

**CHAPTER 263  
PUBLIC HEALTH ACT**

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• Act • Subsidiary Legislation •

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**ACT****Amended by**

Act No. 9 of 1973

Act No. 17 of 1973

Act No. 29 of 1973

Act No. 40 of 1981

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**CHAPTER 263**  
**PUBLIC HEALTH ACT**

**An Act to govern matters relating to Public Health.**

[Amended by Act No. 9 of 1973, Act No. 17 of 1973, Act No. 29 of 1973, Act No. 40 of 1981.]

[2nd November, 1925.]

PART I

*Preliminary*

**1. Short title**

This Act may be cited as the Public Health Act.

**2. Interpretation**

In this Act—

“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 are baked bread, biscuits or confectionery, from the baking or selling of which a profit is derived;

“building” and “house”, respectively, include the curtilage of a building or house;

“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 purposes of sale;

“dairyman” includes any cowkeeper, purveyor of milk, or occupier of a dairy;

“district medical officer” means a medical officer appointed to a medical district under the Medical Officers Act, Chapter 188;

“hospital” means any premises or vessel for the reception of the sick, whether permanently or temporarily applied for that purpose;

“house” includes hotels, schools, also factories and other buildings in which persons are employed;

“isolation hospital” means a hospital for the reception of persons suffering from infectious diseases;

“medical district” means a district constituted under the Medical Officers Act, Chapter 188;

“medical officer” has the same meaning as in the Medical Officers Act, Chapter 188;

“medical practitioner” means a person registered in the medical register under the Medical Practitioners and Dentists and Veterinary Surgeons Registration Act, Chapter 189;

“occupier”, 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 or her 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;

“owner” means the person for the time being receiving the rent of the premises in connection with which the word is used, whether on his or her 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;

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

“Sanitary Authority” means the Sanitary Authority constituted under this Act;

“sanitary officer” means a medical officer or a public health inspector;

“slaughterer of cattle or horses” means a person whose business is to kill any description of cattle, or horses, asses, or mules, for the purpose of the flesh being used as butcher’s meat; and the expression “slaughterhouse” means any building or place used for the purpose of such business;

“stream” includes rivers, watercourses, and ravines;

“town” means town the boundaries of which are fixed under the Town Boundaries Act but does not include the town of Hillsborough.

## PART II

### *Establishment of Sanitary Authority*

#### **3. Sanitary Authority**

(1) There shall be established a body to be called the Sanitary Authority, which shall exercise a general superintendence and control over all sanitary matters in Grenada. The Authority shall consist of the following members—

- (a) Chief Medical Officer
  - Chief Technical Officer (Public Health)
  - Port Health Officer
  - Medical Officer of Health
  - Port Manager
  - Public Health Officer of Carriacou;
- (b) a representative of each of the following bodies to be appointed by the Minister—
  - National Water and Sewerage Authority

Chamber of Commerce

Trade Union Congress;

- (c) a representative to be appointed by the Minister responsible for agro-industries; and
- (d) four other persons to be appointed by the Minister.

(2) The executive function of the Sanitary Authority shall be exercised by the Chief Medical Officer who shall be the chairperson.

(3) Every member appointed by the Minister shall hold office during such period as the Minister shall appoint.

(4) The Sanitary Authority may act notwithstanding a vacancy in its membership.

(5) The quorum of the Sanitary Authority shall be five.

(6) Any document or notice purporting to be issued by the Sanitary Authority, and signed on behalf of the Sanitary Authority, shall be received in evidence and be deemed to be such a document or notice without further proof unless the contrary is shown.

(7) The Sanitary Authority shall meet not less than once every three months and at such times as the chairperson may direct.

(8) Subject to this section the Sanitary Authority may regulate its own procedure.

#### **4. Public Health Inspectors and other officers**

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

(2) The Sanitary Authority shall, subject to the approval of the Minister, regulate the duties under this Act of such Public Health Inspectors and other officers.

### PART III

#### *Sanitary Provisions*

##### *Privies, etc.*

#### **5. Obligation to provide privy accommodation**

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

(2) Any person who causes any house to be erected or rebuilt in contravention of this section shall be guilty of an offence against this Act and liable to a fine of one thousand dollars and an additional fine of fifty dollars for each day during such time as such house shall be without such privy accommodation after the expiration of one month from the date of his or her first being convicted of such offence.

#### **6. Power of Sanitary Authority to enforce provision of privy accommodation for houses**

(1) If any house appears to the Sanitary Authority to be without sufficient privy accommodation, the Sanitary Authority 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 such other privy accommodation, as the case may require.

(2) If such notice is not complied with, the Sanitary Authority 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 of the district 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 Sanitary Authority a water-closet, earth-closet, or privy may be so used, it need not require the same to be provided for each house.

#### **7. Examination of drains, etc., on complaint of nuisance**

On the written application of any person to the Sanitary Authority, 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 sanitary officer, the Sanitary Authority 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 Sanitary Authority, after twenty-four hours' written notice to the occupier of such premises, or in 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 or she 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 Sanitary Authority shall forthwith cause notice in writing to be given to the owner or occupier of the premises requiring him or her forthwith 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 of twenty-five dollars for every day during which he or she continues to make default, and the Sanitary Authority may execute such works, and may recover in a summary manner before the magistrate of the district from the owner the expenses incurred in so doing, as well as the expenses incurred in the previous examination.

#### *Bakehouses*

#### **8. Provisions for securing that persons suffering from infectious diseases shall not be employed in bakehouses**

(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 or she knows to be suffering from any infectious disease or tuberculosis, syphilis, erysipelas, lupus, yaws, itch or any open or running sores.

(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 or herself 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 of the diseases or complaints which are mentioned in this section; and every such certificate shall be retained and preserved for twelve months by the owner or manager aforesaid, and

shall be produced by him or her, whenever required to do so, for the information of the Sanitary Authority or of any sanitary officer.

(3) It shall not be lawful for any person, after he or she has been informed by any medical practitioner that he or she is suffering from any such disease or complaint as is mentioned in this section, 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 Sanitary Authority, supply such Authority with the names and addresses of all persons employed by him or her in his or her business.

(5) Any person working at or for a bakehouse, whom the Sanitary Authority or any sanitary officer may suspect to be suffering from any such disease or complaint as aforesaid, shall, on being required to do so by such Authority or officer, submit himself or herself 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 Act.

#### **9. Medical examination of persons working at bakehouses**

(1) Every person working at or for a bakehouse shall in the months of June and December in every year submit himself or herself to medical examination by the district medical officer and shall procure a certificate from such medical officer stating that upon such examination such person was found to be free from the diseases or complaints mentioned in section 8(1), and every certificate shall be retained and preserved until the thirty-first day of December or the thirtieth day of June respectively in the following year by the manager or owner of the bakehouse and shall be produced by him or her whenever required to do so for the information of the Sanitary Authority or of any sanitary officer.

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

#### **10. Duty of medical practitioner to report any such disease**

When any medical practitioner becomes aware that any person who works or is employed at or for a bakehouse is suffering from any such disease or complaint as is mentioned in section 8(1) such medical practitioner shall forthwith notify the Sanitary Authority of the circumstances.

#### **11. Sanitary regulations for bakehouses**

(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) no water-closet, earth-closet, privy or ash-pit shall be within, or communicate directly with, the bakehouse;
- (b) every cistern or pipe for supplying water to a bakehouse shall 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 shall not have any opening within the bakehouse;
- (d) every bakehouse shall be provided with proper means for effectual ventilation.

(2) 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 guilty of an offence against this Act



and liable to a fine of one hundred dollars and to a further fine of fifteen dollars for each day during which any room or place is so occupied after a conviction under this section.

## **12. Sleeping places near bakehouses**

(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.

(2) 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 or she shall be guilty of an offence against this Act and liable for the first offence to a fine of fifty dollars and for any subsequent offence to a fine of two hundred and fifty dollars.

## **13. Registration of bakehouses**

(1) Every bakehouse shall be registered annually at the office of the Sanitary Authority; 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 Sanitary Authority, setting out his or her full name and a correct description of the premises so intended to be used. If the Sanitary Authority is satisfied that the premises specified in the application are such as can properly be used as a bakehouse under this Act, the Sanitary Authority shall issue to the applicant a certificate to that effect in respect of the year for which the applicant seeks to register his or her 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 Sanitary Authority shall enter the particulars of such application and certificate in a book to be kept at the office of the Sanitary Authority and to be called “The Bakehouse Register”.

(3) No certificate issued hereunder shall be of any force or effect after the last day of the year in respect of which it shall have been granted.

(4) 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 Act.

## **14. Painting, etc., of bakehouses**

No certificate shall be granted by the Sanitary Authority under the provisions of section 13 in respect of any bakehouse unless—

- (a) the floor of such bakehouse is constructed of concrete or mason work finished with a steel trowel;
- (b) the floor, ceiling and inside walls and roofings are kept free from dust, dirt, ashes or other accumulation of decaying animal or vegetable matter;
- (c) when the bakehouse is painted with oil or varnished, the paint or varnish shall be renewed once at least in every five years or more if the Sanitary

Authority so directs, and the said bakehouse shall be washed with water and soap once at least in every three months or more often if the Sanitary Authority so directs;

- (d) when the bakehouse is limewashed, the limewash shall be renewed once at least in every six months or more often if the Sanitary Authority so directs.

*Regulations in Respect of Certain Specified Matters*

**15. Power to make regulations in respect of certain matters**

(1) The Sanitary Authority may make regulations for the following purposes or any of them—

- (a) for regulating the inspection and securing the cleanliness of all bakehouses, for fixing the procedure as to the registering and certifying of bakehouses, and for the issue of certificates;
- (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 aerated 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 aerated 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 town or village as to the Sanitary Authority may seem fit and generally for the prevention of the pollution of streams;
- (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 a town as an area within which swine may not be kept;

- (h) for regulating the inspection of, and securing the cleanliness and disinfection of all barbers' shops and apparatus used therein; and also for prescribing precaution against the spread of infection or communication of disease from, to, or amongst persons on such premises, whether occupiers, employers, employees, or customers.

(2) The Sanitary Authority may collect fees in respect of anything done or any service rendered by it under subsection (1).

## **16. Sale of meat and fish**

If any person sells, offers for sale or exposes for sale any meat or fish in a place other than a meat or fish market or such other place as the Sanitary Authority may under this section approve and authorise by Notice published in the *Gazette*, he or she shall be guilty of an offence against this Act and liable to a fine of two thousand dollars and to imprisonment for twelve months.

### *Nuisances*

## **17. Definition of nuisance**

For the purposes of this Act—

- (a) any premises in such a state as to be a nuisance or injurious to health;
- (b) any pool, ditch, gutter, 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,

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

## **18. Duty of Sanitary Authority to inspect for detection of nuisances; and power of persons aggrieved to report nuisances to the Authority**

It shall be the duty of the Sanitary Authority to cause inspection to be made from time to time, with a view to ascertain what nuisances exist calling for abatement under the powers of this Act, and to enforce the provisions of this Act in order to abate the same; and a report of any nuisance under this Act may be given to the Sanitary Authority by any person aggrieved thereby, or by any two householders, or by a sanitary officer, or by a police officer.

## **19. Sanitary Authority to serve notice requiring abatement of nuisance**

On the receipt of any report respecting the existence of a nuisance, the Sanitary Authority 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 or her to abate the same within a time to be specified in the notice, and to execute such works and 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 Sanitary Authority may itself abate the same, and may do whatever is necessary to prevent the recurrence thereof.

#### **20. On non-compliance with notice complaint to be made to magistrate**

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 Sanitary Authority likely to recur on the same premises, the Sanitary Authority shall cause a complaint relating to such nuisance to be made before a magistrate whereupon the magistrate shall issue a summons requiring the person on whom the notice was served to appear before him or her.

#### **21. Power of court of summary jurisdiction to make Order dealing with nuisance**

(1) If the court is satisfied that the alleged nuisance exists, and, although abated, is likely to recur on the same premises, the court shall make an Order on such person requiring him or her to comply with all or any of the requisitions of the notice, or otherwise to abate the 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) The court may by its Order impose a fine of two hundred and fifty dollars 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.

#### **22. Order of prohibition in case of house unfit for human habitation**

Where the nuisance proved to exist is such as to render a house or building, in the judgement of the court, unfit for human habitation, the court may prohibit the using thereof for that purpose until, in its judgement, 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.

#### **23. Penalty for contravention of Order of court**

Any person not obeying an Order to comply with the requisitions of the Sanitary Authority or otherwise to abate the nuisance, shall, if he or she fails to satisfy the court that he or she has used all due diligence to carry out such Order, be liable to a fine of twenty-five dollars per day during his or her default; and any person knowingly and wilfully contravening an Order of prohibition shall be liable to a fine of fifty dollars per day during such contravention; moreover the Sanitary Authority 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.

#### **24. In certain cases Order may be addressed to Sanitary Authority**

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 Sanitary Authority.

#### **25. Power to sell articles removed**

Any matter or thing removed by the Sanitary Authority in abating any nuisance under this Act may be sold by public auction; and the money arising from the sale may be retained by the Sanitary Authority, 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.

#### **26. Power of entry of Sanitary Authority**

(1) The Sanitary Authority or any sanitary officer shall be admitted into any premises for the purpose of examining as to the existence of any nuisance thereon at any time between the hours of seven in the morning and six in the afternoon, or in the case of a nuisance arising in respect of any business then at any other time when such business is in progress or is usually carried on:

Provided that no sanitary officer under the rank of Chief Public Health Inspector shall enter any room in a dwelling-house unless duly authorised in writing for that purpose by the Sanitary Authority.

(2) Where under this Act a nuisance has been ascertained to exist, or an order of abatement or prohibition has been made, the Sanitary Authority or any sanitary officer shall be admitted from time to time into the premises between the hours aforesaid, until the nuisance is abated, or the works ordered to be done are completed, as the case may be.

(3) Where an order of abatement or prohibition has not been complied with, or has been infringed, the Sanitary Authority, or any sanitary officer shall be admitted from time to time at all reasonable hours, or at all hours during which business is in progress or is usually carried on, into the premises where the nuisance exists, in order to abate the same.

(4) If admission to premises for any of the purposes of this section is refused, a magistrate, on complaint thereof on oath by the Sanitary Authority or any sanitary officer (made after reasonable notice in writing of the intention to make the same has been given to the person having custody of the premises) may, by Order under his or her hand, require the person having custody of the premises to admit the Sanitary Authority or any sanitary officer into the premises during the hours aforesaid, and if no person having custody of the premises can be found, the magistrate shall, on oath made before him or her of that fact, by Order under his or her hand, authorise the Sanitary Authority or any sanitary officer to enter such premises during the hours aforesaid.

(5) Any order made by a magistrate for admission of the Sanitary Authority or any sanitary officer on premises shall continue in force until the nuisance has been abated, or the work for which the entry was necessary has been done.

### **27. Penalty for disobedience to Order**

Any person who refuses to obey an Order of a magistrate for admission of the Sanitary Authority or any sanitary officer on any premises shall be liable to a fine of two hundred and fifty dollars.

## PART IV

### *Malaria Prevention*

### **28. Interpretation of Part**

In this Part—

“main drainage channel” means any open channel, ditch or passage serving as a connection between any unhealthy area and any natural watercourse or the sea-shore;

“owner” includes the owner, lessee, or occupier of any land, and the receiver, attorney, agent, manager, guardian or committee of any such owner, lessee, or occupier; and includes any other person in charge or having the control or possession of any land in right of the owner, or having the possession of any such land in right of his wife.

### **29. Application of Part**

This Part shall apply to such main drainage channels and unhealthy areas as may be proclaimed by the Minister to be main drainage channels or unhealthy areas for the purposes of this Part; and the Minister is hereby authorised in his or her absolute discretion to designate, by Notice in the *Gazette*, any such main drainage channel or unhealthy area.

### **30. Power to enter and construct works**

(1) It shall be lawful for the Chief Technical Officer (Works) with all necessary workmen and other employees at any time to enter upon any land for the purpose of grading, paving, clearing, improving or filling in or draining any main drainage channel or unhealthy area.

(2) The Chief Technical Officer (Works) shall give at least fourteen days' previous notice in writing to the owner of such land of his or her intention to carry out any work under this Part.

### **31. Powers of Sanitary Authority**

The Sanitary Authority shall have full power and authority with all necessary workmen and other employees at all reasonable times to enter upon any land for the purpose of cleaning, preserving, maintaining, repairing and keeping in proper order and under proper control any main drainage channel or any unhealthy area. Such power shall be deemed to include power to lay drainpipes above or under any land doing as little damage as possible.

### **32. Cost of work**

The cost of any work carried out under the authority of this Part shall be paid out of monies to be voted for the purpose by the House of Representatives.

### **33. Protection of officers, etc., against actions**

No matter or thing done by the Chief Technical Officer (Works) or the Sanitary Authority or by any officer of the Authority or other person whomsoever acting under the direction of the Authority or of the Chief Technical Officer (Works) shall, if the matter or thing were done *bona fide* for the purpose of executing this Part, subject them or any of them personally to any prosecution, action, liability, claim or demand whatsoever.

### **34. Assault or obstruction of officers, etc.**

If any person shall assault or hinder or obstruct or cause or procure to be hindered or obstructed the Chief Technical Officer (Works) or the Sanitary Authority or any of their workmen, employees, or agents while employed in doing any works by this Part authorised to be done or in the exercise of any of the powers and authorities in this Part contained, every such person shall be guilty of an offence against this Act and liable to a fine of one thousand five hundred dollars.

### **35. Penalty for damaging a main drainage channel**

Every person who wilfully damages or injures or in any manner blocks or obstructs or diverts the bed or the flow of any drainpipe or main drainage channel shall be guilty of an offence against this Act and liable to a fine of three thousand dollars for each offence, and in the case of a continuing offence to a further fine of one hundred dollars for each day during which such offence shall continue after written notice thereof from the Sanitary Authority.

### **36. Power to make regulations**

(1) The Sanitary Authority may make regulations for all or any of the following purposes—

- (a) for ensuring and regulating the use of main drainage channels as fit and proper channels for the passage of surface water; and to control the irrigation of any unhealthy area;
- (b) specifying and defining the rights, duties and obligations of such person or persons as may be appointed in relation to all such acts and things in, over or upon the beds of main drainage channels and unhealthy areas as may be deemed necessary for placing or keeping them in proper order and under proper control;
- (c) forbidding absolutely or regulating the drainage from any public or private sewer or drain into any main drainage channel or unhealthy area;
- (d) for the prevention of the deposit of filth or rubbish in the beds or on the banks of main drainage channels or in unhealthy areas;
- (e) for the regulation and maintenance of main drainage channels in such a manner as to prevent any nuisance arising therefrom; and
- (f) generally for the more effective carrying out of the provisions of this Part.

(2) Regulations made under this section shall not have any force or effect unless they have been approved by the Minister.

**37. Penalty for contravention of regulations**

Any person who contravenes any such regulations shall be guilty of an offence and liable to a fine of five hundred dollars for each offence, and in the case of a continuing offence to a further fine of fifty dollars for each day during which such offence continues after written notice thereof from the Sanitary Authority.

## PART V

*Notifiable Infectious Diseases**Notification***38. Definition of infectious disease**

In this Part, the expression “infectious disease” means smallpox, chicken-pox, alastrim, leprosy, poliomyelitis, 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 para-typhoid, relapsing, and includes any other infectious disease to which this Part has been applied by regulation in manner provided by this Act.

**39. Notification of infectious disease**

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

- (a) The head of the family to which such inmate (in this Part referred to as “the patient”) belongs, and in his or her 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 or she becomes aware that the patient is suffering from an infectious disease, send notice thereof to the district medical officer;
- (b) Every medical practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from an infectious disease send to the Sanitary Authority a certificate stating the name of the patient, the situation of the building, and the infectious disease from which in the opinion of such medical practitioner the patient is suffering.

(2) Every person required by this section to give a notice or certificate who fails to give the same shall be liable to a fine of one thousand dollars:

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

**40. Forms of certificate and fees of medical practitioners**

(1) The Sanitary Authority may from time to time prescribe forms for the purpose of certificates under this Part and any forms so prescribed shall be used in all cases to which they apply.

(2) The Sanitary Authority shall gratuitously supply forms of certificate to any medical practitioner who applies for the same, and shall pay to every medical practitioner



(not being a medical officer) for each certificate duly sent by him or her in accordance with this Part a fee of forty cents.

#### **41. Power of Minister to extend definition of infectious disease**

(1) The Minister 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) When any such regulation is made the Sanitary Authority shall send a copy thereof to every medical practitioner.

(4) The said regulation shall come into operation at such date, not earlier than three days after the first publication of the regulation in the *Gazette*, 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.

#### **42. Precautions against spread of infectious disease**

(1) Where the Sanitary Authority is of opinion, on the certificate of the Chief Medical Officer, that such direction as is hereinafter mentioned would tend to prevent or check the spread of any infectious disease it may by direction in writing—

- (a) require any person carrying on the business of a baker, butcher, aerated water manufacturer, dairyman, restaurant keeper, hotel keeper, shopkeeper, or fishmonger or carrying on any business where any article of food, cooked or uncooked, or of drink intended for human consumption is manufactured or offered or exposed for sale, or carrying on the business of a cinema or any business for the entertainment of the public to discontinue the said business for such period, not exceeding three months, as may be specified in the direction;
- (b) require any person employed in or about any business enumerated in paragraph (a) to desist from his or her employment for such period not exceeding three months, as may be specified in the direction.

(2) Where in the opinion of the chairperson of the Sanitary Authority an emergency has arisen and there is insufficient time to summon a meeting of the Sanitary Authority he or she may make any direction which the Sanitary Authority could have given under subsection (1):

Provided that the chairperson shall refer any such direction to the Sanitary Authority as soon as possible after it is given and the Sanitary Authority shall either confirm or disallow it.

(3) Any person who neglects or refuses or fails to obey a direction given under subsection (1) or (2) and not disallowed shall be guilty of an offence and liable to a fine of three thousand dollars and to imprisonment for six months; and the Sanitary Authority may cause such business to be discontinued for the period specified in the direction.

(4) Where a direction is given under this section and the person affected thereby is in the opinion of the Sanitary Authority unable on account of poverty or other good cause to provide food, medicine and the necessaries of life, the Sanitary Authority may cause such person to be provided therewith at the public expense.

*Prevention***43. Duty of Sanitary Authority to cause premises to be cleansed and disinfected**

(1) Where the Sanitary Authority is of opinion, on the certificate of a medical practitioner, 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 diseases, it shall be the duty of such Authority to give notice in writing to the owner or occupier of such house or part thereof, requiring him or her to cleanse and disinfect such house or part thereof and articles within a time specified in such notice.

(2) If the person to whom notice is so given fails to comply therewith he or she shall be liable to a fine not less than five dollars and not exceeding one hundred dollars for every day during which he or she continues to make default; and the Sanitary Authority shall cause such house or part thereof and articles to be cleansed and disinfected, and may recover the expense 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 Sanitary Authority, effectually to carry out the requirements of this section, such Authority may, without enforcing such requirements on such owner or occupier, with his or her consent cleanse and disinfect such house or part thereof and articles, and defray the expenses thereof.

**44. Disinfection of bedding, etc.**

(1) The Sanitary Authority 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 sanitary officer for removal for the purpose of disinfection; and any person who fails to comply with such requirement shall be liable to a fine of five hundred dollars.

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

**45. Destruction of infected bedding, etc.**

The Sanitary Authority may direct the destruction of any bedding, clothing or other articles which have been exposed to infection from any infectious disease, and may give compensation for the same.

**46. Removal to hospital of infected persons without proper lodging**

(1) A person suffering from any infectious disease, who is without proper lodging or accommodation, or is in any house or premises where he or she cannot be effectually isolated so as to prevent the spread of the disease, may on a certificate signed by a medical practitioner be removed by Order of the Sanitary Authority to a hospital.

(2) An Order under this section may be addressed to such police officer or sanitary officer as the Sanitary Authority may think expedient; and any person who wilfully disobeys or obstructs the execution of such Order shall be liable to a fine of five hundred dollars.

**47. Detention in hospital of infected persons without proper lodging**

(1) The Sanitary Authority 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 spread 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 sanitary officer, or by any police officer or any officer of the hospital.

#### **48. Temporary shelter, etc.**

The Sanitary Authority may provide, free of charge, temporary shelter or house accommodation with any necessary attendants for the members of any family in which any infectious disease has appeared who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected by the Sanitary Authority.

#### **49. Penalty on exposure of infected persons and things**

Any person who—

- (a) while suffering from any infectious disorder wilfully exposes himself or herself 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 the owner, conductor, or driver thereof that he or she is so suffering;
- (b) being in charge of any person so suffering, so exposes such sufferer;
- (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;
- (d) exposes or conveys without proper precaution the body of any person who has died of any infectious disorder; or
- (e) holds a wake, or permits a wake to be held, in any house, room, or place, over which he or she has control over the body of any person who has died of any infectious disorder,

shall for each such offence, be liable to a fine of two hundred and fifty dollars:

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.

#### **50. Penalty on letting houses in which infected persons have been lodging**

(1) 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 or her, shall be liable to a fine of one thousand dollars.

(2) For the purposes 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.

#### **51. Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to the owner, or on making false answers**

(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 by him or her, 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 fine of five hundred dollars.

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

## **52. Infection in schools**

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 practitioner 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 of one hundred dollars.

## **53. Body of person dying of infectious disease in hospital, etc., to be removed only for burial**

(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 or her 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) If any person wilfully offends against this section he or she shall be liable to a fine of five hundred dollars.

(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 purposes of this section, be deemed part of such hospital.

## **54. Inspection of dairies, and power to prohibit supply of milk**

(1) If a district medical officer has evidence that any person in his or her medical district is suffering from an infectious disease attributable to milk supplied within the district from any dairy situate within the district, or that the milk from any such dairy is likely to cause any such disease to any person residing in the district, such medical officer shall visit such dairy, and examine the same and every person engaged on 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 or her examination to the Sanitary Authority.

(2) If a district medical officer has evidence that any person in his or her medical district is suffering from any infectious disease attributable to milk from any dairy outside

the district, or that the milk from any such dairy is likely to cause any such disease to any person residing in the district, such medical officer shall forthwith intimate the same to the Sanitary Authority and the Sanitary Authority shall forthwith cause the dairy and the persons aforesaid and the animals therein to be examined by the district medical officer of the medical district in which the dairy is situate, and such last mentioned district medical officer shall forthwith report the results of his or her examination to the Sanitary Authority.

(3) If on consideration of the report the Sanitary Authority is satisfied that infectious disease is caused from consumption of the milk supplied from any such dairy he or she shall give notice to the dairyman to appear before the magistrate of the district in which the dairy is situate, 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 or her not to supply any milk from his or her 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 Sanitary Authority, 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 Sanitary Authority or the medical officer of health of the Sanitary Authority on its behalf is satisfied that the milk supply has been changed or that the cause of infection has been removed.

(4) Any person, refusing to permit the district medical officer to inspect his or her 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 Act:

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

#### **55. Prohibition of retention of corpse**

No person, without the sanction in writing of the district 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.

#### **56. Order for burial**

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 district medical officer, 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 an adjoining or neighbouring house or building, the district medical officer may order the body to be removed at the cost of the Sanitary Authority to any available mortuary, and direct the same to be buried within a time to be limited in the order; and the district 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 or she 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 officer in charge of the police station in the parish in which the body shall be to bury such body; and any expense so incurred may be charged by that officer in his or her accounts, and may be recovered by him or her or by the Sanitary Authority in a summary manner from any person legally liable to pay the expenses of such burial.

**57. Disinfection of public conveyances if used for carrying corpses**

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

**58. Recovery of cost of maintenance of patient in hospital**

Any expenses incurred by the Sanitary Authority in maintaining in hospital, or in a temporary place for the reception of the sick, a patient who is not a pauper shall be deemed to be a debt due from such patient to the Sanitary Authority, and may be recovered from him or her or from his or her estate in the event of his or her dying in such hospital or place.

## PART VI

*Epidemic and Endemic Diseases**Power to make Regulations***59. Power to make regulations for prevention of diseases**

The Sanitary Authority 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.

**60. Power to make regulations for prevention of formidable diseases**

Whenever any part of Grenada appears to be threatened with or affected by any formidable epidemic, endemic or infectious disease, the Minister may make regulations for all or any of the following purposes, namely—

- (a) for the speedy interment of the dead;
- (b) for house to house visitation;
- (c) for the provision 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 Grenada, and to apply to any ships or vessels, whether on inland waters or on arms or parts of the sea within the jurisdiction of Grenada, for the period in such Order mentioned; and may by any subsequent Order abridge or extend such period.

*Special Provisions with Respect to Ankylostomiasis*

**61. Compulsory treatment and detention of infected persons**

(1) It shall be lawful for the Sanitary Authority, on a certificate signed by a district medical officer, by a written Order to require any person who, in the opinion of such medical officer is suffering from ankylostomiasis to attend for treatment at a public dispensary or to go or be taken to and to remain in a public hospital for treatment.

(2) If any person neglects or refuses to comply with any requirement of any such Order he or she shall be guilty of an offence against this Act.

**62. Power to take back to hospital infected persons leaving without permission**

Any person, who while under medical treatment for ankylostomiasis leaves any hospital without the permission of the medical officer in charge of such hospital may be taken back to such hospital by any officer or employee thereof, or by any police officer on the order of the medical officer of such hospital.

**63. Sanitary Authority may require owners of estates to provide suitable privy accommodation**

(1) It shall be the duty of every Public Health Inspector to report to the Sanitary Authority whenever he or she has reason to believe that the privy accommodation on any estate is insufficient or unsuitable by reason of the number of persons residing and employed on the estate.

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

(3) If the owner or occupier of an estate upon whom such a notice has been served makes default in complying with the requisitions named in the notice, the Sanitary Authority shall cause a complaint relating thereto to be made before the magistrate of the district; and the magistrate shall thereupon summon such owner or occupier to appear before him or her and may make an Order on such owner or occupier requiring him or her 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 or she fails to satisfy the court that he or she has used due diligence to carry out such order, be liable to a fine of twenty-five dollars 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 fifty dollars for each day during which such contrary action continues.

**64. Penalty for defecating in places other than place provided on an estate for the purpose**

(1) When privy accommodation shall have been provided in accordance with this Act, the Sanitary Authority may cause public notices to be affixed on the estate 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 Act, or who disobeys the public notices affixed on the estate as aforesaid, shall be liable to a fine of two hundred and fifty dollars.

**65. Provision of public latrines in towns and villages**

(1) All towns shall, and all villages may, be provided by the Sanitary Authority 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 district medical officer to report to the Sanitary Authority if in his or her opinion any such latrine accommodation is needed.

(2) The payment of any expenses incurred in carrying out any requirements under this section in relation to a town or a village outside the limits of a town shall be charged upon and paid out of the Consolidated Fund.

**66. Provision of privies for schools**

(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 assisted school shall be charged upon and paid out of the Consolidated Fund:

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

(4) 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 of two hundred and fifty dollars; 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 school house other than the place provided as aforesaid, shall be guilty of an offence against this Act.

**67. Regulations regarding ankylostomiasis**

The Sanitary Authority may make regulations for guarding against the spread of ankylostomiasis and preventing pollution of the surface of the ground, and more particularly—

- (a) for prescribing the forms of privy accommodation to be provided under this Act;
- (b) for promoting the cleanly and proper use of such privy accommodation;



- (c) for the cleansing and disinfection of the ground in any place affected by the disease.

*Special Provisions with Respect to Venereal Diseases*

**68. Power of Sanitary Authority to make regulations for guarding against the spread of venereal diseases, etc.**

The Sanitary Authority shall 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.

*Special Provisions with Respect to Schistosomiasis*

**69. Power of Chief Medical Officer to control causes of schistosomiasis**

(1) It shall be unlawful without a permit issued by the Chief Medical Officer to import or, after importation, to distribute any aetiological agent capable of being a cause or vector of human schistosomiasis otherwise known as bilharzia, and any such agent imported without the authority of such a permit shall be seized by an officer of the Department of Customs and Excise and held by him or her until its release or, as the case may be, its destruction has been directed in writing by the Chief Medical Officer.

(2) Notwithstanding that a permit has been issued under subsection (1) if, on reasonable suspicion, the Chief Medical Officer, a public health inspector, a district medical officer or a plant protection officer considers that such agent is harbouring snails or the eggs of snails capable of causing human schistosomiasis, he or she may seize such agent and examine the same; if any such snails or eggs are found the Chief Medical Officer shall be informed and he or she shall destroy the same or order the destruction thereof.

(3) If any person unlawfully imports or distributes an aetiological agent capable of being a cause of schistosomiasis, in contravention of subsection (1), he or she shall be guilty of an offence against this Act.

PART VII

*Burial Grounds and Burials*

**70. Discontinuance, by Order, of burials in a burial ground**

In case it shall appear to the Minister, upon representation made to him or her or otherwise, that for the protection of public health, burials in any cemetery or burial ground should be wholly discontinued, or should be discontinued subject to any exception or qualification, it shall be lawful for the Minister to make an Order requiring that after a time mentioned in the Order burials in such cemetery or burial ground shall be discontinued wholly or subject to any exceptions or qualifications mentioned in such Order, and so from time to time as circumstances may require.

**71. Penalty on persons burying contrary to the provisions of Orders**

If any person, after the time mentioned in an Order under section 70 for the discontinuance of burials in any cemetery or burial ground, knowingly and wilfully buries

any body, or in anywise acts or assists in the burial of any body in such cemetery or burial ground in violation of the provisions of any such Order, every person so offending shall be guilty of an offence and liable, on summary conviction, to a fine of one thousand five hundred dollars.

#### **72. Power to make regulations**

The Sanitary Authority may make regulations for the management, regulation and control of public and private cemeteries and burial grounds and with respect to the burial of bodies.

### PART VIII

#### *Miscellaneous*

#### **73. Regulations subject to approval of Minister, etc.**

Every regulation made by the Sanitary Authority shall have the force and effect of law when approved by the Minister and published in the *Gazette*:

Provided that such regulation shall be laid on the Table of the House of Representatives at its first meeting after such publication and shall cease to have such force and effect if disallowed by the House of Representatives.

#### **74. Notices, etc., may be printed or written, etc.**

Notices, Orders, and other such documents under this Act may be in writing or print, or partly in writing and partly in print; and if the same require authentication by the Sanitary Authority the signature thereon of the clerk to the Sanitary Authority shall be sufficient authentication.

#### **75. Service of notices, etc.**

(1) Notices, Orders, and any other documents required or authorised to be served under this Act 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; they may also be served by being sent by registered post and if so served by post shall be deemed to have been served not later than the seventh day succeeding the day when posted, and in proving such service it shall be sufficient to prove that the Notice, Order, or other document was properly addressed and put into the post.

(2) A Notice by this Act required to be given to the owner or occupier of 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.

(3) A Notice by this Act required to be given to the Sanitary Authority may be given in a registered letter addressed to the Sanitary Authority and if the person giving such notice is resident in a parish where no office of the Authority exists such letter shall be transmitted by the Post Office free of charge.

**76. General power of entry for sanitary inspection of premises**

(1) For the purposes of carrying out any of the objects of this Act, it shall be lawful for the Sanitary Authority or any person duly authorised by the Authority or for any sanitary officer to enter in the day time 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, slaughter-house, aerated water factory, cellar, stable, outbuilding, yard, lands, or other premises whatever.

(2) Any person who obstructs any such entry as aforesaid shall be liable to a fine of five hundred dollars.

**77. Application of Act to vessels, tents, etc.**

The provisions of this Act 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.

**78. General penalties**

Any person who—

- (a) commits an offence against this Act for which no penalty is specifically provided;
- (b) wilfully obstructs the Sanitary Authority or any sanitary officer or any person duly authorised by the Sanitary Authority in carrying out the provisions of this Act where no penalty is specifically provided;
- (c) contravenes a regulation made under this Act; or
- (d) wilfully obstructs any person acting under the authority or in execution of any regulation made under this Act,

shall, for each offence, be liable to a fine of five hundred dollars and if the offence is a continuing one to a further fine of fifty dollars for each day during which the offence continues.

**79. Prosecution of offenders**

All offenders against this Act or against regulations made thereunder may be prosecuted by the Sanitary Authority or a sanitary officer or by the Chief of Police, or by the officer for the time being in charge of any police station, before the magistrate of the district in which the offence occurs.

**80. Appearance of Sanitary Authority before magistrate**

The Sanitary Authority may appear before a magistrate by any person authorised in writing generally or in respect of any special proceeding so to appear by the Sanitary Authority.

**81. Protection of Sanitary Authority and sanitary officers from personal liability**

No matter or thing done by the Sanitary Authority, or a sanitary officer, or by any person whomsoever acting under the direction of the Sanitary Authority, or a sanitary officer, shall, if the matter or thing were done *bona fide* for the purpose of executing the

provisions of this Act, subject them or any of them personally to any action, liability, claim or demand whatsoever.

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**CHAPTER 263  
PUBLIC HEALTH ACT**

**SUBSIDIARY LEGISLATION**

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*List of Subsidiary Legislation*

1. Public Health (Drainage, Soubise) Proclamation
  2. Public Health Regulations
- 

**Public Health (Drainage, Soubise) Proclamation**

**PUBLIC HEALTH (DRAINAGE, SOUBISE) PROCLAMATION**

[Section 29.]

**A Proclamation by the Governor dated 19th May, 1938, made under section 29 of the Public Health Act.**

Whereas by section 29 of the Public Health Act it is provided that the Minister may in his or her absolute discretion apply the provisions of the Act aforesaid, *inter alia*, to any main drainage channel.

And whereas it is expedient to proclaim certain main drainage channels to be main drainage channels to which the aforesaid Act applies.

It is, therefore, proclaimed and notified that the main channel leading from a culvert on the St. Andrew's First Class Road at Soubise through certain lands of Josiah Jessamy to the sea to be a main drainage channel to which the said enactment applies.

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**Public Health Regulations**

**Amended by**

SRO 44 of 2006

**ARRANGEMENT OF REGULATIONS**

1. Citation.

**PART I**