank and emptying it into the vessels of those persons needing water.

Penalty for wilful damage to water supplies.

40. Every person who shall wilfully damage in any manner whatsoever any part of any public water supply shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months and the Court by which such person is convicted may in addition to any fine so imposed order that such person shall pay for the cost of repairing the damage done and in default of such payment that the amount be leviable by distress.

Ministry of Works to maintain tank.

41. The Ministry of Works shall provide the material for and shall erect a substantial roof covered with galvanized iron over each public cement tank and shall also provide and fix suitable spouting to catch the rain off each roof and a suitable downpipe into each public

cement tank.*(Amended by Act 16 of 1986.)*

Annual cleaning.

42. Every public cement tank shall be cleaned out at least once a year and also at all such other times as may be ordered by a Medical Officer or sanitary inspector or District Officer.

Penalty for breach of district officer's order.

43. Any person who shall be guilty of a breach of any order of the District Officer relating to cisterns shall on conviction be liable to a fine not exceeding \$1 and in default of payment to imprisonment with hard labour for any term not exceeding one week and he shall also be liable for any moneys which he shall have been ordered to pay under this Part of this Act.

PART VII-PRIVATE TANKS AND WELLS

Duty of boards.

44. It shall be the duty of the District Board to inspect and make such orders and give such directions with regard to private tanks and wells as may be in accordance with this Part of this Act.

No well to be sunk without permission.

45. (1) No person shall dig or sink any well or construct or erect any tank without first obtaining the permission in writing of the District Board and the Board may impose such conditions with regard to the work to be performed on such well or tank as it may deem necessary.

(2) The occupier or if there is no occupier the owner of any land in which any well exists shall completely board over such well to the satisfaction of the District Board.

Powers of sanitary inspector.

46. It shall be lawful for a sanitary inspector or other person authorized by a Board of Health-

(a) to enter upon any land for the purpose of inspecting any well, iron or cement tank or cistern thereon;

(b) to direct that any iron or cement tank or cistern shall be cleaned out and (or) the opening into such tank or cistern properly screened;

(c) to order the occupier of any premises on which any well, tank or cistern is dangerous to health or does not conform to the regulations made by the Principal Board to fill in or otherwise destroy such well or to remove to another site, rebuild, repair or destroy such tank or cistern.

Penalty for non-compliance with direction of board.

47. Any person who fails to comply with any reasonable direction or any order of a Board or

any officer thereof made or given under this Part of this Act shall be liable on conviction to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months and the work ordered or directed to be done shall be carried out at the request of the Board by the Public Works Department at the cost of such person.

PART VIII.-GENERAL PROVISIONS

Persons suffering from infectious disease not to use a well.

48. It shall be unlawful for any person suffering from infectious disease to bathe in or draw water from any spring or well used for bathing or drinking purposes. Any person violating the provisions of this section shall be liable to a fine not exceeding \$20, and in default of payment to imprisonment for any period not exceeding 3 months.

Penalty for fouling wells.

49. Every person who fouls in any manner whatever any spring or well used for drinking purposes shall be liable to a fine not exceeding \$20 and in default of payment to imprisonment for any period not exceeding 3 months.

Principal Board may make regulations.

50. (1) The Principal Board may with the consent of the Privy Council from time to time make, alter and revoke regulations for the purpose of more effectually carrying out the objects of Parts V, VI and VII of this Act and more particularly for-

- (a) supplying standard pattern latrines to occupiers and owners and arranging the terms of payment of the same;
- (b) prescribing conditions under which latrines and water supplies shall be erected, kept and used;
- (c) the prevention of nuisances;
- (d) prescribing the duties of sanitary inspectors;
- (e) ensuring the proper management control and sanitary conditions of bakehouses, dairies and the sale of milk, hop, beer, saloons, eating houses known as "fale kai" or any other licensed premises on which food for human consumption is prepared (*Added by Act 14 of 1936*);
- (f) the prevention of the breeding of mosquitoes.
(*Added by Act 14 of 1930.*)

(2) The Principal Board may impose for the breach of any such regulation reasonable penalties not exceeding a fine of \$20 or in default of payment or otherwise a term of imprisonment not exceeding 3 months.

(3) Where the Principal Board so directs, such regulations shall be binding upon and shall be carried out by every District Board.

Penalty for obstructing officer.

51. Any person who wilfully-

(a) obstructs any Medical Officer, sanitary inspector or any person duly authorized by a Board of Health in carrying out the provisions of this Act; or

(b) obstructs any person acting under the authority or in the execution of any regulation made by the Principal Board,

shall be liable to a fine not exceeding \$20 and if the offence is a continuing one to a daily penalty not exceeding \$2 a day so long as the offence continues.

Prosecutions.

52. All offenders against this Act or against any regulations made thereunder may be prosecuted in the Magistrate's Court for the district in which the offence occurs and any such prosecution may be brought by a Board of Health, Medical Officer, sanitary inspector, Minister of Police or the officer, for the time being, in charge of any police station.

Allocation of fines.

53. All fines and other moneys received under this Act shall be paid into the Treasury for the public uses of the Kingdom.

CHAPTER 74

PUBLIC HEALTH

SECTION 2-Proclamations of Infectious Diseases

R. R. 175/29, G. 3/31

Pursuant to the power given to the Minister of Health under Section 2 of the Public Health Act, the following diseases have been proclaimed to be infectious diseases for the purposes of that Act and in addition to the diseases listed under the definition of "infectious diseases" in Section 2-

Anchylostomiasis.

Conjunctivitis (all forms, including Trachoma).

Dengue fever.

Encephalitis Lethargica.

Influenza or Epidemic Catarrh.

Leprosy.

Pneumonia.

Pneumonic Influenza.

Relapsing fever.

Tetanus.

Typhus fever.
Varicella.

SECTION 2-Removal of Infectious Patients Regulations

Made by the Minister of Health

G. 5/39

[16th January 1939]

1. These Regulations may be cited as the Removal of Infectious Patients Regulations.
2. A Medical Officer in any case where in the interests of Public Health he thinks it expedient so to do may make an order for the removal of any person suffering from an infectious [disease](#) [as](#) defined in the Act to a hospital or other place where such person can be effectually treated or isolated and if satisfied that the person cannot without removal be effectually treated, isolated or properly attended may make an order for his removal which may be effected if necessary with force.
3. Every person wilfully disobeying any such order or obstructing, delaying or interfering with the prompt execution thereof commits an offence and shall be liable on summary conviction to a fine not exceeding \$20 and in default of payment to imprisonment for a period not exceeding one month.

SECTION 4-Refuse Dumping Ground Regulations

Made by the Minister of Health

G. 49/36

[14th February, 1936]

1. These regulations may be cited as The Public Health (Refuse Dumping Ground) Regulations.
2. In these Regulations "refuse" means any rubbish, offal or waste matter.
3. The Minister of Health may with the consent of Cabinet from time to time declare that certain areas or places shall be dumping grounds for refuse.
4. Dumping grounds shall, as far as possible, be declared in respect of every village or town in the Kingdom, and the boundaries and location of any such dumping ground shall be clearly

indicated in a notice to be published by the Minister of Health in the Gazette.

5. When a dumping ground has been declared as aforesaid in respect of any village or town, the residents of such village or town shall dump their refuse therein:

Provided however that the owner or occupier of any premises may dump refuse on his premises if in the opinion of a Medical Officer or Sanitary Inspector such dumping is not injurious to public health.

6. Any refuse dumped on premises as permitted in the proviso to the preceding regulation shall whenever a Medical Officer or Sanitary Inspector so orders be removed by the owner or occupier to the dumping ground declared in respect of his village or town and any owner or occupier who fails or neglects to comply with the order of the Medical Officer or Sanitary Inspector within 24 hours of the making thereof shall be guilty of an offence and shall be liable to a fine not exceeding \$10.

7. Where no dumping ground has been declared in respect of any village or town, refuse shall be dumped by the owner or occupier of premises on his premises and such refuse shall whenever a Medical Officer or Sanitary Inspector so orders be burnt or buried to the satisfaction of such Medical Officer or Sanitary Inspector, and any owner or occupier who fails or neglects to comply with such order within 24 hours of the making thereof shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10.

8. Any person dumping refuse elsewhere than in these regulations prescribed, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10.

DECLARATION ESTABLISHING REFUSE DUMPING GROUNDS

Made by the Minister of Health

G. 97/36

[16th April, 1936]

The following have been declared to be dumping grounds for refuse for the town of Nuku'alofa.

DUMPING GROUNDS FOR RUBBISH AT SIA-'A-TEVOLO IN TONGATAPU

All that piece of land at Sia-'a-tevolo in Tongatapu containing 5 ac. 0 rd. 30 pr. a little more or less and bounded as follows: commencing from a point being the most southwesterly angle peg of a town api No. 18, thence by lines bearing respectively 107° 00' 30" for 615.0 lks, 8° 56' for 54.3 lks, 117° 24' for 504.2 lks, 123° 49' for 19.78 lks, 195° 55' for 397.1 lks, 261° 16' for 159.5 lks, 296° 30' for 559.9 lks, 266° 59' 30" for 382.2 lks and 9° 18' 00" to the point of commencement.

DUMPING GROUND FOR RUBBISH AT POPUA IN TONGATAPU

All that piece of land situated at Popua in Tongatapu and containing by admeasurement 10 ac. 1 rd. 36.9 pr. a little more or less bounded as follows: Commencing from a point on the south boundary of Vuna Road being the most northerly boundary peg of a section of land held by the Catholic Mission thence by the south boundary line of Vuna Road bearing $71^{\circ} 56' 30''$ for 912.98 lks thence by lines bearing respectively $162^{\circ} 00'$ for 992.46 lks, $257^{\circ} 59'$ for 1,199.6 lks, $358^{\circ} 08' 30''$ for 1,032.2 lks to the point of commencement.

SECTION 4-Public Health (Bakeries and Bread Vendors) Regulations

Made by the Minister of Health

G. 207140

[3rd December, 1940]

1. These Regulations may be cited as the Public Health (Bakeries and Bread Vendors) Regulations.

2. In these regulations, unless the context otherwise requires-

"baker" means any person who bakes bread, cakes, or other bakery products in a bakery;

"bakery" means any premises used for the purpose of producing bread, cakes, or other bakery products for public sale;

"bread vendor" means any person who sells or offers for sale bread, cakes, or other bakery products.

3. All bakeries and bread vendors shall be registered with the Department of Public Health, and such Department may defer registration until such time as the requirements of these regulations shall have been complied with. No person shall conduct a bakery or sell bread until such time as the necessary registration has been obtained.

4. Registration shall be for one year or part thereof ending on the last day of December.

5. The Public Health Department may cancel any registration for any breach of the regulations in addition to any other penalty prescribed by the Act.

6. The name of the proprietor shall be legibly written on a sign and affixed to the bakery in a prominent place.

7. The name of the proprietor shall be affixed to any vehicle used in distributing bread, cakes or other bakery products.

8. (1) Any premises used as a bakery shall be distinct from any premises used for domestic

purposes.

(2) Any premises used as a bakery shall be provided with thorough ventilation and light to the satisfaction of the Medical Officer of Health, and shall not be connected with or to any room used as a bathroom or latrine.

(3) The floor of the bakery shall be constructed of concrete or wood to the satisfaction of the Medical Officer of Health. All materials used for premises or fixtures must be of approved material to the satisfaction of the Medical Officer of Health.

(4) The premises shall be enclosed by a suitable fence or protected in such a way as to prevent animals and poultry gaining access to the site.

(5) No animals or poultry shall be allowed on the bakery premises.

(6) Any utensils used for producing bread, cakes, or other bakery products shall be made of materials which in the opinion of the Medical Officer of Health shall not adversely affect such bread, cakes, or other bakery products.

(7) The inside of the bakery shall be whitewashed at least once in every three consecutive months.

(8) The inside of the bakery shall be screened from flies or rodents to the satisfaction of the Medical Officer of Health.

9. (1) No person who is suffering from infectious or contagious disease, or is living in a house in which there is a case of infectious disease, shall enter or remain in any bakery, until a Certificate of Health is given to such person from the Medical Officer of Health.

(2) No person suffering from boils or skin disease, shall be allowed to work in a bakery or sell bread until he shall be free from such condition and given a certificate to that effect by the Medical Officer of Health.

10. The Medical Officer of Health or Sanitary Inspector may require that any registered baker-with a view to preventing spread of disease-shall furnish him with a full and complete list of the names and addresses of the customers to whom such registered baker has supplied bread.

11. The Medical Officer of Health or Sanitary Inspector or any duly authorised Health Officer may enter and inspect any premises used for the purpose of producing or selling bread, cakes, or other bakery products and any person who wilfully obstructs or resists such entry or inspection shall be deemed guilty of an offence against these regulations.

12. Any person who works in a bakery shall obtain once in every three consecutive months a certificate of health from the Public Health Department.

13. All flour and other ingredients shall be kept in receptacles fitted with covers and protected from flies and other vermin to the satisfaction of the Medical Officer of Health.

14. All bread or bakery products shall be protected from dust, flies and other vermin, to the

satisfaction of the Medical Officer of Health.

15. Any person who works in a bakery shall wear clean apparel to the satisfaction of the Medical Officer of Health.

16. All bread, cakes and other bakery products shall be kept covered during delivery.

17. Any person acting in contravention of these regulations shall be liable on conviction thereof before a magistrate to a fine not exceeding \$20 and in default of payment to imprisonment for a period not exceeding 3 months.

SECTION 4-Restaurants and Food Store Regulations

Made by the Minister of Health

G. 215/40

[20th December, 1940]

1. These regulations may be cited as the Public Health (Restaurants and Food Stores) Regulations.

2. In these regulations unless the context otherwise requires-

"restaurant" means any premises other than a boarding house or hotel used for the purpose of serving meals to the public;

"food" means any meat, cooked vegetables, fish, milk, custards, puddings, jellies or any other foods or foods prepared from these for human consumption which in the opinion of the Medical Officer of Health shall come within the scope of these regulations;

"food store" means any premises used for selling food or food products.

3. All restaurants and food stores shall be registered with the Department of Public Health, and such Department may defer registration until such time as the requirements of these regulations shall have been complied with. No person shall conduct a restaurant or food store until such time as the necessary registration has been obtained excepting with the special permission of the said Department.

4. Registration shall be for one year or part thereof ending on the last day of December.

5. The Public Health Department may cancel any registration for any breach of the regulations in addition to any other penalty prescribed by the Act.

6. (1) Any premises used as a restaurant or food store shall be distinct from any premises used for domestic purposes.

(2) Any premises used as a restaurant or food store shall be provided with thorough

ventilation and light to the satisfaction of the Medical Officer of Health, and shall not be connected with or to any room used as a bathroom or latrine.

(3) The floor of the restaurant or food store shall be construed of concrete or wood to the satisfaction of the Medical Officer of Health. All materials used for premises or fixtures must be approved by the Medical Officer of Health.

(4) The premises shall be enclosed by a suitable fence or protected in such a way as to prevent animals and poultry gaining access to the site.

(5) No animals or poultry shall be allowed in any restaurant or food store.

(6) The inside of the restaurant or food store shall be kept clean to the satisfaction of the Medical Officer of Health.

(7) The inside of the restaurant or food store shall be screened from flies and rodents to the satisfaction of the Medical Officer of Health.

7. (1) No person who is suffering from infectious or contagious disease, or is living in a house in which there is a case of infectious disease, shall enter or remain in any restaurant or food store until a certificate of health is given to such person by the Medical Officer of Health.

(2) No person suffering from boils or skin disease, shall be allowed to work in a restaurant or food store or sell food until such time as he shall be free from such condition and given a certificate to that effect by the Medical Officer of Health.

8. The Medical Officer of Health or Sanitary Inspector or any duly authorised Health Officer may enter and inspect any restaurant or food store and any person who wilfully obstructs or resists such entry or inspection shall be deemed guilty of an offence against these regulations.

9. Any person who works in a restaurant or food store shall obtain once in every three consecutive months a certificate of health from the Public Health Department.

10. All foods shall be protected from dust, flies and other vermin, to the satisfaction of the Medical Officer of Health.

11. Any person who works in a restaurant or food store shall wear clean apparel to the satisfaction of the Medical Officer of Health.

12. Any person acting in contravention of these regulations shall be liable on conviction thereof before a magistrate to a fine not exceeding \$20 and in default of payment to imprisonment for a period not exceeding 3 months.

SECTION 4-Building Regulations

Made by the Minister of Health

G. 31/41, G.S. 51/78

[17th March, 1941]

1. These regulations may be cited as the Public Health (Building) Regulations.
2. These regulations shall be effective only in all principal towns that is to say in any place within a radius of 2 miles from the Post Office of Nuku'alofa, or of Pangai (Ha'apai) or Neiafu (Vava'u).
3. Permission of the Cabinet must be obtained before any site can be used for building purposes, and furthermore the said site must be approved by the Medical Officer of Health as a building site.
4. No building shall be undertaken, other than such buildings as come within the provisions of section 6(3) of the Town Regulations Act before a plan of such building has been submitted to and approved by the Medical Officer of Health.
(Cap 44)
5. All materials used for any building other than such buildings as come within the provisions of section 6(3) Town Regulations Act must be approved by the Medical Officer of Health.
6. No building shall be erected immediately in front of any other building or in such a way as to prevent light and fresh air from entering the latter.
7. The number of buildings that can be built on any one site shall depend upon the area of the land available and on circumstances pertaining to that particular piece of land and shall be subject to the approval of the Cabinet.
8. Sufficient space shall be allowed behind each building for latrines and other conveniences without constituting a nuisance to neighbouring buildings.
9. The height limit of any building shall depend upon the presence or absence of other buildings in the neighbourhood and shall be determined by the Medical Officer of Health.
10. Any person who erects a building in contravention of these regulations shall be liable on conviction thereof before a magistrate to a fine not exceeding \$40 and also a daily penalty not exceeding \$4 per day for any continuation of the offence and in default of payments to imprisonment for a period not exceeding 3 months.

SECTION 4-Water Supply Regulations

Made by the Minister of Health

[G.S. 47/63](#), G.S. 31/84

[9th October, 1963]

1. These Regulations may be cited as the Water Supply Regulations.
2. The Town Officer of every village in the Kingdom shall take steps to organize and form a committee by popular vote of all Tongans over the age of 21 years in the village for the purpose of assisting the village water scheme and to carry out all the necessary work to provide water, particularly for the functions and activities in relation to the health of the people of the village and the village schools. *(Substituted by [G.S. 31/84.](#))*
3. The Committee shall consist of 10 men and the Town Officer, who shall be the chairman, making 11 members in all.
4. The Committee shall at the first meeting elect a secretary and treasurer.
5. The objects of the Committee shall be-
 - (a) to provide voluntary labour and all assistance possible to help in the provisions of water and sanitation for the village;
 - (b) to raise money by voluntary subscription in support of a joint fund with the Government for the purpose of defraying the cost of the water works;
 - (c) to do all things as may be suggested and required to be done by the staff of the Schools Sanitation and Water Project.
6. The amount of money required to be paid monthly by each village water consumer shall be calculated by the village committee. *(Substituted by G.S. 31/84.)*
7. All persons living in any village in the Kingdom shall be bound by the by-laws set out in the schedule in respect of the water works of their own village. *(Substituted by G.S. 31/84.)*

SCHEDULE

BY-LAWS

Definitions

1. In these by-laws unless the context otherwise requires-

"building supply" means a supply of water used for the purpose of building or construction work whether public or private;

"communication" or "connection pipe" means so much of the service pipe which lies between the main and the stop-cock and shall include the stop-cock;

"cost of service connection" means the cost of labour, materials, transportation, equipment, road repair, and charges deemed necessary by the Village Committee for complete installation of a service connection to a premises;

"fire service" includes any pipes and fittings used for the sole purpose of supplying water to premises to combat fire;

"fittings" includes all taps, stop-cocks, ball-cocks, valves, cold water cisterns, hot water apparatus, flushing apparatus or appliances used on a service connected with the supply of water, its storage, control or distribution, but excluding the meter used in measuring consumption by premises for purposes of records or assessment of amounts to be paid by a consumer;

"main" or "main pipe" means any pipe maintained by the Village Committee for the distribution of water, and to which service connections are made;

"meter" means any apparatus for measuring the flow of water and includes the meter box or meter box cover;

"owner" means the person liable for the fee for water service in premises, or in relation to a communal supply the member nominated by the residents of a community as owner for the purposes of the supply of water;

"premises" includes any structure, building or part of a building, or land without buildings;

"public standpipe" includes any fountains, standpipe, taps or appliances supplied and maintained by the Village Committee for the purpose of supplying water to the public;

"service" means that part of the pipe line from the main to the premises;

"trade supply" means the supply of water to premises used for trade, business, and Government Departments;

"Village Committee" means a body created in accordance with the Water Supply Regulations;

"waterworks" means all the parts of a water supply system and includes catchment areas, buildings, machinery, mechanical appliances, engines, reservoirs, tanks, meters, fountains, sluices, valves, pumps, prime movers, and all other structures or appliances used or constructed for the storage, conveyance, distribution, control or measurement of water, needed to carry into effect the objectives of these regulations and which are or may become hereafter the property of the village or the Government.

Water Superintendent

2. The Village Committee shall elect among their members or from residents of the village a Water Superintendent who shall have charge of the custody and administration of the Waterworks and of the water therein and the management of the supply and the distribution of the water subject to the direction of the Village Committee.

Superintendent may disconnect services

3. The Water Superintendent may disconnect from the waterworks the service to any premises without prejudice to any water charges, meter rent or other sums due or to become due-

(a) unless the owner within 30 days from the date of service of written notice in that behalf or such extended time as the Village Committee may allow, makes satisfactory arrangements to pay the amount due for charges for water in accordance with these by-laws;

(b) if default is made by the owner of the premises in the payment of any deposit which the Water Superintendent may require or of any moneys due under these by-laws for so long as the default continues;

(c) if the construction, alteration or repair of any inside service is not carried out to the satisfaction of the Water Superintendent in accordance with these by-laws, or if the

construction, alteration or repair of any inside service is carried out without the approval of the Water Superintendent;

(d) if water supplied from the waterworks through the service to the premises is being wilfully or negligently wasted; or

(e) if any act or thing is done or omitted contrary to the provisions of these by-laws in relation to any damage, alteration, pollution or abuse of the waterworks or of any service or fire service.

Power of Entry into Premises

4. The Water Superintendent or any person duly authorized by him at any reasonable time between 6 a.m. and 6 p.m. may enter into and upon any premises into or upon which any service has been laid for the supply of water from the waterworks, for the following purposes-

(a) to inspect any service and to ascertain whether there is any waste, leakage, obstruction, alteration, interference or damage to any service or meter therein and anything in connection therewith;

(b) to regulate or repair any service or meter;

(c) to ascertain the consumption; or

(d) to disconnect the service to any premises or to diminish, withhold or suspend, stop, turn off or divert the supply of water to any premises through or by means of any service either wholly or in part.

Power to restrict, suspend etc. the supply of water

5. The Water Superintendent may restrict, diminish, withhold or suspend, stop, turn off or divert the supply of water through or by means of any main, service or public standpipe, either wholly or in part, and without prejudice to any water charges, meter rent or other sums due or to become due, and without compensation for any damage or loss which may result-

(a) whenever the available supply of water from the waterworks shall in the opinion of the Water Superintendent be insufficient;

(b) whenever it may be expedient or necessary for the purposes of extending, altering, testing or repairing the waterworks or for the purpose of the connection of services or fire services;

(c) whenever any public standpipe is damaged or the waters thereof are polluted or wasted;

(d) in the case of an outbreak of fire; or

(e) in case of a breakdown in the waterworks.

Service Connections

6. (1) All pipes, fittings, and any other apparatus required by domestic, trade or institutional premises and which will carry water supplied by the Village Committee shall meet the specifications of the Village Committee.

Installation

(2) When the application for a service connection has been approved, such connection shall be installed by the Village Committee at the expense of the applicant and thereafter will be maintained by the Village Committee at its expense.

Deposit

(3) A deposit at least equal to the Village Committee's estimate of the cost of the service connection shall be paid by the applicant before the connection is installed.

Consumer's supply pipe

(4) The consumer shall install and connect at his expense his supply pipe to the shut-off valve installed by the Village Committee. The consumer's supply pipe shall at all times remain the sole property of the consumer, who shall be responsible for its maintenance and repair.

Connection to main

(5) Only employees of the Village Committee or those authorized by the Committee will be allowed to connect or disconnect the service connection to or from the main, or any other pipe or conduit carrying water.

Change in location or size of service connection

(6) When the proper size of service connection for any premises has been determined and the installation has been made, the Village Committee shall have fulfilled its obligations insofar as the size of the service and the location thereof are concerned. If thereafter the consumer desires a change in size of the service connection or a change in the location thereof, he must apply to the Village Committee, and he shall bear all costs of such change.

Shut-off Valve

(7) A readily accessible shut-off valve controlling all outlets shall be installed by the Village Committee at the expense of the consumer on his supply pipe at a location to be determined by the Committee. If a replacement of the shut-off valve is necessary, it shall be paid for by the consumer.

Alteration to public water system

(8) All work and materials in connection with the change in location or elevation of any part of the existing public water system made necessary by the new service connection shall be at the expense of the applicant.

Director of Health to inspect the works of the Committee

7. (1) The Director of Health may inspect at any time all records, and works of the Village Committee in the interests of public health.

Request to replace equipment and materials

(2) The Director of Health in the interests of public health may request the Village Committee to replace equipment and materials in use, to add water treatment plants, and in general to request change in all procedures and equipment of the Village Committee which in his opinion affects the health of the public.

Non-compliance by the Committee with the Director of Health's recommendation

(3) If the Water Superintendent or the Village Committee do not comply with the recommendations of the Director of Health for the maintenance of the standards for drinking water which the Director of Health considers vital to the health of the public, then the Director of Health may refer the matter to the Minister of Health.

(4) All plans for the extension of the system shall be submitted by the Village Committee to the Director of Health for approval before work is begun with a request to the Director of Health to return the plans to the Village Committee with his written opinion within 2 weeks of receipt of the plans.

Penalties in respect of wrongful acts

8. Any person who wilfully, fraudulently or by culpable negligence injures or permits to be injured any meter, fountain, pump, cock, valve, pipe, cistern, reservoir, fence, water course or other part of the waterworks or alters the index of any meter or prevents any meter from duly registering the quantity of water supplied or fraudulently abstracts or uses water supplied by the Committee shall (without prejudice to any other right or remedy for the protection of the Committee or the punishment of the offender) for every such offence be liable to a fine not exceeding \$20.

Penalty for contaminating water supply

9. (1) A person who-

(a) washes animals or any clothes, wool, leather or the skin of any animal or any noisome or offensive thing or throws or casts any dead animal or any filth or other noisome or offensive thing or who bathes in any water in the waterworks,

(b) causes or suffers the water of any sewer or drain to run or be conveyed into any water in the waterworks or into any water in a catchment area,

(c) depastures livestock or permits any livestock to be in any catchment area, or

(d) does any other thing whatsoever or permits any other thing whatsoever to be done to the water in the waterworks or the water in a catchment area whereby or by means whereof the water or any part thereof is or may be fouled, corrupted or injured,

shall be guilty of an offence and shall be liable to a fine not exceeding \$100.

(2) For the purposes of this section water shall not be deemed to be fouled, corrupted or injured by reason only of innocuous discolouration.

Wasting water etc.

10. A person who-

(a) opens or leaves open any cock, valve or any fountain or pump being part of the machinery so that the water of or supplied from the waterworks runs or may run to waste,

(b) wilfully and without consent of the Committee negligently interferes with valves or other apparatus of the waterworks,

(c) without the consent of the Committee makes any alteration in a service pipe or uses any pipe so altered,

(d) without the consent of the Village Committee supplies any water from the water supplied to him to any person for use in other premises, except where the supply is made in case of a fire or to a person supplied by the Village Committee but temporarily unable, through no default of his own, to obtain water,

(e) uses water for any purpose other than that for which the water is supplied to him, or

(f) is found within an enclosure to any well site or reservoir forming part of the waterworks without reasonable excuse,

shall be guilty of an offence and shall be liable to a fine not exceeding \$20.

Waste Caused by Disrepair, etc.

11. A person who wilfully or negligently causes or suffers any water fitting to be or remain so out of order or repair or to be so constructed or used that the water of or from the waterworks is wasted or contaminated before use, or foul air or any impure water is likely to return into any pipe shall be guilty of an offence and shall be liable to a fine not exceeding \$20. The Committee may require the necessary works to be done and on default himself may carry them out and recover the cost from the owner of the premises.

Onus of Proof

12. Any livestock found in any catchment area shall be deemed to be there under the authority of the owner thereof unless the owner thereof proves the contrary, and under the authority of the person, if any, actually in charge of such livestock.

Water Supply Mandatory

13. (1) A person residing within 200 metres from a water main shall draw water from the waterworks for purposes of drinking, washing and cooking, and from no other source unless authorized by the Director of Health and shall make payment for the water as the Village Committee directs.

(2) All rain water cisterns are to be sealed, and all wells in such an area are to be covered at the expense of the Committee, and for reasons of public health no water shall be drawn from these or any other sources which the Director of Health condemns as unsafe for human consumption

Water Rates

14. (1) The Village Committee may impose water rates from time to time to meet financial costs and requirements of the water system.

Trade Industrial or Institutional

(2) The Village Committee may also charge special rates for consumers of large quantities of water for trade, or industrial, or institutional premises.

Sales of water

15. No person or organization or association in the village, except the Village Committee may sell water from either the waterworks or from any other source.

Payment of bills.

16. All bills shall be due and payable upon presentation to the consumer. Payment shall be made at the office of the Village Committee or, at the Village Committee's option to duly authorized collectors. If any bills are not paid within 15 days after presentation the water service shall be subject to discontinuance without further notice.

Discontinuation of water service

17. Water service may be discontinued for the following additional reasons-

Consumer about to vacate premises

(a) A consumer about to vacate any premises supplied with water by the Village Committee shall give notice of his intention to vacate prior thereto, specifying the date service is desired to be discontinued, otherwise he shall be held responsible for all water service furnished to such premises until the Village Committee has received notice of discontinuance;

Unauthorized use of water

(b) The Village Committee may refuse or discontinue water service to any premises if necessary, without giving notice, to protect itself against fraud, abuse, or unauthorised use of water;

Wasteful use of water

(c) Where negligent or wasteful use of water exists on any premises, the Village Committee may discontinue the service if such conditions are not corrected within 5 days after giving the consumer written notice of intention to do so;

Restoration of water service

(d) If water service is turned off because of failure to pay a bill, for violation of any of the regulations, or for other reasons, all outstanding accounts against the consumer shall be paid before water service will be restored.

Damage and accessibility to Committee's Property

18. (1) Any damage to water mains, service connections, valves, fire hydrants, or other parts of the waterworks shall be paid for by the person or organization responsible for the damage.

(2) The consumer shall be liable for any damage to a meter or other equipment or property of the Village Committee caused by the consumer or his tenants, agents, employees, contractors, licensees or permittees, on the consumer's premises; the Village Committee shall be promptly reimbursed by the consumer for any such damage upon demand. In default of payment the Village Committee may discontinue water service to the premises.

Consumer's pumping installations

19. (1) Consumers shall not be permitted to install or operate pumps, pumping water directly from the main of the waterworks except in cases approved in writing. No such approval shall be given in cases where it is the opinion of the Village Committee that such an installation and the operation thereof may adversely affect the water service extended to other consumers.

(2) Approvals given by the Village Committee under this by-law will be qualified by clauses making them revocable upon 90 days' notice during which period the consumer, if he desires to continue the operation of the pump, shall eliminate the objectionable features causing the giving of such notice.

(3) No pump shall be equipped with a direct water supply connection for priming purposes except with the written permission of the Committee.

Cross-connections and backflow protection

20. In order to provide proper sanitary protection to the village water supply, the Village

Committee shall require that no cross-connections with other water supplies, or other physical connections, shall exist, or be installed, located, maintained or operated which could permit backflow of contaminated water or any other dangerous, impure, unsanitary, or unpotable substance from the consumer's premises into the Village Committee's water supply system.

Conservation measures and interruption of water supply

21. (1) The Village Committee shall exercise reasonable diligence and care to deliver an adequate supply of water to the consumer and to avoid shortages or interruptions in water service, but will not be liable for any interruption, shortage, insufficiency of supply, or any loss or damage occasioned thereby.

(2) Whenever in the Village Committee's opinion special conservation measures are advisable in order to forestall water shortages and a consequent emergency, the Village Committee may restrict the use of water by any reasonable method of control.

(3) The Village Committee may shut off water from the mains without notice for the purpose of making repairs, extensions, alterations, or for other reasons. Consumers depending upon a continuous supply of water shall provide emergency water storage and any check valves or other devices necessary for the protection of plumbing or fixtures against failure of the pressure or supply of water in the village water supply mains. Repairs or improvements will be prosecuted as rapidly as practicable and, insofar as practicable, at such times as will cause the least inconvenience to the consumer.

Government may assume control in case of failure to operate water supply satisfactorily

22. In the event of failure by the village without reasonable excuse to operate satisfactorily the waterworks, the Principal Board of Health may take possession and assume management of the waterworks and charge the people of the village the cost of operation and maintenance accordingly.

Efficiency of Waterworks

23. (1) To ensure efficiency of operation, the Village Committee shall keep records of periodic inspection of-

- (a) water sources;
- (b) tank and reservoir maintenance;
- (c) pump and engine operation and maintenance;
- (d) treatment operation;
- (e) distribution system maintenance;
- (f) service connections to the system;
- (g) meter repairs and maintenance;
- (h) operation in emergencies;
- (i) detection and elimination of cross-connections; and
- (j) detection and elimination of services of contamination.

Operational Records

(2) The operational records of the Water Superintendent shall include the following statistical information-

- (a) the amount of water pumped into the system or delivered into the system by the different prime movers separately;
- (b) the amount of water sold to customers;
- (c) rate of increase in the number of customers;
- (d) system losses;
- (e) system maps;
- (f) delivery capabilities of the system at various points; and
- (g) relation of supply to demand.

Financial Statement

(3) The Village Committee's financial records shall include-

- (a) the proper valuation of the system;
- (b) depreciation of the system;
- (c) operating expenses;
- (d) reinvestments in new capital improvements;
- (e) cash position; and
- (f) long term debt.

SECTION 28-Public Health (Meat) Regulations *Made by the Privy Council*

G. S. 73/67

[29th September, 1967]

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

2. In these Regulations, unless the contrary intention appears-

"animal" means cattle, sheep, horses, pigs, calves or goats;

"approved selling place" means any place (other than a butcher's shop) approved by a Meat Inspector for the sale of meat for human consumption;

"approved slaughtering place" means a place approved by a Meat Inspector for the slaughtering of animals for sale for human consumption;

"butcher's shop" means any place where meat is sold or intended to be sold for human consumption but does not include an approved selling place;

"meat" means a carcase or any portion of a carcase of any animal (whether slaughtered within the Kingdom or not) sold or intended to be sold for human consumption;

"Meat Inspector" means the Director of Health and any medical officer or any other person in the employment for the time being of the Government and authorised by the Director of Health to carry out the duties of a Meat Inspector under these regulations;

"refuse" includes condemned or diseased carcasses, meat, waste, bones, fat, blood or grease either unfit or not intended for human consumption, offal, hides, skins, hooves or other like substances;

"unwholesome meat" includes meat which is unsound, diseased or adulterated or which has become deteriorated by exposure to flies, dust or weather conditions, or by contact with unclean surfaces or which in any manner or condition is unfit for human consumption;

"vehicle" or "cart" includes a conveyance or receptacle of any kind used for the carriage of meat on land or at sea.

3. (1) A person shall not slaughter an animal for sale as human food unless-

- (a) a Meat Inspector has first examined and passed the animal for slaughtering; and
- (b) the animal is slaughtered at an approved slaughtering place.

(2) A person who contravenes this regulation commits an offence and is liable on conviction to a fine not exceeding \$20.

4. A person who slaughters an animal at an approved slaughtering place shall-

- (a) provide a sufficient quantity of suitable clean appliances, receptacles, utensils and wiping cloths for use in connection with the slaughter of the animals;
- (b) provide, every facility for inspection before, during and after slaughtering the animal;
- (c) slaughter the animal as skilfully, humanely and expeditiously as possible;
- (d) keep the carcass, organs and viscera of each animal separate from others until inspected by a Meat Inspector;
- (e) remove from the approved slaughtering place without delay, carcasses, hides, skin, fat, offal and all refuse and after completion of the slaughtering, leave in a clean and sanitary condition, satisfactory to a Meat Inspector, those portions of the approved slaughtering place used by him;
- (f) clean all utensils, receptacles and appliances, and keep them clean when not in actual use, and generally carry out any instructions given by a Meat Inspector;
- (g) when ordered by a Meat Inspector, cause those utensils, receptacles and appliances to be sterilised; and
- (h) take, without delay, such measures as are directed by a Meat Inspector to put or maintain any portion of an approved slaughtering place used by him in a clean and sanitary condition.

5. A person shall not remove from an approved slaughtering place any carcass or portion of a slaughtered animal unless-

- (a) the carcass or portion has been examined by a Meat Inspector; or
- (b) where the carcass or portion is diseased, the instructions of a Meat Inspector with respect to the treatment and disposal of the carcass or portion have been carried out.

6. A Meat Inspector may cut into or divide the carcass or portion or remove any part of the carcass or portion of the carcass for the purpose of inspection.

7. A Meat Inspector may condemn-

(a) any carcass or portion of a carcass or any organ which is in his opinion diseased or unfit for human consumption; and

(b) any meat which has suffered deterioration by exposure to flies, dust or weather conditions, or by contact with unclean surfaces, or which is in a state of putrefaction or decomposition.

8. A person who slaughters an animal for sale as human food, and every person employed by him, shall comply with and carry out any instructions of a Meat Inspector relating to the disposal, storage or transport of meat or refuse at or from an approved slaughtering place.

9. A person shall not sell, or offer for sale, or have in his possession for the purpose of sale, any meat from an animal slaughtered within the Kingdom unless-

(a) the animal was first passed for slaughter by a Meat Inspector before it was killed;

(b) the animal was killed at an approved slaughtering place; and

(c) the meat was examined by a Meat Inspector and was declared fit for human consumption.

10. (1) Except as provided in sub-regulation (2) a person shall not sell or expose or offer for sale any meat otherwise than in a butcher's shop constructed in accordance with the following specifications-

(a) the floor shall be constructed of cement-concrete, brick, tiles, asphalt, or, hardwood blocks laid in cement or asphalt, or approved and suitable non-absorbent material;

(b) the inner walls shall have a minimum height of 10 feet, lined with tiles, cemented, or constructed of other impervious and non-absorbent material, capable of being easily washed, to a height of 6 feet;

(c) the ceiling shall be constructed, to the satisfaction of a Meat Inspector of such material as to offer the least possible opportunity for the lodgment of dust, flies and other insects;

(d) every window shall be of glass or of closely-fitting wire or of gauze approved by a Meat Inspector, and every doorway shall be provided with a light swing frame, closely fitting, and covered with closely fitting wire or gauze, approved by a Meat Inspector, and every ventilative or other opening shall be covered with similar gauze;

(e) every external door shall be kept closed, except when in use for the purpose of ingress or egress;

(f) the shop shall have adequate cross ventilation and light to the satisfaction of a Meat Inspector;

(g) where water under pressure is available, or where it can be reasonably made available, the

shop shall be provided with sufficient toilet and washing facilities with water laid on, with proper drainage to the satisfaction of a Meat Inspector, but where water under pressure is not available, other provision approved by a Meat Inspector shall be made for, the supply of clean water; and

(h) the, shop shall be provided to the satisfaction of a Meat Inspector with sufficient facilities for cleansing of all fittings, instruments and conveyors used in the shop.

(2) A Meat Inspector may authorise a person to sell or expose or offer for sale any meat at an approved selling place where the Meat Inspector is satisfied that the meat is not likely thereby to become unwholesome meat, and a person so authorised shall carry out all instructions of a Meat Inspector relating to the sale of meat at that place.

11. The owner of a butcher's shop shall provide a water closet for the use of persons employed in the shop but the room that is used for a water closet shall not open directly into the shop.

12. A person shall not use, or permit to be used, a butcher's shop for domestic purposes, or as a sleeping apartment, or for any purpose incompatible with the cleanliness and good sanitary condition of the shop and of the fittings and instruments used in the shop, or of the meat exposed in the shop.

13. Where a person resides on the premises attached to a butcher's shop a separate entrance shall be provided to those premises but no doors, windows or other openings in those premises shall open directly into the butcher's shop.

14. The owner of a butcher's shop shall-

(a) keep clean to the satisfaction of a Meat Inspector, the floors walls, ceilings and fittings in his shop, and all instruments and appliances used in his shop; and

(b) clean daily all wagons, carts, trollies, buckets, trays and containers of every kind used in connection with the sale of meat in his shop.

15. A person engaged in the preparation, carriage, storage, sale or delivery of meat for sale-

(a) shall place in a suitable covered receptacle protected from flies all scrap meat, fat, offal and bones not required for sale, and shall not mix them with other refuse, and shall remove them at intervals sufficiently frequent as to ensure against putrefaction;

(b) shall store all meat, unless in the actual process of conveyance, out of the direct rays of the sun;

(c) shall ensure that all utensils used in connection with the sale of meat are of such construction substance, and in such condition, as will preclude any contamination of the meat;

(d) shall ensure that every vehicle used for the transport of any meat is so constructed or so covered as to prevent access of flies and dust to the meat carried, and is kept clean and in repair to the satisfaction of a Meat Inspector;

(e) shall protect from rats, mice, cockroaches, flies and all other insects, vermin or dust, and from any unwholesome substance or odour all meat intended for sale;

(f) shall not use for the carriage of meat any cart used for carting manure or for the carting of any substance likely to cause injury to meat;

(g) shall not convey, deliver or dispense, or cause to be conveyed, delivered or dispensed, any meat unless the meat whilst being conveyed, delivered or dispensed is kept covered and closed so as to protect it from dust, flies and other impurities;

(h) shall not use for storing meat any vessel the substance, construction or condition of which is likely to contaminate meat or depreciate its nutritive value;

(i) shall not sell or offer for sale, or have in his possession with intent to sell, any meat which has been blown or spouted;

(j) shall not use for any purpose which would be likely to contaminate or injuriously affect the wholesomeness or cleanliness of the meat any vehicle, receptacle, articles, utensils, tools of trade, benches, fittings, machinery or other appliances used for the preparation, carriage, storage, sale or delivery for sale of any meat; and

(k) shall not spit, or smoke, or chew tobacco in any place used for the preparation of meat or at any place where meat is handled or prepared for sale.

16. (1) A person engaged in the preparation, carriage, storage, sale or delivery of any meat for sale shall, when so engaged, keep his clothing and his body clean.

(2) A person thus engaged shall, at all times when thus engaged, wear overalls, or an apron of a washable and impervious material, and shall keep them clean to the satisfaction of a Meat Inspector.

17. (1) A person who-

(a) is suffering from any contagious or infectious disease within the meaning of the Act;

(b) has an infected sore or wound on the face or on either arm; or

(c) is wearing unclean or medicated bandages, shall not engage in the preparation, carriage, storage, sale or delivery for sale, of any meat.

(2) A Meat Inspector may require a person thus engaged to present himself for medical examination, and a person who refuses or fails to present himself for medical examination commits an offence and is liable to a fine not exceeding \$40.

18. (1) A person shall not engage in the preparation or handling of meat for sale at a butcher's shop or at an approved selling place unless that person has been medically examined, and declared by a Medical Officer, that that person is free from any disease or infection or

uncleanliness referred to in the last preceding section.

(2) A person who is regularly engaged in the preparation or handling of meat for sale at a butcher's shop or at an approved selling place, shall, at regular intervals and at least four times a year, present himself for medical examination by a Medical Officer.

19. A person shall not sell or offer for sale or have in his possession for sale any meat which is unwholesome or unfit for human consumption.

20. A Meat Inspector may-

(a) at any reasonable time, and at all times when work is being performed, enter any place where meat is sold or prepared for sale and inspect that meat;

(b) where he has reason to believe that meat in any vehicle or package is intended for sale, inspect that meat;

(c) at any time, with such assistance as he thinks necessary, enter any premises where he has reason to believe a contravention of the Act or these regulations is being committed.

21. In any proceedings under these regulations against any person, the presence of meat-

(a) in a vehicle used by that person in the business of selling meat shall be prima facie evidence that he has that meat in possession for sale, that the meat is intended for sale and that he has exposed the meat for sale; or

(b) on premises where that person is engaged (whether as principal or employee) in the business of selling meat shall be prima facie evidence that he has that meat in possession for sale, that he has exposed or offered that meat for sale and that the premises are a place where meat is prepared for sale.

22. A person who contravenes any of the provisions of these regulations commits an offence and is liable on conviction to a fine, where no other penalty is provided, not exceeding \$40.

SECTION 50-Sanitary Superintendence Regulations

Made by the Principal Board of Health

R. R. 167/29

[26 th January, 1926]

1. These Regulations may be cited as the Sanitary Superintendence Regulations.

2. In these regulations-

"authorized officer" means a Government Medical Officer and the Ankylostomiasis Officer;
"cesspit" means any pit which is used for the disposal of human excreta, human urine, and matters mixed with them or either of them.

3. The material necessary for the construction of a latrine according to the following regulations shall be supplied at the place of manufacture for the amount of \$4, and this amount shall be paid before delivery of a latrine can be taken.

4. No cesspit shall be constructed until the position for it is fixed by an authorized officer of the Board.

5. No cesspit shall be constructed less than 20 feet away from any building where persons may reside, or may be employed, or shall be within 50 feet of any well or underground water tank, provided that where the api renders it impossible exactly to apply this regulation, then an authorized officer may adopt lesser distances than 20 feet and 50 feet.

6. Any owner or occupier objecting to the position fixed by an authorized officer may appeal to the Board whose decision shall be final.

7. A cesspit for use under one seat shall be 3 feet, or, where in the opinion of an authorized officer the ground is firm, 3 feet 6 inches in diameter at the surface, 2 feet 6 inches in diameter at the bottom where the diameter at the surface is 3 feet, or 3 feet in diameter at the bottom where the surface diameter is 3 feet 6 inches, and 6 feet deep; and where the ground water, loose soil, rock, or coral does not permit of these dimensions the pit shall be excavated to such dimensions as an authorized officer may direct, consistent with the stated dimensions.

8. Where cesspit latrines are built on land having a fall, a level site shall be excavated on which to erect the latrine, and the earth excavated shall be used to form a parapet at least one foot high on the slope above the latrine in order to divert storm water past the latrine and prevent flooding of the cesspit.

9. The reinforced concrete disc shall be placed directly over the pit, and the opening 15 inches in diameter in the centre of the disc shall be so centred that deposits will fall clear of the walls of the pit. A margin of 3 inches, and where permission has been obtained to increase the diameter at the surface to 3 feet 6 inches a margin of 5 inches all round of undisturbed ground shall be left between the rim of the pit and the rim of the cement disc.

10. The cement pipe, which is to be used as the major portion of the seat, shall be placed in an upright position and exactly centred over the opening in the centre of the disc, and the end not having the 4 pieces of wood inserted shall come in contact with the cement disc.

11. Cement, or other suitable material, shall be placed around the junction of the cement portion of the seat and the cement disc, and this cement, or other suitable material, shall be impervious to water, so as to make the junction watertight.

12. The wooden part of the seat with the lid attached, shall be securely fastened to the cement seat by at least four screws, screwed through the seat so as to enter the four pieces of wood inserted in the cement part of the seat, and any openings between the wooden part of the seat and the cement part of the seat shall be closed by cement, or other suitable material, which

shall be impervious to water.

13. The angle iron or wood supplied by the Government shall be screwed on to the lid in such a position as to cause the lid to close by gravity when not in use.

14. The cesspit shall be ventilated by the standard Government ventilating pipe, fitted into the opening, 2 inches in diameter, provided for it in the cement disc, and arranged to pass through the roof of the privy building. Cement, or other suitable material, shall be placed around the junction of the ventilating pipe and the cement disc to make the junction water-tight.

15. The Board undertakes when a latrine is first erected only to supply a person to screw the wooden part of the seat to the cement part of the seat, to fix the angle iron to the lid, and to do the necessary cement work at the junctions of the ventilation pipe and the cement disc, the cement part of the seat and the cement disc, and the wooden part of the seat and the cement part of the seat. After the above has been performed to the satisfaction of the authorized officer, the person having charge or control of a latrine shall be responsible for the keeping of the latrine in good condition.

16. Every person having the charge or control of any latrine of the standard pattern shall not permit the lid to be prevented from tightly closing the opening in the seat when not in use, and shall at all times keep the lid in such state of repair as to cause the lid to close when not in use.

17. No person having the charge or control of any latrine or cesspit shall use it, or permit it to be used, when the contents have reached within one foot six inches of the cement disc. A new cesspit shall immediately be excavated, in accordance with these regulations and the latrine moved to cover the new cesspit. The disused cesspit shall then be filled with earth which shall be banked up to a height of at least one foot six inches above the natural level of the surrounding ground.

18. No person shall deposit human faeces on the surface of any ground, or in any other place than in a latrine constructed in accordance with these regulations, or, in a septic tank, or other device for the reception of night soil approved of by the principal Board of Health:

Provided that it shall not be a breach of these regulations if a person not within easy distance of any such sanitary convenience deposits human faeces in a place at least 100 yards from any human habitation, highway, path, well, stream bed, cistern or place frequented by human beings.

19. Where upon any town allotment or any leased land in town areas there are erected any of the buildings hereinafter described, standard latrines of the approved pattern shall be provided by the occupier of the lease or the owner as the case may be in accordance with the following sub-paragraphs of this regulation-

(a) for every factory, warehouse or store one latrine of the standard pattern for from one to 30 persons and for each additional 30 persons or part thereof one additional latrine;

(b) for every school separate latrines of the standard pattern for each sex in the proportion of one latrine for from one to 50 persons of each sex, and one additional latrine for persons above the number of 50 and not exceeding 100 of each sex, and for each additional 50 persons or part thereof one additional latrine;

(c) for every place of amusement, recreation, or public resort separate latrines of the standard pattern for each sex;

(d) for every boarding house, lodging house, or other place where numbers of persons may ordinarily reside separate latrines of the standard pattern for each sex at the rate of one latrine for each 20 persons.

20. The occupier or owner of any land upon which is situated a latrine of the standard pattern approved of by the Principal Board of Health shall at all times after the latrine has been satisfactorily installed-

(a) keep the latrine in accordance with these regulations;

(b) immediately fill in with suitable material any apertures between the rim of the cement disc and the adjoining earth and any cracks or holes in the surrounding ground which may open into the cesspit.

21. Any person who fails to comply with these regulations shall be liable on conviction to a fine not exceeding \$20, or in default of payment or otherwise a term of imprisonment not exceeding 3 months.

SECTION 50-Public Health (Mosquito Control) Regulations

Made by the Principal Board of Health

G. 25/38

[1st March, 1938]

1. These regulations may be cited as The Public Health (Mosquito Control) Regulations.

2. No stagnant water shall be allowed to lie in or upon any premises for more than 24 hours unless treated to the satisfaction of a Medical Officer or Sanitary Inspector by efficient drainage or with petroleum or other suitable oil.

3. Not tins, bottles or other receptacles capable of holding water shall be allowed to remain on any land surrounding a dwelling, store or building of any description.

4. All tanks and vessels used for retaining water shall be efficiently covered with mosquito-proof gauze, or shall be treated with petroleum or other suitable oil to the satisfaction of a Medical Officer or a Sanitary Inspector.

5. No stagnant water shall be allowed to lie in any boat or vessel whether afloat on ashore.

6. The guttering and down pipes connected with the roofs of all houses and other buildings shall be kept clean and in good order.

7. A Medical Officer or a Sanitary Inspector may, together with his assistants, at all such times as he thinks fit, enter upon any premises for the purpose of inspecting them.

8. A Medical Officer or a Sanitary Inspector may, together with his assistants, enter upon any unoccupied or apparently unoccupied premises for the purpose of inspecting and cleaning them. The owner of such premises shall be liable for any expenses thereby incurred.

9. No person shall deposit, or cause to be deposited any empty tin, bottle or other receptacle in or near any road or other public place.

10. Any person who acts in contravention of, or fails to comply with any of these regulations or who aids or abets in the contravention thereof, shall be guilty of an offence and shall, on conviction be liable to a fine not exceeding \$20 and in default of payment to imprisonment for a period not exceeding 3 months.

11. For any offence against these regulations the person primarily liable shall be the occupier of the premises or the person in command of or in charge of the boat or vessel upon which or in respect of which the offence was committed. If there be no such occupier or person in command or in charge the owner of the said premises, boat or vessel, shall become liable in respect of such offence.

MISCELLANEOUS-PROHIBITION ON BURIALS

Ordered on 13 January, 1921

R.R. 176/29

The interment of the body of any deceased person in the cemetery Malaealoa is hereby prohibited save and except the interment of the body of the husband or widow of any person buried in such cemetery.