



ST. HELENA

CHAPTER 49

PUBLIC HEALTH ORDINANCE and Subsidiary Legislation

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email pa.lawofficers@legalandlands.gov.sh]¹

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

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¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

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CHAPTER 49
PUBLIC HEALTH ORDINANCE

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This e-version of the text is not authoritative for use in court.

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CHAPTER 49

PUBLIC HEALTH ORDINANCE

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15 of 1966, Legal Notice 4 of 1967 and Ordinances 1 of 1987, 2 of 2007 and 7 of 2010 (as
rectified by LN 15 of 2010))*

AN ORDINANCE TO AMEND AND CONSOLIDATE THE LAW RELATING TO PUBLIC HEALTH.

Commencement

[6 October 1939]

PART I PRELIMINARY

Short title

1. This Ordinance may be cited as the Public Health Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—
“**aerated water factory**” means any place or premises used for the preparation or manufacture of soda-water, or other aerated drinks intended for sale;
“**bakehouse**” means any place in which is baked bread, biscuits or confectionery from the baking or selling of which a profit is derived;
“**Board**” means the Health Protection Board established by section 3;²
“**building**” and “**house**” include hotels, schools, also factories and other buildings in which persons are employed and the curtilage of a building or house;
“**Committee**” means a Council Committee;
“**dairy**” includes any farm, farmhouse, cowshed, milk-store, milk-shop or other place from which milk is supplied, or in which milk is kept for the purpose of sale;
“**dairyman**” includes any cowkeeper, purveyor of milk or occupier of a dairy;
“**hospital**” means any premises or vessels for the reception of the sick, whether permanently or temporarily applied for that purpose;
“**isolation hospital**” means a hospital for the reception of persons suffering from infectious diseases;
“**occupier**” means in the case of a building or part of a building the person in occupation or having the charge, management or control thereof, either on his own account or as the agent of another person, and in the case of a ship means the master or other person in charge thereof;

² Definition of “Board” inserted by Ord 7 of 2010

“owner” means the person for the time being receiving the rent of the premises in connexion with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such premises were let;

“premises” includes lands, buildings, vehicles, structures of any kind, streams, drains, ditches or places open, covered or enclosed, whether built on or not, and whether natural or artificial, and any ship lying in port or harbour in St. Helena;

“privy accommodation” includes water-closets, earth-closets, privies, and any similar accommodation;

“slaughterer” means a person whose business is to kill any description of cattle, sheep or goats for the purpose of the flesh being used as butcher’s meat;

“slaughter house” means any building or place used for the purpose of the business of a slaughterer.

PART II ADMINISTRATION

Establishment of Health Protection Board

3.³ (1) There is hereby established a regulatory authority to be known as the Health Protection Board (“the Board”) which shall be responsible for the enforcement of legislation relating to health and sanitary matters in St. Helena.

(2) The members of the Board shall be the Senior Medical Officer⁴ (who shall be its Chairman), the Chairman of the Council Committee responsible for public health, the Senior Environmental Health Officer, the Laboratory Manager, the Chief Administrative Health and Social Services Officer⁵, the Senior Veterinary Officer and such other members (if any, but not exceeding three in number) as the Governor may from time to time appoint.

(3) The Board shall perform such functions and shall have such powers as are conferred upon it by this or any other Ordinance, and shall have such incidental powers as are necessary to enable it to perform its functions in relation to the operation of this or such other Ordinance.

(4) The Chief Administrative Health and Social Services Officer⁶ shall appoint a public officer to be the Secretary to the Board who shall perform such duties as may be required by the Board.

(5) The Board may invite any person with specialised knowledge and skills to attend and speak at any meeting called to consider any matter being discussed by the Board.

(6) The members of the Board (other than those who are public officers) shall be paid such remuneration or other allowances as the Governor may from time to time determine.

(7) Four Board members present shall constitute a quorum. No business shall be transacted at any time when a quorum is not present, except to adjourn that meeting.

Public Health Inspectors and other Public Health officers

4. (1) The Governor may from time to time appoint such Public Health Inspectors and other officers as may be necessary for the due execution of this Ordinance. Such Public Health Inspectors and other officers shall hold office during the Governor’s pleasure.

³ Section 3 substituted by Ord. 7 of 2010 (as rectified by LN 15 of 2010)

⁴ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

⁵ Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Health and Social Welfare

⁶ Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Health and Social Welfare

(2)⁷ The Board shall, subject to the approval of the Governor, regulate the duties under this Ordinance of such Public Health Inspectors and other officers.

PART III
PUBLIC HEALTH PROVISIONS

(A) *Privies, etc*

Obligations to provide privy accommodation

5. (1) It shall not be lawful to erect any house, or to rebuild any house, without sufficient water-closet, earth-closet, or privy accommodation.

(2) Any person who causes any house to be erected or rebuilt in contravention of this section shall be liable to a fine not exceeding £5 and an additional fine of 50 pence for each day during such time as such house shall be without such accommodation after the expiration of one month from the date of his first being convicted of such offence.

Provision of privy accommodation for houses

6.⁸ (1) If any house appears to the Board to be without sufficient water-closet, earth-closet or privy accommodation, the Board shall by written notice, require the owner or occupier of the house, within a reasonable time therein specified, being not less than one month, to provide sufficient water-closet, earth-closet, or privy accommodation, or any of them, as the case may require.

(2) If such notice is not complied with, the Board may, at the expiration of the time specified in the notice, cause the work thereby required to be done, and may recover in a summary manner before the Magistrate from the owner the expenses incurred in so doing:

Provided that where a water-closet, earth-closet, or privy has been and is used in common by the inmates of two or more houses, or if in the opinion of the Board a water-closet, earth-closet, or privy may be so used, it need not require the same to be provided for each house.

Examination of drains, etc, on complaint of nuisance

7.⁹ On the written application of any person to the Board, stating that any drain, water-closet, earth-closet, privy or cesspool on or belonging to any premises is a nuisance or where on the report of a Public Health Inspector, the Board has reason to suspect that any such drain, water-closet, earth-closet, privy or cesspool is a nuisance or injurious to health, it shall be lawful for any Public Health Inspector duly authorised in writing in that behalf by the Board, after twenty-four hours' written notice to the occupier of such premises, or in the case of emergency without notice, to enter such premises with or without assistants, and cause the ground to be opened, and examine such drain, water-closet, earth-closet, privy or cesspool. If the drain, water-closet, earth-closet, privy or cesspool on examination is found to be in proper condition, he shall cause the ground to be closed, and any damage done to be made good as soon as can be. If the drain, water-closet, earth-closet, privy or cesspool on examination appear to be in bad condition, or to require alteration or amendment, the Board shall forthwith cause notice in writing to be given to the owner or occupier of the premises requiring him forthwith

⁷ Section 4(2) amended by Ord. 7 of 2010

⁸ Section 6 amended by Ord. 7 of 2010

⁹ Section 7 amended by Ord. 2 of 2007 and Ord. 7 of 2010

or within a reasonable time therein specified to do the necessary works; and if such notice is not complied with, the person to whom it is given shall be liable to a fine not exceeding £5 for every day during which he continues to make default, and the Board may execute such works, and may recover in a summary manner before the Magistrate from the owner the expenses incurred in so doing, as well as the expenses incurred in the previous examination.

Provision of suitable privy accommodation

8.¹⁰ (1) It shall be the duty of every Public Health Inspector to report to the Board whenever he has reason to believe that the privy accommodation in any estate or factory is insufficient or unsuitable by reason of the number of persons employed in such estate or factory.

(2) On receipt of any such report the Board, if satisfied as to the want of privy accommodation, shall serve a notice on the owner or occupier of the estate or factory requiring him to provide and maintain sufficient and suitable accommodation for the use of persons employed in the estate or factory, in the form to be prescribed and within a period to be specified in the notice, or, requiring him to put and maintain any existing privy accommodation in a clean and efficient condition.

(3) If the owner or occupier of an estate or factory upon whom such a notice has been served makes default in complying with the requisitions named in the notice, the Board shall cause a complaint relating thereto to be made before the Magistrate; and the Magistrate shall thereupon summon such owner or occupier to appear before him and may make an order on such owner or occupier requiring him to comply with all or any of the requirements of the notice and to pay the costs of the proceedings.

(4) Any such owner or occupier not obeying a Magistrate's order made hereunder shall, if he fails to satisfy the court that he has used due diligence to carry out such order, be liable to a fine not exceeding £50 for each day during which such default continues; any such owner or occupier knowingly and wilfully acting contrary to any such order shall be liable to a fine of £50 per day during such contrary action.

Penalty for defecating on an estate

9.¹¹ (1) When privy accommodation shall have been provided in accordance with this Ordinance, the Board may cause public notices to be affixed on the estate or factory prohibiting all persons from defecating in any place other than the place provided for the purpose.

(2) Every person who misuses any privy accommodation provided under this Ordinance, or who disobeys the public notices affixed on the estate or factory as aforesaid, shall be liable to a fine not exceeding £50.

Provision of public latrines in streets and public highways

10. (1) Any street or public highway may be provided by the Committee with sufficient public latrine accommodation, so constructed as to suffice for the proper collection or removal of all sewage matter on hygienic principles and to prevent pollution of the surface of the ground; and it shall be the duty of the Public Health Inspector to report to the Committee if in his opinion any such latrine accommodation is needed.

(2) The payment of any expenses incurred in carrying out any requirements under this section shall be a charge against and paid out of the general revenue of St. Helena.

¹⁰ Section 8 amended by Ord. 2 of 2007 and Ord. 7 of 2010

¹¹ Section 9 amended by Ord. 2 of 2007 and Ord. 7 of 2010

Provision of privies for schools

11. (1) Every school shall be provided by the managers or such other persons having the control thereof with sufficient and suitable privy accommodation for the use of the teaching staff and of the pupils; and such accommodation shall be provided separately for each sex.

(2) It shall be the duty of the managers or such other persons having the control of a school to keep the privy accommodation aforesaid in a clean and sanitary condition and to ensure that such work is carried out efficiently.

(3) One-half of all expenses incurred under this section in relation to any grant-in-aid school, shall be paid out of the general revenue of St. Helena:

Provided that such expenses shall have been approved by the Committee prior to the work having been undertaken.

(4)¹² Any member of the staff of a school misusing such privy accommodation or defecating in any place near to the school-house other than the place provided for the purpose, shall be liable to a fine not exceeding £50; and during school hours or while a pupil is under the control of a teacher, any such teacher who shall not take every reasonable precaution to prevent a pupil from misusing the privy accommodation or from defecating in any place near to the schoolhouse other than the place provided as aforesaid, shall be guilty of an offence against this Ordinance.

(B) Bakehouses

Persons suffering from infectious diseases shall not be employed in bakehouses

12.¹³ **(1)** It shall not be lawful for the owner or manager of any bakehouse to employ at or in connection with such bakehouse any person whom he knows to be suffering from any infectious disease or tuberculosis.

(2) It shall not be lawful for the owner or manager of any bakehouse to employ any person at or in connection with such bakehouse unless such person shall, within five days prior to engaging in such employment, have submitted himself to medical examination by a medical officer and shall procure a certificate from the medical officer stating that upon such examination such person was found to be free from any infectious disease or tuberculosis; and every such certificate shall be retained and preserved for twelve months by the owner or manager aforesaid, and shall be produced by him, whenever required so to do, for the information of the Board or of any Public Health Inspector.

(3) It shall not be lawful for any person, after he has been informed by any medical officer that he is suffering from any infectious disease, to engage, or to continue to be engaged, in working at or for any bakehouse.

(4) The owner or manager of any bakehouse shall, on the application of the Board, supply such Board with the names and addresses of all persons employed by him in his business.

(5) Any person working at or for a bakehouse, whom the Board or any Public Health Inspector may suspect to be suffering from any such disease or complaint as aforesaid shall, on being required so to do by such Board or officer, submit himself for medical examination by a medical officer.

(6) Any person acting in contravention of any of the provisions of this section shall be guilty of an offence against this Ordinance.

¹² Section 11(4) amended by Ord. 2 of 2007

¹³ Section 12 amended by Ord. 7 of 2010

Medical examination of persons working at bakehouses

13.¹⁴ (1) Every person working at or for a bakehouse shall in the month of December in every year submit himself to medical examination by a medical officer and shall procure a certificate from such medical officer stating that upon such examination such person was found to be free from infectious disease, and every certificate shall be retained and preserved until the thirty-first day of December in the following year by the manager or owner of the bakehouse and shall be produced by him whenever required so to do for the information of the Board or of any Public Health Inspector.

(2) Any person failing to comply with any of the requirements of this section shall be guilty of an offence against this Ordinance.

Duty of medical officer to report any such disease

14.¹⁵ When any medical officer becomes aware that any person who works or is employed at or for a bakehouse is suffering from any infectious disease, such medical officer shall forthwith notify the Board of the circumstances.

Sanitary regulations for bakehouses

15. (1) It shall not be lawful to let or suffer to be occupied or to occupy any room or place as a bakehouse, unless the following regulations are complied with—

- (a)** a water-closet, earth-closet, privy or ashpit must not be within, or communicate directly with, the bakehouse;
- (b)** every cistern or pipe for supplying water to a bakehouse must be separate and distinct from any cistern or pipe for supplying water to a water-closet;
- (c)** a drain or pipe for carrying off faecal or sewage matter must not have an opening within the bakehouse;
- (d)** every bakehouse must be provided with proper means for effectual ventilation.

(2)¹⁶ Any person who lets, or suffers to be occupied or who occupies any room or place as a bakehouse in contravention of this section shall be liable to a fine not exceeding £100 and to a further fine not exceeding £50 for every day during which any room or place is so occupied after a conviction under this section.

Sleeping places near bakehouses

16. (1) A room or place on the same level with any bakehouse and forming part of the same building shall not be used as a sleeping place unless it is constructed as follows, that is to say—

- (a)** is effectually separated from the bakehouse by a partition which extends from the floor to the ceiling and has no door or opening in direct communication with the bakehouse; and
- (b)** has an external window of at least nine superficial feet in area made to open for ventilation.

¹⁴ Section 13 amended by Ord. 7 of 2010

¹⁵ Section 14 amended by Ord. 7 of 2010

¹⁶ Section 15(2) amended by Ord. 2 of 2007

(2)¹⁷ If any person lets or occupies, or continues to let or knowingly suffers to be occupied, any room or place contrary to this section, he shall be liable for the first offence to a fine not exceeding £50, and for any subsequent offence to a fine not exceeding £75.

Registration of bakehouses

17.¹⁸ (1) Every bakehouse shall be registered annually at the office of the Board; and, for this purpose, every person who in any year hereafter intends to use any premises as a bakehouse shall, before the commencement of such year or before using such premises, make application in writing to the Board, setting out his full name and a correct description of the premises so intended to be used. If the Board is satisfied that the premises specified in the application are such as can properly be used as a bakehouse under this Ordinance, the Board shall issue to the applicant a certificate to that effect in respect of the year for which the applicant seeks to register his premises. Such certificate shall be affixed and exhibited by the applicant in some conspicuous place on the premises and kept so affixed during the year for which the same shall be granted.

(2) The Board shall enter the particulars of such application and certificate in a book to be kept at the office of the Board and to be called the “Bakehouse Register.”

(3) Any person who shall use any place or premises as a bakehouse, without having first obtained a certificate as hereinbefore provided, shall be guilty of an offence against this Ordinance.

Lime washing or painting

18.¹⁹ No certificate shall be granted by the Board under the provisions of the preceding section in respect of any bakehouse unless—

- (a) the bakehouse shall comply with all regulations and conditions of this Ordinance regulating bakehouses and with all regulations made under this Ordinance regarding bakehouses;
- (b) all the inside walls of the rooms of the bakehouse, and all the ceiling or tops of those rooms (whether those walls, ceilings, or tops are plastered or not) and all the passages and staircases shall have been painted with oil or varnish or limewashed, or partly painted or varnished and partly limewashed; and unless
- (c) where the bakehouse is painted with oil or varnished, the paint or varnish shall be renewed once at least in every seven years and washed with water and soap once at least in every six months; or
- (d) where the bakehouse is limewashed, the limewash shall be renewed once at least in every twelve months.

(C) *Regulations in respect of certain specified matters*

Power to make regulations

19.²⁰ The Governor in Council may make regulations for the following purposes or any of them—

¹⁷ Section 16(2) amended by Ord. 2 of 2007

¹⁸ Section 17 amended by Ord. 7 of 2010

¹⁹ Section 18 amended by Ord. 7 of 2010

²⁰ Section 19 amended by Ord. 7 of 2010

- (a) for regulating the inspection and securing the cleanliness of all bakehouses, for fixing the procedure as to the registering and certifying bakehouses;
- (b) for regulating the establishment of the conditions of admission to, and the use, conduct and management of slaughterhouses, and in particular for authorising and inspecting the same, and for securing the cleanliness thereof;
- (c) for regulating ærated-water factories and ice factories, and in particular for registering and inspecting the same and for prescribing and regulating the water supply and the filtration of water, and for securing the cleanliness of such factories and the machinery and bottles used therein, and for prescribing precautions to be taken for protecting soda-water and other ærated drinks and ice against contamination;
- (d)
 - (i) for the registration of all persons carrying on the trade of dairymen;
 - (ii) for the inspection of cattle in dairies, and for prescribing and regulating the lighting, ventilation, drainage and water supply of dairies and cowsheds in the occupation of persons following the trade of dairymen;
 - (iii) for securing the cleanliness of dairies, and of milk-vessels used for containing milk for sale by such persons;
 - (iv) for prescribing precautions to be taken for protecting milk against infection or contamination;
- (e) for prescribing precautions to be taken for protecting any article whether solid or liquid, intended for the food of man and sold or exposed for sale, against infection or contamination;
- (f) for prohibiting the washing of clothes in any stream or on the banks of any stream within such distance of any house as to the Board may seem fit and generally for the prevention of the pollution of streams or water supplies;
- (g)
 - (i) with respect to the construction of pig styes, the places in which they may be erected, and the mode of cleansing them at proper intervals so as to prevent them from becoming a nuisance or dangerous to public health;
 - (ii) for defining any portion of Jamestown as an area within which swine, goats or fowls may not be kept;
- (h)²¹ prescribing the fees to be charged for any act or thing done or document issued under any such regulations.

Definition of nuisances

20. For the purposes of this Ordinance—

- (a) any premises in such a state as to be nuisance or injurious to health;
- (b) any pool, ditch, gutter, pavement, privy, urinal, cesspool or drain, so foul or in such a state as to be a nuisance or injurious to health;
- (c) any animal so kept as to be a nuisance or injurious to health;
- (d) any accumulation or deposit which is a nuisance or injurious to health;
- (e) any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates, whether or not members of the same family;
- (f) any chimney sending forth smoke in such quantity as to be a nuisance or injurious to health;
- (g) any mosquito larvae or any collection of water in any place or in or about any building used for human habitation which is likely to harbour mosquito larvae; and
- (h) any other matter so declared by regulation to be made by the Governor in Council,

²¹ Section 19(h) inserted by Ord. 15 of 1966

shall be deemed to be nuisances liable to be dealt with summarily in manner provided by this Ordinance.

Inspection for detection of nuisances

21.²² It shall be the duty of the Board to cause inspection to be made from time to time, with a view to ascertaining what nuisances exist calling for abatement under the powers of this Ordinance, and to enforce the provisions of this Ordinance in order to abate the same.

Information of nuisances

22.²³ Information of any nuisance under this Ordinance may be given to the Board by any person aggrieved thereby, or by any two householders, or by any Public Health Inspector, or by any constable.

Notice requiring abatement of nuisance

23.²⁴ On the receipt of any information respecting the existence of a nuisance, the Board shall, if satisfied of the existence of a nuisance, serve a notice on the person by whose act, default or sufferance the nuisance arises or continues, or, if such person cannot be found, on the owner or occupier of the premises on which the nuisance arises, requiring him to abate the same within a time to be specified in the notice, and to execute such works and to do such things as may be necessary for that purpose:

Provided that—

- (a) where the nuisance arises from the want or defective construction of any structural convenience, or where there is no occupier of the premises, notice under this section shall be served on the owner;
- (b) where the person causing the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises, the Board may itself abate the same, and may do what is necessary to prevent the recurrence thereof.

Complaint to be made to Magistrate

24.²⁵ If the person on whom a notice to abate a nuisance has been served makes default in complying with any of the requisitions thereof within the time specified, or if the nuisance although abated since the service of the notice is, in the opinion of the Board, likely to recur on the same premises, the Board shall cause a complaint relating to such nuisance to be made before a Magistrate and such Magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

Order dealing with nuisance

25. (1) If the court is satisfied that the alleged nuisance exists, that although abated is likely to recur on the same premises, the court shall make an order on such person requiring him to comply with all or any of the requisitions of the notice, or otherwise to abate the

²² Section 21 amended by Ord. 7 of 2010

²³ Section 22 amended by Ord. 7 of 2010

²⁴ Section 23 amended by Ord. 7 of 2010

²⁵ Section 24 amended by Ord. 7 of 2010

nuisance within a time specified in the order, and to do any works necessary for that purpose; or an order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent the recurrence; or an order both requiring abatement and prohibiting the recurrence of the nuisance.

(2)²⁶ The court may by its order impose a fine not exceeding £100 on the person on whom the order is made, and shall also give directions as to the payment of all costs incurred up to the time of the hearing or making the order for abatement or prohibition of the nuisance.

(3)²⁷ If the court is satisfied, on the hearing of a further complaint under section 24, that a previous order made by the court relating to the same matter has not been obeyed, then the court may impose the following penalty—

- (a) a fine of £400 plus £50 for each day during which the nuisance continued after the date by which it was ordered to be removed or abated; and
- (b) imprisonment for a period not exceeding six months.

Prohibition in case of house unfit for human habitation

26. Where the nuisance proved to exist is such as to render a house or building, in the judgment of the court, unfit for human habitation, the court may prohibit the using thereof for that purpose until, in its judgment, the house or building is rendered fit for that purpose; and on the court being satisfied that it has been rendered fit for that purpose the court may determine its previous order by another declaring the house or building habitable, and from the date thereof such house or building may be let or inhabited.

Penalty for contravention of order of court

27.²⁸ Any person not obeying an order to comply with the requisitions of the Board or otherwise to abate the nuisance, shall, if he fails to satisfy the court that he has used all due diligence to carry out such order, be liable to a fine not exceeding £50 per day during his default; and any person knowingly and wilfully acting contrary to an order of prohibition shall be liable to a fine not exceeding £75 per day during such contrary action; moreover the Board may enter the premises to which any order relates and abate the nuisance, and do whatever may be necessary in execution of such order, and recover in a summary manner the expenses incurred from the person on whom the order is made.

Order may be addressed to Board

28.²⁹ Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or the owner or occupier of the premises is not known or cannot be found, then the order of the court may be addressed to and executed by the Board.

Power to sell articles removed

29.³⁰ Any matter or thing removed by the Board in abating any nuisance under this Ordinance may be sold by public auction; and the money arising from the sale may be retained

²⁶ Section 25(2) amended by Ord. 1 of 1987

²⁷ Section 25(3) inserted by Ord. 1 of 1987

²⁸ Section 27 amended by Ord. 2 of 2007 and Ord. 7 of 2010

²⁹ Section 28 amended by Ord. 7 of 2010

³⁰ Section 29 amended by Ord. 7 of 2010

by the Board and applied in payment of the expenses incurred with reference to such nuisance, and the surplus, if any, shall be paid, on demand, to the owner of such matter or thing.

PART IV
NOTIFIABLE INFECTIOUS DISEASES

(A) *Notification*

Definition of infectious disease

30. In this Part “**infectious disease**” means smallpox, measles, leprosy, yellow fever, cholera, diphtheria, membranous croup, the disease known as scarlatina or scarlet fever, and the fevers known by any of the following names: typhus, enteric group, typhoid and paratyphoid, relapsing, and includes any other infectious disease to which this Part has been applied by regulation in manner provided by this Ordinance, of the Governor in Council.³¹

Notification of infectious disease

31. (1) Where an inmate of any building used for human habitation is suffering from an infectious disease the following provisions shall have effect—

- (a) the head of the family to which such inmate (in this Part referred to as “the patient”) belongs and in his default the nearest relatives of the patient present in the building or being in attendance on the patient, and, in default of such relatives, every person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he becomes aware that the patient is suffering from an infectious disease, send notice thereof to a medical officer;
- (b)³² every person required by this section to give notice who fails to give the same shall be liable on summary conviction to a fine not exceeding £50:

Provided that if a person is not required to give notice in the first instance, but only in default of some other person, he shall not be liable to any fine if he satisfies the court that he had reasonable cause to suppose that the notice had been duly given.

Definition of infectious disease

32. (1) The Governor in Council may by regulation declare that this Part shall apply to any infectious disease other than a disease specifically mentioned in this Part.

(2) Any such regulation may be permanent or temporary and, if temporary, the period during which it is to continue in force shall be specified therein.

(3) The said regulation shall come into operation at such date, not earlier than three days after the first publication of the regulation on the Public Notice Board, as may be fixed in such regulation, and upon such regulation coming into operation, and during the continuance thereof, an infectious disease mentioned in such regulation shall be an infectious disease within the meaning of this Part.

(B) *Prevention*

³¹ By L.N. 10/1954, the following diseases were declared to be infectious diseases—

plague, infantile paralysis, cerebrospinal fever, whooping cough, chicken pox, German measles (rubella), severe epidemic influenza, tuberculosis and mumps.

³² Section 31(1)(b) amended by Ord. 2 of 2007

Premises to be cleansed and disinfected

33.³³ (1) Where the Board is of opinion that the cleansing and disinfecting of any house or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious disease, it shall be the duty of such Board to give notice in writing to the owner or occupier of such house or part thereof, requiring him to cleanse and disinfect such house or part thereof and articles within a time specified in such notice.

(2)³⁴ If the person to whom notice is so given fails to comply therewith, he shall be liable to a fine not exceeding £50 for every day during which he continues to make default; and the Board shall cause such house or part thereof and articles to be cleansed and disinfected, and may recover the expenses incurred from the owner or occupier in default in a summary manner.

(3) Where the owner or occupier of any such house or part thereof is from poverty or otherwise unable, in the opinion of the Board, effectually to carry out the requirements of this section, such Board may, without enforcing such requirements on such owner or occupier, with his consent cleanse and disinfect such house or part thereof and articles, and defray the expenses thereof.

Disinfection of bedding, etc

34.³⁵ (1) The Board may, by notice in writing, require the owner of any bedding, clothing or other articles which have been exposed to the infection of any infectious disease to cause the same to be delivered over to a Public Health Inspector 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 £50.

(2) The bedding, clothing and articles shall be disinfected by the Board and shall be brought back and delivered to the owner free of charge.

Destruction of infected bedding, etc

35.³⁶ The Board may direct the destruction of any bedding, clothing or other articles which have been exposed to infection from any infectious disease.

Removal to hospital of infected persons without proper lodging

36.³⁷ (1) A person suffering from any infectious disease, who is without proper lodging or accommodation or is in any house or premises where he cannot be effectually isolated so as to prevent the spread of the disease, may be removed by order of the Board to a hospital.

(2) An order under this section may be addressed to such constable or Public Health Inspector as the Board may think expedient; and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a fine not exceeding £100.

³³ Section 33 amended by Ord. 7 of 2010

³⁴ Section 33(2) amended by Ord. 2 of 2007

³⁵ Section 34 amended by Ord. 2 of 2007 and Ord. 7 of 2010

³⁶ Section 35 amended by Ord. 7 of 2010

³⁷ Section 36 amended by Ord. 2 of 2007 and Ord. 7 of 2010

Detention in hospital

37.³⁸ (1) The Board on being satisfied that a person suffering from any infectious disease is in a hospital, and would not on leaving the hospital be provided with lodging or accommodation in which proper precautions could be taken to prevent the spreading of the disease by such person, may direct such person to be detained in the hospital during the time limited by it and may enlarge the time as often as appears to it necessary for preventing the spread of the disease.

(2) The direction may be carried into execution by any Public Health Inspector, or by any police constable or any officer of the hospital.

Penalty on exposure of infected persons or things

38.³⁹ Any person who—

- (a) while suffering from any infectious disease wilfully exposes himself without proper precautions against spreading the said disorder in any street, public place, shop, inn or public conveyance or enters any public conveyance without previously notifying to the owner, conductor or driver thereof that he is so suffering; or
- (b) being in charge of any person so suffering, so exposes such sufferer; or
- (c) gives, lends, sells, transmits or exposes without previous disinfection any bedding, clothing, rags or any other articles of any description which have been exposed to infection from any such disorder; or
- (d) exposes or conveys without proper precaution the body of any person who has died of any infectious disorder,

shall be liable to a fine not exceeding £500:

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

Letting houses in which infected persons have been lodging

39. (1)⁴⁰ Any person who knowingly lets for hire any house, room or part of a house in which any person has been suffering from any infectious disorder, without having such house, room or part of a house and all articles therein liable to retain infection, disinfected to the satisfaction of a medical officer as testified by a certificate signed by him, shall be liable to a penalty not exceeding £500.

(2) For the purpose of this section, the keeper of a hotel shall be deemed to let for hire part of a house to any person admitted as a guest into such hotel.

Penalty on persons ceasing to occupy houses

40.⁴¹ (1) Any person who shall cease to occupy any house, room or part of a house in which any person has within six weeks previously been suffering from an infectious disease without having such house, room or part of a house and all articles therein liable to retain infection, disinfected to the satisfaction of a medical officer as testified by a certificate signed

³⁸ Section 37 amended by Ord. 7 of 2010

³⁹ Section 38 amended by Ord. 2 of 2007

⁴⁰ Section 39(1) amended by Ord. 2 of 2007

⁴¹ Section 40 amended by Ord. 2 of 2007 and Ord. 7 of 2010

by him, or without first giving to the owner of such house, room or part of a house notice of the previous existence of such disease, and every person ceasing to occupy any house, room or part of a house and who, on being questioned by the owner thereof, or by any person negotiating for the hire of such house, room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease, knowingly makes a false answer to such question shall be liable to a penalty not exceeding £500.

(2) The Board shall cause notice of the provisions of this section to be given to the occupier of any house in which it is aware that there is a person suffering from an infectious disease.

Infection in schools

41.⁴² Any person who shall knowingly or negligently send a child to school who, within the space of three months, has been suffering from any infectious disorder or who has been resident in any house in which such infectious disorder shall have existed within the space of six weeks, without a certificate from a medical officer that such child is free from disease and infection, and unless his or her clothes have been properly disinfected, shall be liable to a fine not exceeding £50.

Death and removal of body

42. (1) If a person dies in a hospital or place of temporary accommodation for the sick from any infectious disease, and the medical officer in charge certifies that in his opinion it is desirable, in order to prevent the risk of communicating such disease or of spreading infection, that the body be not removed from such hospital or place except for the purpose of being forthwith buried, it shall not be lawful for any person to remove the body except for that purpose; and the body when taken out of such hospital or place shall be forthwith taken direct to the place of burial and there buried.

(2)⁴³ If any person wilfully offends against this section he shall be liable to a fine not exceeding £500.

(3) Nothing in this section shall prevent the removal of a dead body from a hospital to a mortuary, and such mortuary shall, for the purpose of this section, be deemed part of such hospital.

Inspection of dairies

43.⁴⁴ (1) If a medical officer has evidence that any person is suffering from an infectious disease attributable to milk supplied from any dairy, or that the milk from any such dairy is likely to cause any such disease to any person, such medical officer shall visit such dairy, and examine the same and every person engaged in the service thereof or resident upon the premises or who may be resident in any premises where any person employed in such dairy may reside, and shall examine the animals therein, and shall forthwith report the results of his examination to the Board.

(2) If on consideration of the report, the Board is satisfied that infectious disease is caused from consumption of the milk supplied from such dairy it shall give notice to the dairyman to appear before the Magistrate within such time, not less than twenty-four hours, as may be specified in the notice to show cause why an order should not be made requiring him

⁴² Section 41 amended by Ord. 2 of 2007

⁴³ Section 42(2) amended by Ord. 2 of 2007

⁴⁴ Section 43 amended by Ord. 7 of 2010

not to supply any milk from his premises until such order has been withdrawn by the Magistrate; and if in the opinion of the Magistrate the dairyman fails to show cause then the Magistrate may, on the application of the Board, make such order as aforesaid. An order made by a Magistrate in pursuance of this section shall forthwith be withdrawn upon proof being given that the Board or the medical officer of health of a Board on its behalf is satisfied that the milk supply has been changed or that the cause of infection has been removed.

(3) Any person refusing to permit the medical officer to inspect his premises or the animals kept there, or, after such order not to supply milk as aforesaid has been given, supplying any milk in contravention of such order or selling it for consumption, shall be deemed guilty of an offence against this Ordinance:

Provided always that proceedings in respect of such offence shall be taken before the Magistrate: and

Provided also that no dairyman shall be liable to an action for breach of contract if the breach be due to an order made under this Ordinance.

Prohibition of retention of corpse

44. No person, without the sanction in writing of the medical officer, shall retain unburied, elsewhere than in a public mortuary or in a room not used at the time as a dwelling place, sleeping place or work room, for more than twelve hours, the body of any person who died from any infectious disease.

Order for burial

45.⁴⁵ Where the body of any person who has died from any infectious disease remains unburied elsewhere than in a mortuary or in a room not used at the time as a dwelling place, sleeping place or work room, for more than twelve hours after death, without the sanction of the Senior Medical Officer⁴⁶, or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building, the Senior Medical Officer may order the body to be removed at the cost of the Committee to any available mortuary, and direct the same to be buried within a time to be limited in the order; and the Senior Medical Officer may in the case of the body of any person who has died of an infectious disease, or in any case in which he shall consider immediate burial necessary, direct the body to be so buried. Unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order, it shall be the duty of the Superintendent of Police to bury such body; and any expenses so incurred may be recovered by him or by the Committee in a summary manner from any person legally liable to pay the expenses of such burial.

Disinfection of public conveyances if used for carrying corpses

46. Any person who hires or uses a public conveyance, other than a hearse, for the conveyance of the body of a person who has died from any infectious disease, without previously notifying to the owner or driver of such public conveyance that the person whose body is or is intended to be conveyed has died from infectious disease, and, after any such notification as aforesaid, any owner or driver of a public conveyance other than a hearse, which has been used for conveying the body of a person who has died from infectious disease, who

⁴⁵ Section 45 amended by Ord. 7 of 2010

⁴⁶ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

shall not immediately afterwards provide for the disinfection of such conveyance, shall be guilty of an offence under this Ordinance.

Regulations for venereal diseases

47. The Governor in Council may make regulations for guarding against the spread of venereal diseases and for promoting knowledge as to the nature, causes, effects and prevention of such diseases.

Regulations for prevention of disease

48. The Governor in Council may make regulations for the treatment of persons affected with any epidemic, endemic or infectious disease, and for the prevention of such diseases, and more particularly—

- (a) for the isolation and detention of persons suffering from such diseases; and
- (b) for declaring any area adjoining an isolation hospital to be an area within which no article, whether solid or liquid, intended for the food of man shall be exposed for sale.

Regulations for prevention of formidable diseases

49. Whenever any part of St. Helena appears to be threatened with or affected by any epidemic, endemic or infectious disease, the Governor in Council may make regulations for all or any of the following purposes—

- (a) for the speedy interment of the dead;
- (b) for house to house visitation;
- (c) for the provisions of medical aid and hospital accommodation, for the promotion of cleansing, ventilation, and disinfection and for guarding against the spread of disease;
- (d) for the isolation and detention of persons suffering from or suspected to have been infected by such disease;
- (e) for any such matters or things as may appear advisable for preventing or mitigating such disease,

and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of St. Helena, and to apply to any ships or vessels, within the jurisdiction of St. Helena for the period in such order mentioned, and may by any subsequent order abridge or extend such period.

PART V HOUSING

Overcrowding and houses unfit for human habitation

50.⁴⁷ (1) The Board may from time to time—

- (a) limit the number of persons who may live in any house or room wherein members of more than one family reside;
- (b) condemn any house as being no longer fit for human habitation and prohibit any person from residing therein.

⁴⁷ Section 50 substituted by Ord. 7 of 2010 (as rectified by LN 15 of 2010)

(2) The decision of the Board under subsection (1) shall be served in writing on the owner or occupier of the premises and (in the case of a decision under subsection (1)(b)) such notice may state the nature of any repairs, extensions, rebuilding or other improvements which the Board considers would be necessary to make the house suitable for human habitation.

(3) Any person aggrieved by a decision of the Board under subsection (1) may appeal to the Magistrates' Court within fourteen days of the receipt of the notice served as aforesaid; the said Court, after inspecting of the house, may uphold or revise the decision of the Board and the decision of the Court shall be final.

(4) Any person continuing to reside in any house condemned by the Board, or causing or permitting the number of inhabitants in any house or room to exceed the number specified in a decision under subsection (1)(a), after the expiry of fourteen days after service of the aforesaid notice, or after the expiry of seven days after the decision of the Court, is guilty of an offence against this Ordinance and on conviction may be evicted from such house in addition to any penalty that may be imposed.

Erection, repair, etc, of buildings

51.⁴⁸ ...

Proceedings of the Board

52.⁴⁹ ...

Powers of officers

53.⁵⁰ For the purpose of ascertaining the number of persons living in a house or the condition of a house the Senior Medical Officer⁵¹ or Medical Officer or any Public Health Inspector authorised by the Board, the Clerk of Works, or any officer authorised by the Governor, may enter any house and make such inspection as may seem to him suitable.

PART VI GENERAL

Unsound food

54.⁵² The Senior Medical Officer⁵³ or any Medical Officer may inspect any animal, meat, poultry, game, flesh, fish, butter, milk, meal, flour, rice, biscuit or other food, fresh, preserved or canned, or any spirituous or fermented liquors, which he has reason to believe is intended for sale for human food, or to be used as such; and if any food as aforesaid appear to him to be unwholesome or unfit for human food, he may seize the same and may order such food to be destroyed or otherwise disposed of as to him may seem expedient.

⁴⁸ Section 51 repealed by Ord. 7 of 2010

⁴⁹ Section 52 repealed by Ord. 7 of 2010

⁵⁰ Section 53 amended by Ord. 7 of 2010

⁵¹ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

⁵² Section 54 amended by Ord. 7 of 2010

⁵³ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

Importation of things likely to produce disease

55. (1) The Governor may by notice in writing prohibit the landing or importation into the Island of St. Helena of any thing the importation of which he may have reason to believe would be likely to introduce disease into the said Island.

(2)⁵⁴ Any person contravening the provisions of any notice issued under this section shall be liable to a penalty not exceeding £1000.

Notices, etc may be printed or written

56.⁵⁵ Notices, orders and other documents under this Ordinance may be in writing or print, or partly in writing and partly in print; and if the same require authentication by the Board the signature thereon of the Chairman of the Board shall be sufficient authentication.

Service of notices

57. (1) Notices, orders and any other documents required or authorised to be served under this Ordinance may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises, by delivering the same or a true copy thereof to some person on the premises, or if there is no person on the premises who can be so served, by fixing the same on some conspicuous part of the premises.

(2) Any notice by this Ordinance required to be given to the owner or occupier of any premises may be addressed by the description of the “owner” or “occupier” of the premises (naming them) in respect of which the notice is given, without further name or description.

General power of entry for public health inspection of premises

58.⁵⁶ **(1)** For the purpose of carrying out any of the objects of this Ordinance, it shall be lawful for the Senior Medical Officer⁵⁷, or Medical Officer or any Public Health Inspector to enter in the daytime after one hour’s notice previously given, into any dwelling house, and to enter at all reasonable hours, including all hours during which business in any premises is in progress or is usually carried on, any warehouse, store, shop, bakehouse, yard, lands or other premises whatever.

(2) Any person who obstructs any such entry as aforesaid shall be liable to a fine not exceeding £500.

Application of Ordinance to vessels, tents, etc

59. The provisions of this Ordinance shall apply to every ship, vessel, boat, tent, van, shed or similar structure used for human habitation in like manner as nearly as may be as if it were a building.

⁵⁴ Section 55(2) amended by Ord. 2 of 2007

⁵⁵ Section 56 amended by L.N. 4/1967 and Ord. 7 of 2010

⁵⁶ Section 58 amended by Ord. 2 of 2007 and Ord. 7 of 2010

⁵⁷ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

General penalties

60.⁵⁸ Any person who—

- (a) commits an offence against this Ordinance for which no penalty is specifically provided; or
- (b) wilfully obstructs the Board or any Public Health Inspector or any person duly authorised by the Board in carrying out the provisions of this Ordinance, where no penalty is specifically provided; or
- (c) violates any regulation made under this Ordinance; or
- (d) wilfully obstructs any person acting under the authority or in execution of any regulation made under this Ordinance,

shall be liable to a fine not exceeding £500 and, if the offence is a continuing one, to a daily fine not exceeding £50 a day so long as the offence occurs.

Prosecution of offenders against Ordinance

61.⁵⁹ All offenders against this Ordinance, or against any regulations made thereunder, may be prosecuted by the Board or a Public Health Inspector or by the Chief of Police⁶⁰ before the Magistrate.

Appearance before Magistrate

62.⁶¹ The Board may appear before a Magistrate by any person authorised in writing generally or in respect of any special proceeding so to appear by the Board.

Protection from personal liability

63.⁶² No matter or thing done by the Board, or any Public Health Inspector, or by any person whomsoever acting under the direction of the Board, or a Public Health Inspector, shall, if the matter or thing were done *bona fide* for the purpose of executing this Ordinance, subject them or any of them personally to any action, liability, claim or demand whatsoever.

Requirement to obtain planning permission

64.⁶³ Nothing in this Ordinance requiring any repairs, extensions, rebuilding or other improvements to be executed with respect to any premises or building in order to comply with this Ordinance shall exempt the owner or occupier thereof from obtaining planning permission under the Land Planning and Development Control Ordinance, 2008, where required by such Ordinance.

⁵⁸ Section 60 amended by Ord. 1 of 1987, Ord. 2 of 2007 and Ord. 7 of 2010

⁵⁹ Section 61 amended by Ord. 7 of 2010

⁶⁰ Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

⁶¹ Section 62 amended by Ord. 7 of 2010

⁶² Section 63 amended by Ord. 7 of 2010

⁶³ Section 64 inserted by Ord. 7 of 2010

PART VII
INTERNATIONAL HEALTH REGULATIONS

Application of International Health Regulations

65.⁶⁴ (1) The International Health Regulations⁶⁵ (as may be amended from time to time by the World Health Organization) shall, in so far as they are relevant, apply to St Helena.

(2) The Board shall be the ‘**competent authority**’ for purposes of the application of the International Health Regulations under subsection (1).

(3) The ‘**National IHR Focal Point**’ referred to in Article 4 of the International Health regulations referred to in subsection (1) means the Health Protection Agency established in the United Kingdom by section 1(1) of the Health Protection Agency Act, 2004, and which has been directed by the Secretary of State to act as such for each British Overseas Territory⁶⁶.

⁶⁴ Section 65 inserted by Ord. 7 of 2010

⁶⁵ *International Health Regulations (2005) of the WHO adopted by the fifty-eighth World Health Assembly on 23rd May 2005*

⁶⁶ *Regulation 8 of the Health Protection Agency Regulations, 2005 (SI 2005/408)*

PUBLIC HEALTH (FOOD HYGIENE) REGULATIONS – SECTION 19

(Legal Notice 12 of 2003 and 8 of 2010)

Commencement

[1 April 2010]

Short title and commencement

1. These Regulations may be cited as the Public Health (Food Hygiene) Regulations, 2003 and shall come into force on such day as the Governor may appoint by notice in the *Gazette*.⁶⁷

PART I***Preliminary*****Interpretation**

2. (1) For the purposes of these regulations —
- “**business**” includes the undertaking of a canteen, club, school, hospital or institution, whether carried on for profit or not;
 - “**certificate of exemption**”, in relation to a food business, means a certificate for the time being in force and granted in accordance with the provisions of regulation 29;
 - “**container**” includes any basket, pail, tray, package or receptacle of any kind, whether open or closed;
 - “**contamination**” includes contamination by bacteria, moulds or viruses and physical contamination by foreign bodies including rodents, dust, insects, chemicals and odours, and anything that is unusually unpleasant or a nuisance such as pieces of paper, metal, plastics or string; and “**contaminated**” shall be construed accordingly;
 - “**equipment**” includes apparatus, furnishings and utensils used for the storage, preparation and distribution of food and drink;
 - “**fish**” means cooked or uncooked fish (including cured or smoked fish) and includes any other form of sea-food;
 - “**food**” means anything intended for sale, or sold, for human consumption and includes any live or dead animal or fish or part thereof and any other article used for food or drink by humans, or any other article which ordinarily enters into or is used in the composition or preparation of human food or flavouring matters and condiments, other than drugs or water;
 - “**food business**” has the meaning assigned to it by regulation 3;
 - “**food premises**” means any premises, vehicle, stall, tent or place in, on or from which there is carried on any food business. Where food is prepared in a different place from where it is served, both places are deemed to be food premises. Where food is served in a different place from where it is consumed, both places are deemed to be food premises;
 - “**food room**” means any room in which any person engages in the handling of food or in the cleaning of equipment for the purposes of a food business, but does not include:
 - (a) a room used as a sleeping place, if the only handling of food which occurs in the room is in the course of serving food there to any occupants;
 - (b) a room communicating with a room used as a sleeping place if the only handling of food which occurs in the room is in the course of serving food

⁶⁷ Commencement date fixed by Gazette Notice No. 20 of 19 March 2010.

there to any person (not being a person carrying on a food business at the premises which include the room of a person employed by him) by whom the room is occupied as a sleeping place; or

- (c) a day room in a hospital or in a home for the reception of aged or disabled persons;

“**meat**” means the flesh (including edible offal and fat) of cattle, swine, sheep, rabbits, poultry and goats, which is sold or intended for sale for human consumption, and includes bacon and ham;

“**open food**” means food not contained in containers and so closed as to exclude all risk of contamination;

“**premises**” means a building or part of a building and any forecourt, yard or place of storage used in connection with a building;

“**preparation**”, in relation to food, includes manufacture and any form of treatment, and “**prepared**” shall be construed accordingly;

“**Public Health Inspector**” means a person appointed under section 4 of the Public Health Ordinance;

“**stall**” includes any stand, marquee, tent or mobile canteen.

(2) A person shall be deemed for the purpose of these regulations to engage in the handling of food, if for the purpose of a food business he carries out or assists in the carrying out of any process or operation in the sale of food or in the preparation, transport, storage, packing, wrapping, exposure for sale, service or delivery of food.

(3) For the purpose of these regulations, the supply of food otherwise than by sale, at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food, and references to purchasing and purchasers shall be construed accordingly; and where in connection with any business in the course of which food is supplied the place where food is served to customers is different from the place where food is consumed, both these places shall be deemed to be places in which food is sold.

Food business

3. (1) In these regulations “**food business**” means, subject to subregulation (2), any trade or business for the purposes of which any person engages in the handling of food, and includes the undertaking of a café, restaurant, catering business, the storage of food and ingredients, canteen, club, school, hospital or institution, whether carried on for profit or not.

(2) The expression “**food business**” includes commercial fishing and fishing by or for any person who is the holder of a fishing licence issued under the Fishery Limits Ordinance; but does not include any agricultural activity.

PART II

General Requirements

Food business requirements

4. (1) No food business shall be carried on in any unsanitary premises, stall or place; or in any premises, stall or place that exposes food to the risk of contamination because of the situation, construction or condition thereof.

(2) All multi-use utensils used for preparing, serving, eating, or drinking of food shall be thoroughly cleaned after each usage.

(3) Single-service containers shall be used once.

(4) Drying cloths, if used, shall be clean and reasonably dry and shall be used for no other purpose.

(5) No article, polish or other substance containing any cyanide preparation or other poisonous material shall be used for cleaning or polishing of any utensil which is used for the preparation, storage or serving of food.

(6) Without prejudice to the provisions of the preceding paragraphs, all containers (including returnable containers) intended for use with food in the course of a food business, whether or not they come into contact, or are liable to come into contact, with food, shall so far as is reasonably practicable, be protected and kept free from contamination.

Enforcement Notices

5. (1) If the Senior Environmental Health Officer has reasonable grounds for believing that the proprietor of a food business is failing to comply with any provision of these regulations regarding any process or treatment in the preparation of food, or the hygiene condition and practices affecting the commercial operations with respect to food or food sources, the Senior Environmental Health Officer may serve on the proprietor an Enforcement Notice—

- (a) stating the grounds for believing that the proprietor is failing to comply with such provisions;
- (b) specifying the matters alleged to constitute such failure;
- (c) specifying the measures which the Senior Environmental Health Officer considers necessary to secure compliance;
- (d) requiring the proprietor to take those or satisfactory equivalent measures within such period as the notice shall specify; and
- (e) if the food business is a danger to the public, requiring the food business to cease trading until the Senior Environmental Health Officer is satisfied that the required measures have been taken and that no danger to the public will continue.

(2) Any person served with an Enforcement Notice who fails without reasonable cause (the proof whereof shall lie with him) to comply with the requirements of it, shall be guilty of an offence; and if the enforcement notice makes a requirement for the cessation of food business under subregulation (1)(e), the Senior Environmental Health Officer may forthwith compel the cessation of food business pursuant to the Enforcement Notice.

PART III

Requirements Relating to Persons Engaged in the Handling of Food

Protection of food from contamination

6. A person who engages in the handling of food shall, while so engaged, protect the food from the risk of contamination, and in particular, without prejudice to the generality of the foregoing—

- (a) shall not so place the food, or permit it to be so placed, as to involve any risk of contamination, and shall not keep poisonous materials anywhere near food at any time;
- (b) shall ensure that food is kept at the correct hygienic temperature and condition at all times as specified by the Senior Environmental Health Officer or included in a Code of Practice issued or approved by the Senior Environmental Health Officer; and if not so kept, the food must be destroyed;

- (c) shall not in or about any alley, yard, market or stall place any food lower than 18 inches from the ground unless it is adequately protected by other means from risk of contamination;
- (d) shall, before displaying or offering any food for sale, ensure that any food unfit for human consumption is kept apart from any other food;
- (e) shall ensure that open food while exposed for sale, or during sale or delivery is kept covered or otherwise effectively screened from possible sources of contamination;
- (f) shall not keep in any food room any animal feed unless it is in a suitable closed container to prevent the risk of contaminating the food in the room;
- (g) shall ensure that all wholesale bagged goods are kept at least 12 inches above the floor.

Certificate of good health

7. (1) No persons whilst engaged in food business shall engage in the handling of food unless they are in possession of a certificate of good health from a medical officer, and such certificate shall be in such form as may be from time to time prescribed by the Senior Medical Officer⁶⁸.

(2) A certificate of good health shall be valid for a period of twelve months from the date of issue.

(3) Such certificate shall be kept at the principal place of employment and shall be available for inspection by the Senior Medical Officer or a Public Health Inspector.

(4) Subject to the following provisions of this regulation, as soon as any person engaged in the handling of food becomes aware that he is suffering from any fever, vomiting, diarrhoea, dysentery or other bowel disease, jaundice, persistent cough, any skin disease or any infection likely to cause food poisoning, he shall forthwith give notice of the fact—

- (a) to the occupier of the food premises, if he is engaged in the handling of food at or from food premises;
- (b) to the owner of the business, if he is engaged in the handling of food otherwise than at or from food premises;

and the owner or occupier, as the case may be shall, immediately after being notified of such fact, cause such person to cease work forthwith and notify the Senior Medical Officer.

(5) When the person referred to in subregulation (4) is himself the occupier of the food premises or the owner of the food business, as the case may be, he shall immediately cease work and give notice to the Senior Medical Officer.

(6) Without prejudice to the provisions of subregulation (1), if the Senior Medical Officer or a Public Health Inspector has reason to believe that a person engaged in the preparation or handling of food is suffering from any disease liable to cause food poisoning, he may require such person to submit to a medical examination by a medical officer, who shall issue a certificate stating whether the person is fit or unfit to engage in such work, and if the certificate states that the person is unfit for such work the person shall cease work forthwith.

(7) Any person who has ceased work under this regulation shall not resume work unless he has obtained a certificate of good health from a medical officer.

Hygiene Required

8. (1) A person who, in the course of food business, engages in the handling of food shall, while so engaged—

⁶⁸ *Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director*

This e-version of the text is not authoritative for use in court.

- (a) keep as clean as reasonably practicable all parts of his person which are liable to come into contact with the food;
- (b) keep as clean as reasonably practicable all parts of his clothing or overalls that are liable to come into contact with the food;
- (c) keep any open cut or abrasion on any exposed part of his person covered with a suitable waterproof dressing;
- (d) refrain from spitting;
- (e) refrain from the use of tobacco (including snuff) while he is handling any open food or is in any food room in which there is open food;
- (f) after using the toilet wash his hands before resumption of duties.
- (2) No person with any septic or infected cut or abrasion on any exposed part of his body shall engage in the handling or preparation of food.
- (3) A person who engages in the handling of open food shall not, while so engaged—
 - (a) carry any food in a vehicle or container along with any article from which there is risk of contamination of the food, or with any live animal or live poultry, without taking all such precautions as are reasonably practicable to avoid risk of contamination, and in particular shall not allow any live animal or live poultry to come into contact with meat or fish or other food;
 - (b) use for wrapping or containing any open food any paper or other wrapping material or container which is not clean or which is liable to contaminate the food; and in particular shall not allow any printed material other than printed material designed exclusively for wrapping or containing food, to come into contact with any food other than uncooked vegetables.

PART IV

Requirements Relating to Food Premises

Ventilation pipes

9. (1) No fresh air intake of any ventilation pipe included in the soil drainage system of food premises shall be situated in a food room.
- (2) Every inlet into such system situated in any such room shall be trapped.

Water cisterns

10. No cistern for the supply of water to a food room shall supply a sanitary convenience otherwise than through an efficient flushing cistern or some other flushing apparatus equally efficient and suitable for the prevention of contamination of water supplies.

Sanitary facilities

11. (1) All food premises shall be supplied with sanitary facilities that are, in the opinion of a Public Health Inspector, adequate.
- (2) Every sanitary convenience situated on any food premises—
 - (a) shall be kept clean and in efficient order;
 - (b) shall be so placed that no offensive odour therefrom can penetrate into any food room.
- (3) Any room or other place that contains a sanitary convenience shall be suitably and sufficiently lighted and ventilated to the satisfaction of a Public Health Inspector.
- (4) No room that contains a sanitary convenience shall be used as a food room.

(5) No room that communicates directly with a room or other place that contains a sanitary convenience shall be used—

- (a) for the handling of open food;
- (b) for the cleaning of equipment for use in any food business in the course of which open food is handled.

(6) There shall be affixed and maintained in a prominent and suitable position near every sanitary convenience situated on any food premises, a clearly legible notice requesting users to wash their hands after using a convenience.

Supply of water

12. (1) Subject to the provisions of any certificate of exemption granted under regulation 29, a supply of water sufficient in quantity to enable these regulations to be complied with shall be provided and maintained in all food premises.

(2) Any supply of water provided for the said purposes shall be clean, wholesome and potable.

Washhand basins

13. (1) Subject to the provisions of any certificate of exemption, in all food premises suitable and sufficient washhand basins for the use of all persons engaged in the handling of food on those premises shall be provided and maintained in a position conveniently accessible to such persons.

(2) Subject as aforesaid, there shall be provided and maintained for every such washhand basin an adequate supply of water.

(3) At or near every such washhand basin there shall be provided and maintained for the use of persons engaged in handling of food on the food premises, adequate supplies of soap or other suitable detergent, nail brushes and clean towels or other suitable drying facilities, that shall be used only for securing the personal cleanliness of such persons.

(4) All washhand basins so available shall be kept clean, and any taps in connection therewith shall be kept clean and in efficient working order.

First-aid equipment

14. Suitable and sufficient bandages, dressing and antiseptic for first-aid treatment shall be provided and maintained in all food premises in a readily accessible position, for the use of persons engaged in the handling of food on those premises.

Cupboards or locker accommodation

15. Except where adequate provision is made elsewhere than in a food room, suitable and sufficient cupboards or locker accommodation shall, subject to the provisions of any certificate of exemption, be provided and maintained in all food premises, other than food premises in which no open food is handled, for the clothing and footwear not worn during working hours of all persons engaged in the handling of food on those premises.

Sinks or other facilities

16. (1) Subject to the provisions of any certificate of exemption and to the provisions contained in subregulation (2)—

- (a) there shall be provided and maintained to the satisfaction of a Public Health Inspector in all food premises suitable and sufficient sinks or other facilities (not being washhand basins mentioned in regulation 13(3)) for washing food and equipment used in the food business;
 - (b) for every such sink or other facility there shall be provided and maintained to the satisfaction of a Public Health Inspector an adequate supply either of hot and cold water or of hot water at a suitably controlled temperature, but a supply of cold water shall be sufficient for any sink or other facility not used for any other purpose than the washing of fish, tripe, animal casings, fruit or vegetables;
 - (c) all sinks and other facilities available for the said purposes shall be kept clean and in efficient working order;
 - (d) there shall be provided and maintained for use at all such sinks and other facilities adequate supplies of soap or other suitable detergent and clean cloths or other adequate and suitable cleaning and drying facilities.
- (2) Nothing contained in subregulation (1) shall apply in relation to food premises where open food is not handled.

Lighting

17. Suitable and sufficient means of lighting shall be provided in every food room, and every such room shall be suitably and sufficiently lighted to the satisfaction of a Public Health Inspector.

Ventilation

18. Except in the case of a humidity-controlled or temperature-controlled chamber, suitable and sufficient means of ventilation shall be provided in every food room, and suitable and sufficient ventilation shall be maintained there to the satisfaction of a Public Health Inspector.

Sleeping places

19. (1) No food room shall be used as a sleeping place, and no sleeping place shall be used as a food room.

(2) Subject to the provisions of any certificate of exemption, no food room that communicates directly with a sleeping place shall be used for the handling of open food.

Structure of food room

20. (1) The walls, floors, doors, windows, ceiling, woodwork and all other parts of the structure of every food room shall at all times be kept clean and shall be kept in such good order, repair and condition as to—

- (a) enable them to be effectively cleaned; and
- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice and insects and the entry of birds.

(2) Where at any time after the coming into operation of these regulations any works affecting the structure (other than mere removal of part of the structure) are executed, the structure affected by such works shall after completion of the works be such as to—

- (a) enable it to be effectively cleaned; and

- (b) prevent, so far as is reasonably practicable, any risk of infestation by rats, mice and insects and the entry of birds.

Refuse or filth

21. No refuse or filth, whether solid or liquid, shall be deposited or allowed to accumulate in a food room except so far as may be unavoidable for the proper carrying on of the trade or business, and any such refuse or filth shall be removed as soon as is practicable, and in any case before the end of each working day.

PART V

Requirements Relating to Stalls

General requirements

22. (1) Every stall from which a food business is carried on shall—
- (a) subject to the provisions of any certificate of exemption, bear conspicuously the name and address of the person carrying on the business;
 - (b) to the satisfaction of a Public Health Inspector be kept clean and in such good order, repair and condition as to enable it to be effectively cleaned; and
 - (c) be provided with suitable and sufficient means of lighting and shall be suitably and sufficiently lighted to the satisfaction of a Public Health Officer.
- (2) No such stall shall be used as a sleeping place.
- (3) All foods shall be kept at a safe temperature—
- (a) outside the temperature zone (5 degrees to 63 degrees Celsius); and
 - (b) food intended to be sold hot shall be kept at the correct hot temperature, and food intended to be sold cold shall be kept at the correct cold temperature.

Meat and fish stalls

23. (1) Every stall from which meat or fish is sold or exposed for sale for human consumption—

- (a) shall (if not in an enclosed and covered market place) be suitably covered over and be screened at the sides and back thereof in such a manner as to prevent any mud, filth or other contaminating substance from being deposited upon any meat or fish therein;
- (b) shall be provided with a sufficient number of suitably covered receptacles for waste trimmings, refuse and rubbish.

(2) Any such receptacle shall be constructed of impervious materials or shall be replaced as often as may be necessary to prevent the accumulation of obnoxious matter, and shall be kept apart from any meat or fish intended for sale.

(3) Every person engaged in the handling of meat or fish from any such stall shall place all waste trimmings, refuse or rubbish in the receptacles provided therefore.

Provision and maintenance of stalls

24. Subject to any certificate of exemption, there shall be provided and maintained for use in connection with every food business which is carried on from a stall and which consists wholly or partly of the supply of open food for immediate consumption—

- (a) an adequate supply of clean and wholesome water;

- (b) adequate supplies of soap or other suitable detergent, nail brushes and clean towels or other suitable drying facilities, which shall be used only for securing the personal cleanliness of persons working at or about the food business;
- (c) suitable and sufficient sinks or other facilities for washing food and equipment used in the food business; such sinks and other facilities to be kept in efficient working order and to be provided with adequate supplies of water, soap or other suitable detergent and of clean cloths or other suitable cleaning or drying facilities.

PART VI

Requirements relating to the Transport and Carrying of Meat, Fish etc

Vehicles used in the course of a food business

25. (1) The following provisions shall apply with respect to all vehicles used in the course of a food business for the transport of meat and fish or either of them, being meat and fish which is open food—

- (a) except in the case of a closed van, the vehicle shall be covered by canvas or other washable material supported on frames or poles so as to enclose completely that part of the vehicle in which meat or fish is placed, and so far as is reasonably practicable the cover shall not be allowed to come into contact with the meat or fish;
- (b) the floor shall be impervious and fitted with movable duck boards in such a manner as to prevent the meat or fish or its wrappings from touching the floor of the vehicle;
- (c) any receptacle or duck board in or on which the meat or fish is placed and such parts of any slings, implements or other equipment used for the loading or unloading of meat or fish as come in contact with the meat or fish or its wrappings shall be kept clean and in a proper state of repair;
- (d) every such vehicle shall be provided with a sufficient number of suitable receptacles to contain separately all offal (other than offal that has not been detached from the carcass) transported in the vehicle, which receptacles shall be constructed of impervious materials kept clean and in such good order, repair and condition as to enable them to be thoroughly cleaned;
- (e) no offal shall be transported in any such vehicle except in the separate receptacles provided therefore:

Provided that sub-paragraphs (a) and (b) shall not apply in relation to the transport of meat and fish on isolated occasions in the course of the business of a carrier if the meat or fish is adequately protected by suitable material from the risk of contamination.

(2) Subregulation (1)(a) and (b) shall apply *mutatis mutandis* to a bread van and a fresh milk van.

Protective clothing

26. Every person who in the course of a food business carries meat and fish or either of them, being meat and fish which is open food, otherwise than in the course of distribution by a retailer to its customers, shall while so engaged wear a clean and washable overall, and, if the meat or fish is liable to come into contact with his or her neck or head a clean and washable head covering:

Provided that this regulation shall not apply in relation to the transport of meat and fish in the course of a business of a carrier in which the vehicle used for the transport is not

ordinarily used for the transport of meat and fish if the person carrying the meat or fish takes all such other precautions as are reasonably practicable to prevent the meat or fish coming into contact with any exposed part of the person or with any clothing other than an overall.

Inspections and examinations

27. (1) The Senior Medical Officer⁶⁹ or a Public Health Inspector may at all reasonable times enter any premises and inspect and examine, and may in any street or other public place inspect and examine, any food sold or exposed for sale or deposited in any place, or in the course of transmission for the purpose of sale, preparation or manufacture for sale.

(2) The Senior Medical Officer or a Public Health Inspector may condemn and seize and carry away or cause to be carried away any food which appears to him to be diseased, unsound, unwholesome or unfit for human consumption and may cause any such food to be destroyed or otherwise disposed of.

(3) The expenses incurred in destroying or otherwise disposing of any food condemned in accordance with the provisions of this regulation shall be a debt due by the owner of the food and may be recovered on an information laid by or on behalf of the person by whom such expenses were incurred in a summary manner before a magistrate from the owner or from the person who is in possession of such food.

(4) No person having in his possession any food which is diseased, unsound, unwholesome or unfit for human consumption shall give, sell or consign any such food to any other person or to any firm, business, organisation, institution or association.

(5) Every person having in his possession any food which is diseased, unsound, unwholesome or unfit for human consumption shall destroy or dispose of such food to the satisfaction of the Senior Medical Officer or a Public Health Inspector:

Provided that any such person may request a Public Health Inspector to remove and dispose of any such food, and a Public Health Inspector shall cause it to be removed and disposed of, and such person shall pay a reasonable sum for such removal and disposal.

(6) The proof that any food was not sold, exposed or deposited or in course of transmission for the purpose of sale, preparation or manufacture for sale or was not diseased, unsound, unwholesome or unfit for human consumption shall rest upon the person alleging the same.

PART VII

Administrative Provisions

Registration and licensing

28. (1) No persons shall carry on a food business until they have registered such food business with, and has received a licence permitting them to carry on such food business from the Senior Environmental Health Officer and has paid the prescribed fees.

(2) A licence to carry on a food business shall be valid for a period of twelve months from the date of issue, but may be suspended or withdrawn at any time by the Senior Environmental Health Officer upon the violation of any provisions of these regulations by the person to whom the licence has been granted or by his agent, if any, in charge of the food business:

Provided however, that a licence to carry on a food business from a stall shall be valid for such period during which the food business is intended to be carried on from such stall.

⁶⁹ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

(3) The licence shall be displayed in some conspicuous place in the food premises, and if the licence is removed, damaged, hidden or obscured or allowed to become illegible, the person to whom the licence has been granted and his agent, if any, in charge of the food business, shall be guilty of a breach of this regulation.

(4) If a licence to carry on a food business is refused, suspended or withdrawn, the proprietor of the food business or his agent as aforesaid may appeal to the Magistrates Court, and the court may make such order concerning the licence as appears to be just and equitable.

(5) The fees set out in the Schedule to these regulations shall be payable in respect of the several matters set out therein.

Certificate of exemption

29. (1) In granting a licence to carry on a food business, the Senior Environmental Health Officer may grant a certificate to the effect that compliance with any of the provisions of the regulations specified in subregulation (4) cannot be reasonably required with respect to the premises in which it is intended to carry on such food business or to any activities carried on therein, and those premises shall be exempt from the provisions mentioned in the licence for such time and on such conditions as is specified in the certificate of exemption.

(2) Such a certificate of exemption shall not be granted by the Senior Environmental Health Officer with respect to any food premises unless he is satisfied that by reason of restricted accommodation or other special circumstances affecting the premises it is reasonable that such a certificate should be in force with respect thereto.

(3) The Senior Environmental Health Officer may withdraw any such certificate of exemption if at any time he ceases to be satisfied as aforesaid.

(4) The provisions of the regulations referred to in paragraph (1) are regulation 11, regulation 12(1), regulation 13(1) and (2), regulation 15, regulation 16(1)(a) and (b), regulation 19(2) and regulation 22(1)(a).

Offences

30. (1) The occupier of any food premises who fails to comply with the requirements of these regulations with respect to the structure of, or provision of fixtures at or in, the food premises, shall be guilty of an offence under these regulations.

(2) The owner or the person in charge of any food business who fails to comply with the requirements of these regulations as to the provision of any equipment (including cloths, towels, or other drying facilities and soap or other detergents) on the food premises where such business is carried on, shall be guilty of an offence under these regulations.

(3) Any person engaged in the handling of food who fails to comply with any provision of these regulations, other than a provision referred to in subregulations (1) and (2), or if the occupier of any food premises, or the owner of any food business, or any other person for the time being having the control or management of a food business, fails to take all reasonable steps to secure compliance therewith by any person employed by him or under his control, shall be guilty of an offence under these regulations.

Punishment for offences

31. Any person guilty of an offence under these regulations shall be liable on summary conviction to a fine not exceeding £500 or to imprisonment for a term not exceeding 18 months, or to both such fine and imprisonment, and, in the case of a continuing offence, to a

further fine of £25 for each day or part of a day during which the offence continues after a conviction is first obtained.

Repeal

32. The Food Hygiene Regulations⁷⁰ are repealed.

SCHEDULE⁷¹

Fees	
Registration of a food business	£25
Licence to carry on a food business (for a period of 12 months)	£15
Licence to carry on a food business from a stall	£2 per day.

⁷⁰ *Legal Notice 25 of 1977*

⁷¹ *Schedule substituted by LN 8 of 2010*

BAKEHOUSE REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title
2. Registration of premises
3. Applications for registration
4. Inspection, registration and certification of premises
5. Fees for certificate
6. List of employees
7. Restriction on entry of premises
8. Cleanliness of premises
9. Cleanliness of utensils
10. Use of unclean utensils, etc
11. Expectoration
12. Personal cleanliness
13. Washing and sleeping in bakehouses
14. Restriction on baking and selling bread, etc

BAKEHOUSE REGULATIONS – SECTION 19

(Legal Notices 3 of 1940, 4 of 1967 and Ordinances 2 of 1967 and 7 of 2010)

Short title

1. These regulations may be cited as the Bakehouse Regulations.

Registration of premises

2. No premises shall be used as a bakehouse unless the same shall have been duly registered in accordance with the provisions of the Public Health Ordinance.

Applications for registration

- 3.⁷² Every person desirous of carrying on a bakehouse shall in accordance with section 17(1) of the Ordinance, make an application in writing to the Board, to have the same registered as such, and to have him or herself registered as owner or manager thereof.

Inspection, registration and certification of premises

- 4.⁷³ On receiving an application to register a bakehouse it shall be the duty of the Board to proceed within three days thereafter to inspect the premises and, if the condition of the premises complies with the requirements of sections 15(1) and 18 of the Ordinance, to register and certify the same in the name of the applicant.

Fees for certificate

⁷² Regulation 3 amended by Ord. 7 of 2010

⁷³ Regulation 4 amended by Ord. 7 of 2010

5.⁷⁴ (1) There shall be paid to the Board for such certificate, previous to the issue thereof, the sum of 50 pence.

(2) The fee for medical examination and issue of certificate to persons working at or in connection with a bakery shall be 25 pence *per annum* payable to the Senior Medical Officer⁷⁵.

List of employees

6. The owner or manager of any bakehouse shall keep in some conspicuous place therein, a list of the names of the persons employed thereat or in connection therewith. The name of each such employee shall correspond with the name on the medical certificate held by such employee, and shall be legibly written in such list.

Restriction on entry of premises

7. No person shall be allowed in any bakehouse, except the owner or manager thereof and persons employed therein and certified in accordance with section 13(1) of the Ordinance.

Cleanliness of premises

8. The floor, ceilings and inside walls and roofings of any bakehouse must be kept clean and free from dust to the satisfaction of the Public Health Inspector.

Cleanliness of utensils

9. All receptacles kept in any bakery with flour or any other ingredients to be used in the preparation of articles of food to be baked for human consumption; together with all flour or other ingredients so kept and intended to be used as hereinbefore mentioned; and any machinery, apparatus or implement in any bakery for use in the manufacture of any such article of food as aforesaid; shall be kept thoroughly clean and in good condition, free from mould, vermin or any deleterious matter whatever.

Use of unclean utensils, etc

10. No person employed in or about any bakehouse shall knowingly use in the preparation or manufacture therein of any article of food to be baked for human consumption, any ingredients, receptacle, machinery, apparatus or implement unless the same be thoroughly clean and in good condition and free from mould, vermin or any deleterious matter whatever.

Expectoration

11. No person in any bakehouse shall expectorate on any portion thereof.

Personal cleanliness

12. Every person employed at or in any bakehouse—

(a) shall be attired in clean clothes;

(b) shall have clean hands and forearms when kneading dough or handling any ingredients used in the preparation of any article of food to be baked for human

⁷⁴ Regulation 5 amended by Ord. 2 of 1967 and Ord. 7 of 2010

⁷⁵ Gazette Notice No. 63 of 1 July 2011: Senior Medical Officer/Clinical Director

consumption, and the owner or manager thereof shall be held responsible that this Regulation is observed.

Washing and sleeping in bakehouses

13. No clothing or wearing apparel of any kind or bedding shall be hung or spread in the place used as a bakehouse, nor shall the washing of clothes or private cooking be allowed in the bakehouse, and no one shall be allowed to sleep therein either by day or by night.

Restriction on baking and selling bread, etc

14. No person other than those mentioned in the application for registration, and who have obtained the necessary medical certificate, shall be allowed to take part in the baking or selling of any bread, cakes or food in the bakehouse.

SLAUGHTERHOUSE REGULATIONS**ARRANGEMENT OF REGULATIONS****PART 1
PRELIMINARY****REGULATION**

1. Short title
2. Interpretation

**PART 2
CERTIFICATION AND USE OF SLAUGHTERHOUSES**

3. Certification of slaughterhouses
4. Form and display of certificate
5. Animals to be slaughtered in slaughterhouses if meat intended for sale for human consumption
6. Exemption certificates

**PART 3
CONSTRUCTION OF SLAUGHTERHOUSES**

7. Lay-out of slaughterhouse
8. Outside areas
9. Accommodation
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12. Ceilings
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15. Construction to be bird, vermin and insect proof
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20. Escaping wastes to be avoided

**PART 4
EQUIPMENT**

21. Equipment
22. First-aid materials

**PART 5
HYGIENIC PRACTICES**

23. Meat inspection
24. Admission of animals and carcasses to a slaughterhouse
25. Dressed carcasses of animals slaughtered elsewhere

- 26. Animals not intended for slaughter for human consumption not to be brought into slaughterhouse
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- 30. Slaughtering diseased animals
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- 50. Control of vermin
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PART 6
OFFENCES

- 52. Slaughterhouse offences
 - 53. Penalties
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-

SLAUGHTERHOUSE REGULATIONS – SECTION 19

(Legal Notices 1 of 1999, 14 of 2000, 12 of 2006, 12 of 2009 and 26 of 2009 and Ordinance 7 of 2010)

PART I
PRELIMINARY

Commencement

[1 July 1999]

Short title

1. These regulations may be cited as the Slaughterhouse Regulations.

Interpretation

2. (1) In these regulations—
“**animals**” means cattle, swine, sheep and goats;
“**authorised officer**” means the Public Health Inspector or a public officer authorised by him;
“**carcasses**” includes parts of carcasses;
“**Committee**”⁷⁶ ...
“**lairage**” means (except in regulation 27) the part of a slaughterhouse that is used for the confinement of animals awaiting slaughter there;
“**meat**” means the flesh of animals, including fat and offal;
“**offal**” means meat other than that of the carcass whether or not naturally connected to the carcass;
“**slaughterhall**” means the part of the slaughterhouse in which animals are slaughtered or carcasses are dressed;
“**slaughterhouse**” means a place for slaughtering animals, the flesh of which is intended for sale for human consumption, and includes any place available in connection with the slaughterhouse—
(a) for the confinement of animals while awaiting slaughter there; or
(b) for keeping, or subjecting to any treatment or process, products of the slaughtering of animals there, but does not include any place available in connection with a slaughterhouse and used solely for the manufacture of bacon and ham, sausages, meat pies, or other manufactured meat products, or for the storage of meat used in such manufacture;
“**workroom**”, in respect of a slaughterhouse, means any room forming part of the slaughterhouse in which meat is prepared for any purpose.

PART 2
CERTIFICATION AND USE OF SLAUGHTERHOUSES

Certification of slaughterhouses

- 3.⁷⁷ (1) A person must not operate premises as a slaughterhouse unless the use of those premises for that purpose has been authorised by a certificate issued by the Board.

⁷⁶ Definition of “Committee” substituted by LN 26 of 2009 and repealed by Ord. 7 of 2010

⁷⁷ Regulation 3 amended by Ord. 7 of 2010

(2) The Board must not issue (whether on the first or on any subsequent occasion) a certificate for the purpose of subregulation (1) until it has satisfied itself that the premises comply with the standards prescribed by these regulations.

(3) A certificate issued for the purpose of subregulation (1) is valid for 1 year from its date of issue unless—

- (a) it is sooner terminated by the Board in accordance with subregulation (4) or by a court in accordance with regulation 53(2); or
- (b) it ceases to be valid by virtue of subregulation (5).

(4) The Board may, after giving the occupier of a slaughterhouse 14 days in which to be heard, by written notice to that occupier terminate the certificate issued in respect of the slaughterhouse for the purpose of subregulation (1) if it is satisfied that—

- (a) the slaughterhouse no longer complies with the standards prescribed by these regulations; or
- (b) the slaughterhouse is not being operated in accordance with these regulations.

(5) If the layout of a slaughterhouse in respect of which a certificate issued under this regulation is in force is substantially changed without the Board first giving its approval to the changes that certificate ceases to be valid unless the Board otherwise directs after it has satisfied itself that the slaughterhouse as changed continues to comply with the standards prescribed by these regulations.

Form and display of certificate

4.⁷⁸ (1) A certificate issued for the purpose of regulation 3(1) must specify—

- (a) the name of the occupier and, if different, the name of the owner of the slaughterhouse; and
- (b) the extent of the premises that may be used as a slaughterhouse; and
- (c) the dates of issue and expiry of the certificate,

and must be signed by the chairman of the Board but may otherwise be in a form approved by the Board.

(2) The occupier of a slaughterhouse in respect of which a certificate issued in accordance with regulation 3(1) is in force must display the certificate in a conspicuous place in the slaughterhouse where it may be read by an authorised officer and by any person using the slaughterhouse.

Animals to be slaughtered in slaughterhouses if meat intended for sale for human consumption

5. (1) Except as provided by subregulation (2), if it is intended that the meat of an animal is to be sold for human consumption the animal must be slaughtered in a slaughterhouse.

(2) A person may slaughter an animal, the meat of which is intended for sale for human consumption, otherwise than in a slaughterhouse—

- (a) if the animal is considered by the person in charge of it to be in such distress that to move it to a slaughterhouse for slaughter would be inhumane; and
- (b) the person is in possession of a certificate issued by an authorised officer in accordance with regulation 6 authorising the person to slaughter the animal otherwise than in a slaughterhouse; and
- (c) the person complies with any conditions specified in that certificate.

⁷⁸ Regulation 4 amended by Ord. 7 of 2010

Exemption certificates

6. (1) An authorised officer may on the application of the person in charge of an animal issue the person with a certificate authorising the person to slaughter the animal otherwise than in a slaughterhouse if he is satisfied that there is good reason for doing so.

(2) A certificate referred to in subregulation (1) must contain—

- (a)* the name and address of the person in charge of the animal; and
 - (b)* a description of the animal including any identification marks; and
 - (c)* the location where the animal may be slaughtered; and
 - (d)* the date and time of slaughter; and
 - (e)* the reason why the animal needs to be slaughtered otherwise than in a slaughterhouse; and
 - (f)* any conditions to be complied with at and after the time of the slaughter,
- and must be signed and dated by the authorised officer that issued it.

PART 3

CONSTRUCTION OF SLAUGHTERHOUSES

Lay-out of slaughterhouse

7. A slaughterhouse must be arranged so as—

- (a)* to provide adequate space and facilities for the efficient performance of slaughtering, dressing, meat inspection and other related activities; and
- (b)* to permit clean operations to be carried out adequately separated from those operations liable to give rise to contamination or pollution; and
- (c)* to permit the functioning of all operations under hygienic conditions.

Outside areas

8. The access paths and roads to a slaughterhouse must be sealed with smooth pavement which must be—

- (a)* adequately drained; and
- (b)* kept clean and in good repair,

so as to minimise as far as is reasonably possible the entry into the slaughterhouse of soil and mud carried on the wheels of vehicles and the footwear of pedestrians.

Accommodation

9. A slaughterhouse must contain—

- (a)* suitable and sufficient lairage or a partially shaded field, pasture or other proper open facility where animals awaiting slaughter may be confined or restrained; and
- (b)* suitable and sufficient space to hang meat to allow air to circulate freely between the carcasses; and
- (c)* suitable and sufficient refrigerated accommodation to store meat, unless all meat is to be removed from the slaughterhouse within 8 hours of the slaughter of the animals from which the meat is derived; and
- (d)* suitable and sufficient covered accommodation and facilities apart from the slaughterhall and hanging space to empty and clean stomachs and intestines; and

- (e) suitable, sufficient and separate facilities in which to isolate meat requiring further examination by an authorised officer; and
- (f) suitable and sufficient facilities away from all other meat in which to retain meat rejected as being unfit for human consumption; and
- (g) suitable, sufficient and separate accommodation to store hides and skins unless hides and skins are taken away each day.

Construction of interior walls

10. (1) The interior wall surfaces of a room in which stomachs and intestines are emptied and cleaned, a room used for the retention of meat rejected as being unfit for human consumption and each workroom, hanging room and slaughterhall—

- (a) must be faced with smooth, durable, impermeable, non-toxic, non-flaking and washable material of a light colour—
 - (i) up to a height of not less than 3 metres from the floor or the full height of the room, being whichever is the lower; or
 - (ii) in the case of rooms used solely for cutting or boning meat or the packing of cut or boned meat up to a height of not less than 2 metres; or
- (b) where an authorised officer is satisfied that (a) is not practical the walls must be thoroughly limewashed each month but, if shorter intervals are prescribed by the authorised officer, at those intervals.

(2) If a slaughterhouse—

- (a) is renovated or added to; or
- (b) starts operating,

after 1999 the angles between the floor and the surfaces of the walls referred to in subregulation (1) and between adjacent surfaces of those walls must be rounded.

Floors

11. (1) The floor in a lairage, a room in which stomachs and intestines are emptied and cleaned, a room used for the retention of meat rejected as being unfit for human consumption and each workroom, hanging room and slaughterhall must be—

- (a) of impermeable non-slip material; and
- (b) so constructed and kept in such order, repair and condition as to enable them to be thoroughly cleaned.

(2) The floor in a slaughterhall or a workroom must be laid so as to have a fall of not less than 50 millimeters in every 3 metres (i.e. a gradient of 1 in 60).

Ceilings

12. The ceiling in a slaughterhouse and, if there is no ceiling, the interior surface of the roof, and all interior surfaces not referred to in regulations 10 (interior walls) and 11 (floors) must be—

- (a) so constructed and finished as to minimise condensation, mould development, flaking and the lodgement of dirt; and
- (b) so kept in good order, repair and condition as to enable them to be thoroughly cleaned.

Lighting

13. (1) A slaughterhouse must have well distributed natural or artificial light, or a mixture of both, of an overall intensity—

- (a) of not less than 220 lux throughout the slaughter hall and workrooms; and
- (b) of not less than 540 lux where meat inspection is carried out.

(2) The artificial light referred to in subregulation (1) must be such that it does not distort the natural colour of meat.

Ventilation

14. (1) A slaughterhouse must have a suitable and sufficient means of ventilation to the external air (except in the case of a humidity controlled or a temperature-controlled chamber).

(2) The ventilating apparatus must be kept in good operational working order.

Construction to be bird, vermin and insect proof

15. Rooms used for the preparation and storage of meat must be constructed so as to prevent, as far as is reasonably practicable—

- (a) the entry of birds; and
- (b) the risk of infestation by vermin and insects.

Supply of water

16. (1) A slaughterhouse must have—

- (a) a sufficient, clean and wholesome supply of water available at an adequate pressure throughout the premises; and
- (b) a sufficient, clean, and wholesome supply of hot water available in the slaughter hall and workrooms during working hours which supply must also be constant and under adequate pressure.

(2) Any water stored in a slaughterhouse must be contained in covered tanks that must be maintained in a clean state.

Washing facilities

17. (1) A slaughterhouse must have at places readily accessible to the workrooms and sanitary conveniences suitable facilities for people working in the slaughterhouse to wash their hands.

(2) The hand-washing facilities referred to in subregulation (1) must—

- (a) be situated—
 - (i) as close as possible to the work-stations of the people working in the slaughterhouse; and
 - (ii) within those parts of the slaughterhouse containing sanitary conveniences; and
- (b) be adequately supplied with hot and cold or warm running water at a suitable temperature.

(3) A slaughterhouse must have suitable and sufficient arrangements, not being a part of the premises which may at any time contain meat, where people working in the slaughterhouse may change their clothes.

(4) A slaughterhouse must have at each entrance suitable facilities for washing boots.

Sanitary conveniences

18. (1) A sanitary convenience available for use in connection with a slaughterhouse must—

- (a) be supplied with water by means of a suitable flushing appliance; and
 - (b) be situated in a room that does not communicate directly with a room in which stomachs and intestines are emptied and cleaned, a room used for the retention of meat rejected as being unfit for human consumption, any other workroom, the hanging room or the slaughterhall.
- (2) Any part of a slaughterhouse which contains a sanitary convenience must—
- (a) be suitably and sufficiently lighted and ventilated; and
 - (b) be constructed so as to ensure that offensive odours from sanitary conveniences do not penetrate to a part of the slaughterhouse which may at any time contain meat.

Drains

19. (1) A slaughterhouse must have satisfactory drainage, with traps for solids, which must be maintained in proper working order.

(2) A fresh air intake or ventilation pipe included in the soil drainage system of a slaughterhouse must not be located inside a slaughterhouse building.

(3) The surface drainage of a slaughterhouse must not be used for anything not produced during the slaughtering process.

(4) The drainage of a slaughterhouse must flow from the clean areas of the slaughterhouse to the dirty areas of the slaughterhouse.

Escaping wastes to be avoided

20. A slaughterhouse must be constructed and maintained so as to prevent the deposit, flow or seepage of solids or contaminated liquids on to adjacent property.

PART 4 EQUIPMENT

Equipment

21. (1) In a slaughterhall or a workroom—

- (a) the equipment and fittings must be of a durable and impermeable material resistant to corrosion and of such construction as to enable them to be kept clean; and
- (b) the use of absorbent materials such as wood and natural fibres for such items such as chopping blocks, cutting surfaces, brooms, the handles of implements (including knife handles) and the ropes for hoists must be kept to an absolute minimum.

(2) Sterilizing equipment containing water at a minimum temperature of 82°C must be provided in a slaughterhall and close to or in each workroom where meat is cut to clean and disinfect knives and other equipment.

(3) A slaughterhouse must have a suitable system—

- (a) for suspending an animal by one rear leg so that it may be slaughtered; and
- (b) for suspending its carcase by both rear legs so that it may be dressed, hung and inspected,

which must be of sufficient height and position to prevent a suspended carcase from contacting the floor or any other structure.

(4) A slaughterhouse must have suitable and sufficient receptacles for collecting and removing from the slaughterhouse blood, stomachs, intestines, trimmings, inedible fats, horns, hooves, manure, refuse and meat rejected for human consumption which receptacles must—

- (a) be separately identified for their intended contents; and
- (b) have closely fitting covers.

First-aid materials

22. There must be available in a readily accessible position in a slaughterhouse for the first-aid treatment of people working in the slaughterhouse suitable and sufficient bandages and dressings, including waterproof dressings.

PART 5 HYGIENIC PRACTICES

Meat inspection

23. (1) A person must not slaughter an animal intended to provide meat for sale for human consumption unless—

- (a) he has given an authorised officer at least 48 hours notice of his intention to do so; or
- (b) he has a written standing arrangement with an authorised officer to slaughter animals at a slaughterhouse at an arranged time, and he is slaughtering at that time; or
- (c) where the animal is being slaughtered otherwise than in a slaughterhouse, because the person in charge of it considers it to be in such distress that to move it to a slaughterhouse would be inhumane, he has given an authorised officer as much notice as is reasonably possible and the animal is slaughtered at the date and time stated in the certificate issued under regulation 6.

(2) A person must not release for sale for human consumption the meat or offal of a slaughtered animal unless the slaughtered animal has been examined by an authorised officer.

(3) All meat that is intended for sale for human consumption, that has been inspected by an authorised officer, shall be marked by an appropriate meat stamp.

Admission of animals and carcasses to a slaughterhouse

24. (1) A person must not bring or permit to be brought into a slaughterhouse an animal which he knows or suspects is injured unless—

- (a) the animal on arrival at the slaughterhouse is slaughtered without delay; and
- (b) an authorised officer is immediately advised by the most convenient method of the circumstances.

(2) A person must not bring into or permit to be brought into or to remain in a slaughterhouse the carcase of an animal which has died or has been killed and not bled unless—

- (a) the animal died in transit to the slaughterhouse; and

- (b) an authorised officer is immediately advised by the most convenient method of the circumstances.
- (3) The undressed carcase of an animal must not be brought into a slaughterhouse except by a person who is able to—
 - (a) explain the reason for its slaughter; and
 - (b) give details of any veterinary treatment given to the animal; and
 - (c) give particulars of any drug or medicine recently administered to the animal, to the satisfaction of an authorised officer.

Dressed carcasses of animals slaughtered elsewhere

25. A person must not bring into, or permit to be brought into or to remain in a slaughterhouse the dressed carcase of an animal slaughtered otherwise than in a slaughterhouse unless—

- (a) the carcase—
 - (i) (with or without its offal) is accompanied by a certificate of an authorised officer certifying that the carcase and its offal have been inspected and passed as fit for human consumption; or
 - (ii) is accompanied by all its offal, including the stomach and intestines, for examination by an authorised officer; and
- (b) the carcase is brought in by a person who is able to—
 - (i) explain the reason for the slaughter of the animal; and
 - (ii) give details of any veterinary treatment given to the animal; and
 - (iii) give particulars of any drug or medicine recently administered to the animal, to the satisfaction of an authorised officer.

Animals not intended for slaughter for human consumption not to be brought into slaughterhouse

26. (1) A person must not bring into, or permit to be brought into or remain in a slaughterhouse an animal or domestic bird not intended for slaughter for human consumption.

(2) Notwithstanding the meaning of ‘animal’ set out in regulation 2, for the purpose of this regulation the term ‘animal’ shall include dogs, cats and donkeys.

Lairage

27. (1) In this regulation "**lairage**" means a covered lairage forming part of a slaughterhouse used for the confinement of animals awaiting slaughter there, but does not include a field, pasture or other open lairage whether or not forming part of a slaughterhouse.

(2) A person must not keep or permit to be kept in a lairage for a period exceeding 72 hours an animal intended for slaughter unless an authorised officer has given his written consent that it may be kept there for a longer period.

Animal slaughter

- 28. (1)** The occupier of a slaughterhouse must ensure that an animal—
- (a) is rested and comfortable before slaughter; and
 - (b) is brought or followed to the place of slaughter quietly; and
 - (c) is adequately restrained so that it retains its composure and dignity; and
 - (d) is slaughtered humanely using a stunning gun or electrothaler; and

- (e) is released from its restraints as soon as possible after stunning and hoisted by one hind limb or both so that its head is clear of the floor; and
- (f) is bled deftly as soon as it is fully suspended; and
- (g) is dressed as soon as bleeding is completed.
- (2) The occupier of a slaughterhouse must not—
 - (a) permit a living animal to see another animal being slaughtered or dressed; or
 - (b) permit a person with no direct interest in the slaughter of an animal to be present at its slaughter.

(3) The occupier of a slaughterhouse must ensure that the slaughter of an animal is carried out in a manner that does not endanger the safety of anyone present at the slaughter.

Slaughtering pigs

29. The occupier of a slaughterhouse that does not have separate accommodation for slaughtering and dressing pigs must ensure that—

- (a) pigs are slaughtered at separate times from other animals; and
- (b) if cattle or sheep are to be slaughtered following the slaughter of pigs the slaughterhall shall be thoroughly cleaned before the slaughter of any other animal.

Slaughtering diseased animals

30. The occupier of a slaughterhouse must ensure that an animal intended for slaughter that is known or suspected to be diseased is slaughtered in a different place from other animals.

Operations to be kept separate

31. The occupier of a slaughterhouse must ensure adequate separation of the clean operations in the slaughterhouse from those operations liable to give rise to contamination or pollution, so as to achieve the functioning of all operations under hygienic conditions.

Protection of meat

32. The occupier of a slaughterhouse must ensure that where the meat of an animal to be slaughtered in the slaughterhouse is intended for sale for human consumption it is adequately protected from the risk of contamination at all stages of the slaughtering and dressing processes and during storage, and, in particular, he must—

- (a) ensure that the dressing process is not carried out on the floor and that the carcase does not come into contact with the floor or with a surface on which a slaughterman normally stands in any part of the slaughterhall; and
- (b) ensure that—
 - (i) pigs are either completely flayed after bleeding or de-haired; and
 - (ii) immediately after the completion of bleeding cattle, sheep and goats are completely flayed, including their heads; and
- (c) ensure that during flaying the outside of the hide of the carcase does not come into contact with the newly exposed meat; and
- (d) ensure that flaying is carried out in a manner that ensures that the hide does not come into contact with the floor; and
- (e) ensure that during the flaying of a cow its teats are not excised and are left intact for removal with the udder from the carcase; and

- (f) ensure that no incision is made into the substance of any udder except by or on the direction of an authorised officer; and
- (g) ensure that each hide is removed from any part of the slaughterhouse containing meat or blood intended for human consumption as soon as possible after it has been separated from the carcass, every such hide being removed from the slaughterhall in such a way that it does not come into contact with the floor; and
- (h) ensure that evisceration is carried out without delay and that—
 - (i) adequate precautions are taken to reduce to a minimum the risk of discharge of materials and fluids from the alimentary tract, urinary bladder and any uterus of the animal; and
 - (ii) offal for human consumption is removed from the carcass in such a way as to avoid contamination of the offal or the carcass; and
 - (iii) viscera do not come into contact with the floor; and
 - (iv) subject to the requirements of meat inspection of the animal, viscera are removed from the slaughter hall unopened as soon as possible after they have been separated from the carcass; and
 - (v) stomachs and intestines are opened and cleaned in a part of the slaughterhouse not used for any other purpose.

Disposal of blood

33. A person who slaughters an animal must ensure that blood not immediately swilled down a drain is collected in receptacles whether or not the blood is intended for human consumption.

Wiping down

- 34.** A person in a slaughterhouse must not wipe down a carcass or offal unless—
- (a) the approval of an authorised officer to do so has been obtained ; and
 - (b) the cloth used to wipe the carcass or offal has been sterilised immediately before use in water maintained at a temperature of at least 82° centigrade; and
 - (c) the cloth is changed immediately it becomes excessively soiled; and
 - (d) a newly sterilized cloth is used for each carcass.

Hanging carcasses

- 35.** The occupier of a slaughterhouse must ensure that carcasses—
- (a) are removed to the hanging space as soon as possible after dressing; and
 - (b) are so hung as to allow air to circulate freely between them at all times.

Refrigeration

- 36.** The occupier of a slaughterhouse must ensure that—
- (a) meat held in the slaughterhouse for 8 hours or more is placed in refrigerated accommodation; and
 - (b) meat requiring further examination by an authorised officer is placed in the facilities referred to in regulation 9(e).

Unfit meat

- 37.** The occupier of a slaughterhouse must—
- (a) ensure that meat rejected as being unfit for human consumption is removed as soon as possible to the facilities provided for the retention of such meat; and
 - (b) ensure that such facilities are kept closed except when necessarily opened for the reception or removal of unfit meat or at the request of an authorised officer; and
 - (c) at the end of each working day treat or dispose of any unfit meat in the manner prescribed by an authorised officer.

Hygiene of premises and equipment

38. The occupier of a slaughterhouse must ensure that it is kept in such a state of cleanliness and otherwise so conduct it as to prevent the risk of contamination of meat or blood intended for human consumption, and in particular must ensure that—

- (a) receptacles provided for the purposes specified in regulation 21(4) are—
 - (i) used only for their intended purpose; and
 - (ii) used in the manner intended; and
 - (iii) maintained in a clean condition; and
- (b) fixtures, fittings and equipment are kept clean; and
- (c) scalding tanks are emptied and washed out as often as is reasonably necessary and thoroughly cleaned at the end of each working day; and
- (d) meat, receptacles which contain or may at any time contain meat, and equipment which may come into contact with meat intended for human consumption do not come into contact with the floor.

Cleaning

- 39.** The occupier of a slaughterhouse must—
- (a) ensure that the interior surfaces of any room in which meat or by-products are handled, stored or packaged, and any room used for the retention of meat rejected as being unfit for human consumption are kept clean and in such condition as to prevent the absorption of blood, refuse, filth or other offensive matter; and
 - (b) ensure that the slaughterhall floor and the wall surfaces or facings referred to in regulation 10(1) are washed down frequently while slaughtering and dressing is taking place and thoroughly cleaned when slaughtering and dressing is completed for the day; and
 - (c) ensure that each sanitary convenience available for use in connection with a slaughterhouse and the room in which it is situated are kept clean and that every such sanitary convenience is maintained in efficient working order and is provided with an adequate supply of toilet paper held in a suitable fitting; and
 - (d) ensure that a clearly legible notice advising users that it is a legal requirement that they wash their hands after using the convenience is affixed and maintained in a prominent position near every sanitary convenience; and
 - (e) ensure that—
 - (i) every wash-hand basin is kept clean and in good working condition; and
 - (ii) single use disposable towels are provided in a suitable container and that a receptacle is provided for used towels; and
 - (iii) nail brushes and a sufficient supply of soap or detergent is provided; and

- (iv) the washing facilities described in this sub-paragraph are not used for any purpose other than for securing the personal cleanliness of the users; and
- (f) ensure that garbage, filth or refuse whether solid or liquid is not deposited or allowed to accumulate in a slaughterhouse except so far as may be unavoidable for the proper carrying on of the business in the slaughterhouse; and
- (g) ensure that the slaughterhouse is at all times when in use adequately lighted and when artificial lighting is employed that it meets the requirements of regulation 13; and
- (h) ensure that the slaughterhouse is at all times adequately ventilated; and
- (i) ensure that the lairage is kept clean; and
- (j) ensure that the arrangements where people working in the slaughterhouse may change their clothes are kept clean.

Clothing

40. A person in or about a slaughterhouse who handles meat or blood intended for human consumption must wear wellingtons and overalls or other suitable and adequate protective clothing, including covering for the hair of the head.

Cleanliness

41. A person in or about a slaughterhouse who handles meat or blood intended for human consumption or who is liable to come into contact with such meat or blood must—

- (a) keep as clean as may be reasonably practicable by thorough and frequent washing all parts of his person which are liable to come into contact with meat or blood; and
- (b) when his clothing becomes excessively soiled, change into clean clothing; and
- (c) keep any sores, open cuts or abrasions on any exposed part of his person covered with a suitable waterproof dressing.

Knives, etc.

42. A person using a knife, scabbard, sharpening steel, chopper, saw or other equipment coming into contact with meat in a slaughterhouse must ensure that it is thoroughly cleaned and disinfected in water maintained at a temperature of at least 82° centigrade—

- (a) frequently during the course of each working day; and
- (b) immediately after contact with meat known or suspected to be diseased; and
- (c) before re-use after a break in work; and
- (d) at the end of each working day.

Handling diseased animals

43. A person who—

- (a) has been in physical contact with an animal which he knows or suspects to be diseased; or
 - (b) has handled meat or blood which he knows or suspects to be diseased,
- must immediately wash with hot water and soap or other detergent all parts of his person which may have come into contact with the animal, meat or blood.

Personal health, hygiene and conduct

44. (1) The occupier of a slaughterhouse must not employ in the slaughterhouse a person who is not in possession of a certificate issued by a Government Medical Officer within the previous 12 months stating that the person is not suffering from, and is not the carrier of any disease transferable by food.

(2) A person who is aware that he is suffering from, or is the carrier of a disease transferable by food must not go onto the premises of a slaughterhouse for any purpose except with the written authority of a Government Medical Officer.

(3) A person working in a slaughterhouse must wash his hands thoroughly with soap and hot water after using a sanitary convenience and before returning to work.

No goods to be taken into sanitary conveniences

45. A person must not take meat or blood, or any item of equipment that might come into contact with meat or blood, into a room which contains a sanitary convenience.

Unclean water not to be brought into slaughterhouse

46. A person must not use in a slaughterhouse water that is not clean and wholesome.

Other restricted goods

47. A person must not bring into or keep in any part of a slaughterhouse containing meat an article liable to prejudice the maintenance of hygiene or the proper performance of the functions reserved to that part of the slaughterhouse.

Tobacco

48. A person must not use tobacco (including snuff) in any part of a slaughterhouse containing meat or blood.

Forbidden acts

49. A person must not—

- (a)* change his clothes in any part of the slaughterhouse containing meat; or
- (b)* urinate, defecate or spit in a slaughterhouse except in a sanitary convenience; or
- (c)* when stirring blood intended for human consumption permit his hand or any other part of his person to come into contact with the blood; or
- (d)* inflate in any manner the carcase or any part of an animal intended for human consumption.

Control of vermin

50. The occupier of a slaughterhouse must take all reasonable steps—

- (a)* to prevent the presence of flies in and about the slaughterhouse ; and
 - (b)* to keep the premises clear of birds, vermin and insects,
- and take immediate steps to remove any which may be present.

Removal of refuse and by-products

51. The occupier of a slaughterhouse must remove from the slaughterhouse within 3 hours of the end of each working day—

(a) all manure and intestinal contents ; and

(b) all by-products of slaughtering not intended for human consumption, including hides and skins,

to a place approved by an authorised officer.

PART 6 OFFENCES

Slaughterhouse offences

52. (1) The occupier of a slaughterhouse is guilty of an offence if his slaughterhouse does not comply with a standard prescribed by a provision of Part 3 or 4.

(2) The occupier of a slaughterhouse is guilty of an offence if he fails to comply with a provision of Part 5 that imposes an obligation on him.

(3) The occupier of a slaughterhouse is guilty of an offence if he fails to take reasonable steps to secure the compliance of a person employed by him or a person admitted to the slaughterhouse with a provision of these regulations that applies to that person.

(4) A person is guilty of an offence if he fails to comply with a provision of these regulations which imposes an obligation on him.

Penalties

53. (1) A person guilty of an offence against these regulations is liable to a fine not exceeding £100 or to imprisonment for a term not exceeding three months, or to both, and, in the case of a continuing offence, to a further fine not exceeding £5 for each day during which the offence continues after conviction.

(2) Where a court has found the occupier of a slaughterhouse guilty of an offence against these regulations it may in addition to any other penalty it imposes cancel any certificate issued to the occupier in accordance with regulation 3.

Fees

54.⁷⁹ The fees set out in the Schedule to these regulations shall be paid in respect of the several matters contained therein.

⁷⁹ Regulation 54 inserted by L.N. 14/2000

SCHEDULE⁸⁰

Fees	
Meat inspection (<i>Reg. 23</i>)	
Cattle (per animal)	£5.50
Pigs (per animal)	£2.75
Goats/Sheep (per animal)	£1.45
For inspections outside normal working hours: Twice the above rates.	
Certification of slaughterhouse (<i>Reg. 3</i>)	
Each certificate (annual fee)	£5.50

⁸⁰ Schedule amended by LN 12 of 2006 and LN 12 of 2009

AERATED-WATER FACTORY REGULATIONS – SECTION 19

(Legal Notices 29 December 1939, 25 of 1966 and 4 of 1967 and Ordinances 2 of 2005 and 7 of 2010)

Short title

1. These regulations may be cited as the Aerated-Water Factory Regulations.

Registration of premises

2. No premises shall be used as an aerated-water factory unless the same shall have been duly registered in compliance with the provisions of these regulations.

Application for registration

3.⁸¹ (1) Every such aerated-water factory shall be registered annually at the Board; and for this purpose every person who intends to use during the year any premises as a factory shall make an application in writing to the Board. Any person carrying on an aerated-water factory without being registered shall be guilty of an offence against these regulations.

(2)⁸² Upon the registration of any aerated-water factory there shall be paid by the applicant a fee of 50 pence.

Water supply

4. Every factory situated in Jamestown shall have its supply of water taken direct from a service tap situated in the factory.

Cleaning of utensils

5. No aerated water shall be manufactured and no bottles for holding the same, nor filters, tanks or other vessel used in the process of manufacture shall be cleaned except with such water as is hereinbefore prescribed for use in the factory.

Sterilization of bottles and brushes

6. No bottle shall be used for containing aerated waters which has not been properly cleansed in running water. Brushes, etc, used for cleansing bottles shall be sterilized in boiling water before use.

Manufacture of drink and bottle washing to be in same building

7. The factory shall be a self contained unit, that is to say, the building used for the manufacture of aerated drinks and the bottle washing shall be carried out in the same building.

⁸¹ Regulation 3 amended by Ord. 7 of 2010

⁸² Regulation 3(2) inserted by L.N. 25/1966 and amended by Ord. 2 of 2005

Sugar

8. No sugar or other article shall be used in the manufacture of any aerated drinks except the same be clean and free from any deleterious matter.

Sale of aerated drinks

9. No owner, manager, or employee of, in, or about any factory shall sell any aerated drinks unless manufactured with such water and other articles in the condition hereinbefore prescribed.

Contagious or infectious disease

10. Any owner or manager of a factory knowingly employing therein any person suffering from any contagious or infectious disease or from any ulcer, or infectious abrasions of the skin shall be guilty of an offence against these regulations.

Report by Public Health Inspector

11.⁸³ The Public Health Inspector shall from time to time visit every factory in the Island and report to the Board the condition thereof.

⁸³ Regulation 11 amended by Ord. 7 of 2010

DAIRY REGULATIONS**ARRANGEMENT OF REGULATIONS****REGULATIONS**

1. Short title
 2. Registration
 3. Medical examination of employees
 4. Cleanliness of milking premises
 5. Cleanliness of milking cows, milkers and utensils
 6. Cleanliness of milk receptacles
 7. Delivery of milk
 8. Penalty
-

DAIRY REGULATIONS – SECTION 19

(Legal Notices 10 of 1941, 23 of 1966 and 4 of 1967 and Ordinance 7 of 2010)

Short title

1. These regulations may be cited as the Dairy Regulations.

Registration

2.⁸⁴ (1) No person shall keep cows for the production of milk for sale unless he shall first have registered at the office of the Board his name, residence, number of cows kept, the locality where they are kept and such other particulars as may be required by the Board from time to time.

(2) The Secretary of the Board shall enter the particulars of such registration in a book to be kept at the office of the Board and to be called the “Dairy Register”.

(3)⁸⁵ Upon the registration of any dairy there shall be paid by the applicant a fee of 25 pence.

Medical examination of employees

3.⁸⁶ Every person regularly engaged in the milking of cows for the production of milk for sale shall in the month of December in every year submit himself to a medical examination by a Medical Officer and shall procure a certificate from such Medical Officer (and pay the fee of 12 pence) stating that upon such examination such person was found to be free from infectious disease and every certificate shall be retained until the thirty-first day of December in the following year by such person and shall be produced by him whenever required so to do for the information of the Board or of any Public Health Inspector.

⁸⁴ Regulation 2 amended by Ord. 7 of 2010

⁸⁵ Regulation 2(3) inserted by L.N. 23/1966

⁸⁶ Regulation 3 amended by Ord. 7 of 2010

Cleanliness of milking premises

4. Any building or shed in which cows are milked for the production of milk for sale shall be thoroughly swept out at least once each day and kept free from all manure, dirt or any other matter liable to expose the milk to infection or contamination.

Cleanliness of milking cows, milkers and utensils

5. No person shall milk any cow or cause or suffer any cow kept by him or under his care or control to be milked for the purpose of obtaining milk for sale—

- (a) unless at the time of milking the udder and teats of such cow are thoroughly clean; and
- (b) unless the person milking such cow is personally clean and his hands have been thoroughly cleansed with soap and water before milking such cow; and
- (c) unless the person milking such cow at the time of such milking wears a clean outer garment; and
- (d) unless the utensils in which the milk thus obtained is placed at the time of such milking are thoroughly cleansed and scalded.

Cleanliness of milk receptacles

6. No person shall keep milk for sale or cause or suffer any such milk to be placed in any vessel, receptacle or utensil which is not thoroughly cleansed and protected from contamination by flies, dust or otherwise.

Delivery of milk

7.⁸⁷ No milk shall be delivered for sale in a receptacle unless such receptacle has been thoroughly cleansed by the vendor before being used for such purpose and unless such receptacle is effectively protected, to the satisfaction of the Board, from contamination by flies, dust or otherwise.

Penalty

8. Any person who violates any of the provisions of these regulations shall be guilty of an offence and shall be liable to a fine not exceeding £5, and, if the offence is a continuing one, to a daily fine not exceeding 25 pence a day so long as the offence occurs.

⁸⁷ Regulation 7 amended by Ord. 7 of 2010

PUBLIC HEALTH (JAMESTOWN) REGULATIONS – SECTION 19

(Legal Notices 4 of 1987 and 12 of 1992)

Commencement

[1 April 1987]

Short title

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

Interpretation

2. In these regulations, “**Jamestown**” means only that part of Jamestown and James Valley which lies between Maldivia and the sea; and extending in Westerly and Easterly directions for five hundred yards to each side of the Run.

Prohibition on keeping animals in Jamestown

- 3.⁸⁸ Subject to the provisions hereinafter contained, no swine, goats, cattle, sheep, horses, donkeys or fowls shall be kept in Jamestown.

Fowls

4. (1) Fowls (including ducks and geese) may be kept in any part of Jamestown (hereinafter in this regulation called “Certificated Land”) in respect whereof the Senior Environmental Health Officer has issued a Certificate to the effect that the keeping of such animals would not be detrimental to the amenities or health of the owners or occupiers of any land or building.

- (2) A Certificate issued under this regulation may contain conditions as to—

- (a) the number of fowls to be kept in any specified area;
- (b) the accommodation to be provided for housing such fowls;
- (c) any other matter in respect of which provision needs to be made for preserving the health and amenity of the locality.

- (3) Any person who keeps any fowl on any Certificated Land, but fails to comply with any of the conditions contained in the relevant certificate, shall be deemed to be keeping the said fowl on land which is not Certificated Land.

⁸⁸ Regulation 3 amended by L.N. 12/1992

POLIOMYELITIS REGULATIONS**ARRANGEMENT OF REGULATIONS****REGULATION**

1. Short title
2. Isolation of patients
3. Methods of control
4. Sanitary supervision
5. Closing of schools and places of entertainment
6. Isolation of carriers
7. Controlled districts
8. Offences

POLIOMYELITIS REGULATIONS – SECTION 19

(Legal Notice 19 of 1955)

Short title

1. These regulations may be cited as the Poliomyelitis Regulations.

Isolation of patients

2. Any person suffering from the aforesaid disease shall be isolated in his place of abode until such time as in the opinion of the Chief Medical Officer he is free of infection, or if the Chief Medical Officer is of the opinion that adequate facilities are not available at the patient's abode for the purpose of proper isolation, he may remove the patient to a suitable isolation ward in the Hospital or other building which may be arranged for the reception, isolation and treatment of such patients until such time as the person is free of infection.

Methods of control

3. The Chief Medical Officer may order contacts of the aforesaid disease to remain in quarantine for a period not exceeding thirty days or until such time as they have acquired immunity to the disease by successful vaccination or inoculation when such measures of protection are relevant and available.

Sanitary supervision

4. The Chief Medical Officer may order sanitary supervision over—
 - (a) the disposal of refuse and sewage;
 - (b) the processing, preparation and serving of food and drink in public places;
 - (c) the water supply;
 - (d) the sale of fresh food and dairy products;
 - (e) rat disposal and disinfestation of persons and houses.

Closing of schools and places of entertainment

5. Subject to the approval of the Governor, the Chief Medical Officer may order the closing of such schools and places of public entertainment as in his opinion should be closed as a necessary measure in the prevention and spread of an epidemic of the aforesaid disease.

Isolation of carriers

6. The Chief Medical Officer may order carriers of the aforesaid disease to be removed to an isolation ward in the hospital or such other building as may be arranged for the reception, isolation and treatment of patients until such time as these persons are no longer carriers of the aforesaid disease.

Controlled districts

7. The Chief Medical Officer may declare any area of St. Helena a controlled district and may carry out or order to be carried out such public health measures as may be necessary in this district.

Offences

8. If any person contravenes or fails to comply with any of these regulations, or any order, instruction, or direction given, or requirement imposed, under any of these regulations, he shall be guilty of an offence against that regulation, and shall be liable to prosecution under the Public Health Ordinance.

NOTIFIABLE INFECTIOUS DISEASES REGULATIONS, 2009 – SECTION 32

(Legal Notice 22 of 2009)

Citation and commencement

1. These regulations may be cited as the Notifiable Infectious Diseases Regulations, 2009, and shall come into force on the 1st day of September, 2009.

Notifiable Infectious Diseases

2. Part IV of the Public Health Ordinance, Cap. 49, shall apply to the diseases listed in the Schedule, in addition to any other disease specifically mentioned in such Part.

Revocation of legal notice

3. Legal Notice 10 of 1954 is revoked.

SCHEDULE

Anthrax
Cerebrospinal fever
Chicken pox
Dysentery
Encephalitis
Food poisoning
German measles (rubella)
Hepatitis
Infantile paralysis
Leptospirosis
Malaria
Meningitis
Meningococcal septicaemia (without meningitis)
Mumps
Opthalmia neonatorum
Paratyphoid fever
Plague
Rabies
Relapsing fever (Typhina [1])
Severe epidemic influenza
Tetanus
Tuberculosis
Viral haemorrhagic fever
Whooping cough