



ST. CHRISTOPHER AND NEVIS

CHAPTER 9.21

PUBLIC HEALTH ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2020

This is a revised edition of the law, prepared by the Law Commission under the authority of the Law Commission Act, Cap. 1.03.

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CHAPTER 9.21

PUBLIC HEALTH ACT

AN ACT TO MAKE PROVISION FOR THE LAW RELATING TO PUBLIC HEALTH, AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

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

*Interpretation.

2. In this Act—

“building” includes any public or private building, any house or dwelling place and any structure of whatever material constructed, but shall not include a temporary structure of poles and leaves or branches;

“Community Health Nurse” means a nurse appointed as such under this Act for the performance of duties prescribed by this Act or Regulations made under this Act;

(Inserted by Act 5 of 2001)

“Department” means the Ministry of Health;

“disease” includes any disease which, in any Regulations made under this Act respecting disease control, is listed, described or referred to as an infectious disease which is notifiable;

“drug” includes any substance or mixture of substances, whether intended for internal or external use, which is manufactured, sold or offered for sale for use in—

- (a) the diagnosis, treatment, mitigation or prevention of a disease, or the symptoms thereof, in man or animal;
- (b) restoring, correcting or modifying organic functions in man or animal;
or
- (c) disinfection in premises in which food is manufactured, prepared or kept, or for the control of vermin in such premises;

“Environmental Health Officer” means any person appointed as such under this Act to perform any of the functions prescribed under this Act or any Regulations made under this Act and includes the Chief Environmental Health Officer;

(Inserted by Act 5 of 2001)

“food” includes ice and any article manufactured, sold or offered for sale as food or drink for man, as well as chewing gum and any ingredient that may be mixed with food or drink for any purpose, but shall not include drugs or water;

“HEOC” means the Health Emergency Operating Centre referred to in section 9;

(Inserted by Act 15 of 2020)

“Local Council” means a Local Council established and constituted under the provisions of the Local Government Act, Cap. 2:03;

“Medical Officer of Health” means a person duly appointed or authorised to act as a Medical Officer of Health under this Act, and includes the Chief Medical Officer;

* “Public Health Inspector” and “Public Health Nurse” deleted by Act 5 of 2001.

“Minister” means the member of the Cabinet for the time being charged with the subject of Health;

“National Health Emergency Response Mechanism” refers to the National Health Emergency Response Mechanism that is set out in the National Health Disaster Management Plan;

(Inserted by Act 15 of 2020)

“nuisance” includes any act not warranted by law, or any omission to discharge a legal duty, which act or omission causes inconvenience or interferes with personal comfort, or is likely to be prejudicial to the public health or public safety;

“occupier” includes the person in occupation or having the charge, management or control of any premises or building or part thereof, whether on his or her own account or on behalf of another person;

“offensive trade” includes any trade, business or manufacture from time to time listed or described as such in any Regulations made under this Act dealing with offensive trades and their suppression or control;

“officer” means the Chief Medical Officer, Medical Officers of Health, District Medical Officers, Community Health Nurses or Environmental Health Officers;

(Substituted by Act 5 of 2001)

“premises” includes lands, whether public or private, open or enclosed, built on or not, and all buildings, streets, docks, quays, wharves, streams, drains, privies, water closets, baths, sewage systems, ditches, vehicles, aircraft, ships, vessels, boats, hulks and barges;

“Regulations” means Regulations made under this Act, and unless otherwise specifically provided, a reference herein to this Act shall include reference to the Regulations;

“State” means the Federation of Saint Christopher and Nevis;

(Substituted by Act 5 of 2001)

“street” includes any highway, bridge, road, lane, footway, footpath, yard, square, court, alley, or passage, whether a thoroughfare or not.

Duties and functions of the Minister.

3. The duties, powers and functions of the Minister shall extend to and include all matters relating to the promotion or preservation of the health of the people of the State, and without restricting the generality of the foregoing, shall extend to and include—

- (a) the prevention, treatment, limitation and suppression of disease, including the conduct of investigations and inquiries in respect thereof;
- (b) the publication of reports, information and advice concerning public health, including advice to the Government, and the education of the public in the promotion and preservation of health;
- (c) the abatement of nuisances and the removal or correction of any condition that may be injurious to the public health;
- (d) (subject to the provisions of any law dealing with the distribution and price of goods), the importation of foods and drugs, the sale and

conditions of sale of foods and drugs in the interest of public health and the prevention of fraud or deception, and the seizure and destruction of foods and drugs which do not comply with the provisions of this Act or the Regulations or of any other law of the State; and

(e) the administration of this Act.

Exercise of the duties, powers and functions of the Minister.

4. (1) In the exercise of his or her duties, powers and functions under section 3 of this Act, the Minister shall have power—

(a) exercisable through Environmental Health Officers and other officers, to enter into or upon any premises, with or without the consent of the owner or occupier, and make such inspection or examination thereof as may be deemed necessary for the purposes of this Act;

(Amended by Act 5 of 2001)

(b) to enter and inspect public or private institutions utilized for the physical care or custody of any person accommodated therein whether by process of law or otherwise, and to ensure that such institutions are maintained in a proper and sanitary condition as regards public health;

(c) to make such orders and issue such directions as he or she deems advisable for the abatement of a nuisance or the removal of any condition which, in his or her opinion, is or may become injurious to the public health, including structural alterations or repairs to premises necessary therefor or in respect of any other matter that, in his or her opinion, is necessary for the purpose of this Act.

(2) The Minister may, in writing, delegate to a Local Council or other local authority power to exercise, carry out and perform within the geographical area of such Local Council or such other local authority as aforesaid, such of his or her duties, powers and functions under this Act as he or she deems advisable and on such terms and conditions as he or she may prescribe.

Establishment of health and sanitation districts.

5. The Minister may establish health or sanitation districts for the State, fix the boundaries thereof, and assign duties and functions in relation thereto to such officers as he or she may deem necessary:

Provided however that the health and sanitation districts in existence immediately before the coming into force of this Act shall be deemed to be established under this Act and shall remain in existence with their existing boundaries until further action is taken by the Minister under this section.

Establishment of boards and committees.

6. (1) The Minister may establish boards and committees to assist and advise him or her on matters relating to his or her duties, powers or functions under this Act.

(2) Such boards and committees may be established for the whole of the State or for any specified area or areas thereof as he or she may from time to time deem necessary, and he or she may delegate to such boards and committees such duties, powers and functions as he or she deems advisable.

(3) Any board or committee so established shall consist of such persons as in the opinion of the Cabinet are representative of some aspect of public health and,

without limiting the generality of the foregoing, may include representatives of agriculture, labour, management, education, women's organisations, medical or para-medical professions and Local Councils and other local authorities.

(4) Members of such boards or committees shall be appointed by the Cabinet to hold office during pleasure for a period not exceeding three years, but any person so appointed shall be eligible for re-appointment.

Appointment of Public Health Officers.

7. There shall be appointed in a manner authorised by law for the purposes of this Act a Chief Medical Officer for the State as well as such Medical Officers of Health, Community Health Nurses, Environmental Health Officers and other public health officers as may from time to time be required for the administration of this Act and the Regulations.

(Amended by Act 5 of 2001)

Delegation of Minister's authority to officers.

8. (1) Except as the Minister may otherwise direct, the Chief Medical Officer is authorised to carry out, exercise and perform the duties, powers and functions conferred on the Minister under this Act, and every Medical Officer of Health, Community Health Nurse, Environmental Health Officer or other public health officer shall carry out, exercise and perform the duties, powers and functions under this Act as may be required by the Minister or the Chief Medical Officer and in so doing shall be deemed to act under the authority thereof.

(Amended by Act 5 of 2001)

(2) Subject to the provisions of subsection (1) of this section, such officers may take such steps as may be necessary for the execution and administration of this Act, the Regulations, and any rules, orders or directives made or given by the Minister or the Chief Medical Officer, and such officers may call upon any person to lend such assistance as may be necessary in the exercise thereof.

Health Emergency Operating Centre.

*9. (1) The Minister may, on the advice of the Chief Medical Officer, authorise the activation of the Health Emergency Operating Centre in the event of a national health emergency or disaster as the case may be, whether such emergency or disaster is imminent or has occurred.

(2) The Health Emergency Operating Centre is a part of the National Health Emergency Response Mechanism.

(3) Subject to subsection (1), the Health Emergency Operating Centre shall be manned by an Executive Committee comprised of the following persons—

- (a) Chief Medical Officer as Incident Commander;
- (b) Medical Officer of Health for Nevis;
- (c) Medical Chief of Staff;
- (d) the Health Planner;
- (e) Director of Institutional Nursing Services;
- (f) Deputy Director of Institutional Nursing Services;

* Inserted as Section 8A by Act 15 of 2020, renumbered as section 9 and the following sections renumbered accordingly.

- (g) Coordinator of Community Nursing Services;
- (h) Chief Epidemiologist;
- (i) Operations Manager Hospital Services;
- (j) Medical Statistician.

(4) Where the Executive Committee is mobilised pursuant to subsection (1), its functions shall be as follows—

- (a) to provide strategic direction and advice in relation to a national health emergency or disaster;
- (b) to mobilise key health personnel to provide support and intervention where necessary;
- (c) to collect data and statistics and provide medical analysis in respect of the national health emergency;
- (d) to provide assistance to the National Emergency Management Agency as part of the National Disaster Management Plan;
- (e) to coordinate with the National Emergency Operations Centre.

(Inserted by Act 15 of 2020)

Delegated powers of Local Councils, etc.

10. A Local Council or other local authority to which duties, powers and functions have been delegated by the Minister under the provisions of this Act shall, subject to such terms and conditions as may be specified in such delegation, do all things necessary for the carrying out of those duties, powers and functions; and the provisions of section 8 of this Act shall *mutatis mutandis* extend to and include any officer in the employ of such Local Council or other local authority who is authorised thereby to carry out a duty, power or function so delegated.

Regulations.

11. The Minister may, with the approval of the Cabinet, make Regulations for the proper execution and carrying out of the purposes and provisions of this Act generally, and in particular, with respect to the following matters—

- (a) prescribing forms;
- (b) respecting the duties and functions of officers and prescribing qualifications therefor;
- (c) the prevention, treatment, mitigation and suppression of disease, and, without limiting the generality of the foregoing—
 - (i) the listing or scheduling of diseases, including infectious diseases, notifiable diseases, or other diseases dangerous to the public health;
 - (ii) the reporting of cases or suspected cases of infectious or notifiable diseases;
 - (iii) the supplying of medical aid, accommodation and medicine and such other articles or things as may be necessary for preventing, mitigating, controlling or suppressing an epidemic or any infectious or other disease;

- (iv) the removal, isolation or keeping under surveillance of persons living in localities which are declared by the Minister to be infected localities;
- (v) preventing persons or conveyances from passing from such a locality to any other locality;
- (vi) detaining for inspection or disinfection persons or conveyances that have been exposed to infection;
- (vii) the cleansing, purification and disinfection of places and things used by persons suffering from an infectious disease;
- (viii) the establishment of quarantine or isolation hospitals and the placing therein of persons having an infectious disease or any disease dangerous to the public health;
- (ix) the treatment of persons who are infected with infectious diseases or diseases dangerous to the public health, including the observation of persons suspected to be so infected and the removal of persons from unhealthy houses or who are living in congested or under unhealthy circumstances;
- (x) regulating the entry or departure by aircraft, ships, vessels or boats to or from any place in the State, and the landing and disinfection of passengers or cargoes thereon;
- (xi) the inspections and house to house visitations by officers as may be necessary for the control, prevention, mitigation or suppression of disease;
- (xii) the compulsory vaccination or inoculation of persons residing in or entering the State not already vaccinated or inoculated or not sufficiently protected by previous vaccination or inoculation, and the supply and quality of vaccine matter and serum;
- (xiii) the compulsory examination by clinical and bacteriological or other methods and by specified tests of persons and, if necessary, the compulsory detention and treatment of persons infected or suspected of being infected with any infectious or notifiable disease or disease dangerous to the public health;
- (xiv) the closing of schools, churches and places of public assembly or entertainment for the purpose of preventing or controlling the spread of disease;
- (xv) the location, construction, inspection, control, licensing, operation and maintenance of nursing homes, maternity homes, convalescent homes, private hospitals, homes for children, for the aged or infirm, and homes for physically or mentally handicapped persons, including the compulsory removal of aged, helpless and uncared-for persons to public institutions;
- (xvi) the protection of the health of persons exposed to conditions, substances or processes which occur in any industry or occupation and which may be injurious to health;
- (xvii) quarantine or other measures to be taken by and in respect of persons suffering from any infectious or notifiable disease;

- (d) for preventing the overcrowding of premises used for human habitation or business purposes, the amount of floor and air space for each occupant thereof; and the lighting and ventilation of such premises;
- (e) respecting the site, construction, plumbing, sewage disposal and sanitary conditions of buildings used for human habitation or for business purposes, and for the periodical inspection thereof;
- (f) respecting the location and construction of water closets, cesspools, cesspits, privies, drains, sewage systems and sewers, and their cleansing;
- (g) for the inspection, cleansing, purifying, ventilating and disinfecting of premises by the owners, occupiers and persons having the care and charge thereof;
- (h) for the protection of water from contamination and pollution and, without limiting the generality of the foregoing, for—
 - (i) the inspection and approval of sources of supply, and the conditions, if any, on which such approval is granted;
 - (ii) the testing and analysis of water;
 - (iii) the construction, alteration, maintenance and purification of water supplies and water distribution systems;
 - (iv) the supervision and control of any river, stream, spring or part thereof contributing to a public water supply;
 - (v) the regulation and prohibition of persons bathing, washing clothes, cleansing vehicles, utensils or animals at or in any river, stream, or spring or part thereof contributing to a public water supply, or at any part of a domestic water system;
 - (vi) prescribing or limiting the purpose for which water may be used and prescribing or defining the manner in which it shall be used and distributed;
 - (vii) the disposal of waste water and effluents;
- (i) respecting matters or conditions which shall be deemed to constitute a nuisance, the prevention, abatement or removal of nuisances and unsanitary conditions on public or private property which are or may become injurious to the public health;
- (j) the sanitary disposal of garbage and other waste matter including—
 - (i) the fixing of times for collection and removal;
 - (ii) the method of removal and disposal;
 - (iii) the place of disposal;
 - (iv) the duties of owners and occupiers of premises in relation to the disposal of garbage and waste matter;
- (k) respecting the method of the carrying on of a trade, business or manufacture that may become offensive or that by Regulations is declared to be offensive or that may affect the public health;
- (l) respecting the keeping of domestic animals including dogs, poultry, swine, goats, sheep, horses, mules, donkeys and cattle, and the places

where such animals or poultry may or may not be kept and the control or supervision to be exercised by the owner;

- (m) respecting the slaughtering or killing of animals and poultry for use as food for human consumption, the place and manner of slaughter, the construction, conduct, control, cleanliness, maintenance, licensing and inspection of places therefor, including the enclosures thereto or in connection therewith;
- (n) for the examination of animals and poultry before and after slaughter and of meat thereof and the actions to be taken resulting from such examination;
- (o) for the medical examination and the registration and licensing of persons engaged in the slaughter of animals and poultry;
- (p) for the disposal of dead animals, including the imposing on any authority or person the duty of disposing thereof;
- (q) for the control and destruction of rodents, mosquitoes and other insects, termites, snails, bats and other vermin, and for the licensing and control of persons engaged in the business of their destruction;
- (r) regulating dairies and any premises where any business in relation to the production, reconstitution, sale, delivery or distribution of milk is carried on, including the construction, equipping, maintenance, licensing and inspection of such places, the medical examination and licensing of persons engaged therein, and the pasteurization and labelling of milk;
- (s) the inspection and testing of cattle and goats, the milk of which is intended for sale for human consumption;
- (t) prescribing measures to be taken for the protection of the public health with respect to the production, preparation, manufacture, storage, distribution and sale of food intended for human consumption, and without limiting the generality of the foregoing, for the licensing and inspection of shops, restaurants and other eating establishments, including hotels and all other buildings or premises where any food, cooked or uncooked, is sold or prepared for sale, whether to be consumed on such premises or to be taken therefrom for the purpose of human consumption;
- (u) prescribing measures to be taken for the protection of the public health with respect to the production, preparation, manufacture, storage, distribution and sale of food intended for human consumption, and without limiting the generality of the foregoing, for the location, construction, furnishing and equipment, cleanliness and maintenance of any building or premises or other place in which any article of food is manufactured, prepared, handled, stored or sold and in particular, without limiting the generality of the foregoing—
 - (i) bakeries, bakeshops and bread shops;
 - (ii) meat and butcher shops;
 - (iii) dairies and milk shops;
 - (iv) grocery and provision shops;
 - (v) markets;

- (vi) street vending of foods;
- (vii) aerated water factories or plants;
- (viii) ice factories and other places where ice is manufactured;
- (ix) confectionery and ice cream shops, including places where ice cream is manufactured;
- (v) prescribing measures to be taken for the protection of the public health with respect to the production, preparation, manufacture, storage, distribution and sale of food intended for human consumption, and without limiting the generality of the foregoing—
 - (i) for the licensing and inspection of premises where any article of food is manufactured, prepared, packed, handled stored or sold;
 - (ii) regulating and prohibiting the sleeping in bakeries, shops, or places where food is manufactured, prepared, kept, stored or sold for human consumption;
 - (iii) for the medical examination, registration and licensing of persons engaged in the handling of foods;
 - (iv) regulating the supply and treatment of water used in any aerated water factory or ice factory or other place or places in which food is manufactured, processed, prepared, packed, stored or sold;
- (w) respecting—
 - (i) the labelling and packaging and the offering, exposing and advertising for sale of foods, drugs, cosmetics and devices;
 - (ii) the sale or condition of sale of any food, drug, cosmetic or device, and the use of any substance as an ingredient in any food, drug, cosmetic or device;
 - (iii) the seizure, forfeiture and destruction of any food, drug, cosmetic or device, the sale of which would not be in accordance with, or would be in violation of, the Regulations;
- (x) prescribing standards of identity, composition, strength, potency, purity, quality or other property of any article of food, drug, cosmetic or device;
- (y) respecting the conditions under which foods, drugs, cosmetics and devices may be imported into the State, subject to any law relating to customs, excise or revenue;
- (z) exempting any food, drug, cosmetic or device from any or all of the provisions of this Act or of the Regulations, and prescribing the conditions of such exemptions;
- (aa) requiring persons who sell foods, drugs, cosmetics or devices to maintain such books and records as the Minister may consider necessary for the proper enforcement and administration of this Act and of the Regulations;
- (bb) respecting the powers and duties of Environmental Health Officers and analysts and the taking of samples and the seizure, detention, forfeiture and disposition of articles;

(Amended by Act 5 of 2001)

- (cc) establishing schedules of drugs, the sale of which is subject to special conditions in the interest of the public health;
- (dd) for the purposes only of the preservation of the public health, respecting the inspection, control, licensing, operation and maintenance of hotels, apartment buildings, motels, boarding houses, lodging houses and other places where accommodation is provided for cash or other consideration;
- (ee) for the forcible entry into premises to which this Act or the Regulations apply, where the owner or occupier does not give permission for the inspection and examination thereof, or where the owner or occupier cannot be located;
- (ff) respecting the cleanliness, inspection and licensing of barbers, beauticians, barber shops, hairdressing and beauty shops;
- (gg) for the inspection and control of bathing beaches and swimming pools, including the sanitation, accommodation, sanitary conveniences and water supply;
- (hh) for the medical and dental inspection and treatment of school children, the removal of children from school, and the closing of schools in the interest of the public health;
- (ii) for the interment or other disposal of the dead, the preparation and transportation of dead bodies, the entry of dead bodies from outside the State, the regulation and inspection of undertaking establishments, morgues, crematoria and other places used in connection therewith, the licensing thereof, and the management and maintenance of cemeteries and the conditions under which new cemeteries may be established;
- (jj) respecting the performance of post-mortem examinations;
- (kk) prescribing fees for licences granted under this Act or the Regulations;
- (ll) prescribing penalties not exceeding the sum of eight thousand dollars on summary conviction for the infringement of any Regulations.

(Substituted by Act 5 of 2001)

Scope of Regulations.

12. Regulations made under this Act may be made to have effect throughout the State or be limited to such parts or areas thereof as may be specified and shall, when published in the *Gazette*, have the force of law.

Publication of Regulations.

13. (1) Notwithstanding section 12 of this Act, where, in the opinion of the Minister, the time required for the publication of a regulation in the *Gazette* will be prejudicial to the public health by reason of any epidemic outbreak of disease or any other emergency, he or she may, by Order, dispense with such publication and such regulation shall be effective immediately but shall be published in the *Gazette* as soon as practicable thereafter, and if it is not so published within thirty days after it is made, such regulation shall then cease to have any force or effect, but without prejudice however to the power of the Minister to make new regulations concerning the same subject matter.

(2) Where the Minister finds it necessary to dispense with publication in the *Gazette* as in subsection (1) of this section provided, he or she shall nevertheless cause such regulation to be published by radio announcements or newspaper publications, or by affixing the same to the doors or walls of public buildings in the parts or areas of the State affected by such regulation.

Existing subsidiary legislation.

14. (1) Any Statutory Rules, Orders, Regulations or Proclamations made under the Public Health Act, or preserved thereby, which may be in force at the time of coming into operation of this Act, shall be deemed to have been made under this Act and shall continue in force until specifically altered, varied, amended, revoked or replaced under this Act.

(2) Where any such Statutory Rules, Orders, Regulations or Proclamations conflict in any way with this Act or with Regulations made thereunder, they shall cease to have force and effect in so far as they so conflict, but shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Act or with Regulations made under this Act.

Power of Local Councils to make By-Laws.

15. (1) A Local Council or other local authority if otherwise empowered by any law to make By-Laws respecting matters relating to public health within the geographical area of such Local Council or other local authority as the case may be, or whenever so authorised by the Minister, may make such By-Laws not inconsistent with this Act or the Regulations as may be necessary for matters relating to public health within its geographical area.

(2) Such By-Law shall become effective only when approved by the Cabinet and published in the *Gazette*.

Offences and penalties generally.

16. Any person who—

- (a) refuses to answer or knowingly gives an untrue answer to any inquiry made or addressed to him or her by an officer acting under the authority of this Act or of the Regulations, or intentionally with-holds any information from or knowingly furnishes any false information to such officer;
- (b) refuses or omits to do any act which he or she is required to do by this Act or the Regulations, or to carry out any order, instruction or condition lawfully made, given or imposed by any officer or other person acting under the authority of this Act or the Regulations;
- (c) assaults, resists, wilfully obstructs, intimidates, uses abusive language to or interferes with any officer or other person acting under the authority of this Act or the Regulations;
- (d) offers or gives any bribe to an officer or other person acting under the authority of this Act or the Regulations in connection with his or her duties or powers thereunder, or being such officer or other person as aforesaid, demands, solicits or accepts such a bribe;
- (e) obstructs in any manner an officer in the proper execution or administration of this Act or the Regulations; or

- (f) fails or neglects to carry out or infringes any provision of this Act or of the Regulations,

commits an offence and is liable, upon summary conviction, where no other penalty is specifically imposed therefor, to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment.

(Amended by Act 5 of 2001)

Limitation of proceedings.

17. A prosecution under section 16 of this Act or under any Regulations made thereunder, may be instituted at any time within twelve months from the time the subject matter of the prosecution arose or the offence was committed, whichever is later.

Who may lay information.

18. Any information may be laid or prosecution instituted by the Director of Public Prosecutions or by or on behalf of the Chief Medical Officer or with the consent of the latter, by any other officer, or by an officer authorised in that behalf by a Local Council or other local authority in respect of any matter which is within the lawful functions of such Local Council or other local authority or which is the subject of delegation to such Local Council or other local authority as provided by this Act.

Venue of trial.

19. A prosecution for an offence under this Act or the Regulations may be instituted, heard, tried or determined by the Magistrate in whose district the offence was committed or where the subject matter of the prosecution arose, or in any place in which the accused is apprehended or happens to be.

Liability of employer.

20. In a prosecution under this Act or the Regulations, it shall be sufficient proof of the offence to establish that it was committed by an employee or agent of the accused or by a person ostensibly in his or her employment whether or not he or she is identified or has been prosecuted for the offence, and the employer or principal may be prosecuted and convicted together with or instead of such employee or agent unless he or she proves that the offence was committed without his or her knowledge and consent and that he or she exercised all due diligence to prevent the commission of the offence.

References to owner or occupier of premises.

21. Whenever in any notice or any proceedings under the provisions of this Act or the Regulations it becomes necessary to mention or refer to the owner or occupier of any lands or premises, it shall be sufficient to designate him or her as the "owner" or "occupier" of the premises (naming them) without further name or description.

Service of notices and documents.

22. Any notice, order or other document made or given under this Act or the Regulations may be served by delivering the same or a true copy thereof either to the person to whom it is addressed or to his or her usual or last known place of abode or business or, when addressed to the owner or occupier, then to some adult person on the premises, or if there is no such person, then by affixing one copy of the notice or

other document to some conspicuous part of the premises, and in case of emergency, any such notice if verbally given to the person whom this Act or the Regulations require to be served or notified, shall be sufficiently given.

Action may be taken at expense of owner or occupier.

23. (1) If a notice or order requires action to be taken within a time specified therein either as regards the structural alteration, demolition or closure of premises, or the removal or abatement of a nuisance or other thing required of the owner or occupier under this Act or the Regulations and it is not done within the time so provided, then, after the expiration of the time specified in the notice, or, if an appeal has been made against the notice or order and upon appeal the notice or order has been confirmed with or without variation, after the expiration of fourteen days from the final determination of the appeal, or of such longer period as the Court in determining the appeal may fix, a Medical Officer of Health or an Environmental Health Officer may proceed to have the same done at the expense of the owner or occupier, as the case may be.

(Amended by Act 5 of 2001)

(2) Any expenses incurred by the Medical Officer of Health or Public Health Inspector under this section may, subject as hereinafter provided, be recovered by him or her by action or summarily as a civil debt, from the person having control of the premises, or if such person receives the rent of the premises as agent or trustee for some other person, then either from him or her or from that other person or in part from him or her and as to the remainder from that other person:

Provided that, if the person having control of the premises proves that he or she—

- (a) is paying rent to such other person or is receiving rent merely as agent or trustee for such other person; and
- (b) has not, and since the date of the service on him or her of the notice or order as aforesaid has not had, in his or her hands on behalf of that other person sufficient money to discharge the whole demand of the Medical Officer of Health or Environmental Health Officer,

his or her liability shall be limited to the total amount of the money which he or she has or has had in his or her hands as aforesaid.

(Amended by Act 5 of 2001)

(3) In all proceedings by a Medical Officer of Health or Environmental Health Officer for the recovery of any such expenses, the time within which the proceedings may be taken shall be reckoned from the date of the demand therefor or, if an appeal is made against that demand, from the date on which the demand becomes operative.

(Amended by Act 5 of 2001)

(4) The amount of any expenses and interest thereon due to a Medical Officer of Health or Environmental Health Officer under this section shall form a lien or charge on the premises in respect of which the expenses were incurred and shall be recoverable under the provisions of the Property Tax Act, Cap. 20:32 in the same manner as though it had been a tax imposed by that Act.

(Amended by Act 5 of 2001)

(5) No action taken under this section shall prejudice or affect any other powers of a Medical Officer of Health or an Environmental Health Officer or any remedy available to a tenant against his or her landlord or an agent against his or her principal, either at common law or otherwise.

(Amended by Act 5 of 2001)

Remedies by persons aggrieved by notices, etc.

24. (1) Any person aggrieved by—
- (a) a notice or order under this Act or the Regulations requiring action to be taken thereon;
 - (b) a demand for the recovery of expenses incurred by a Medical Officer of Health or an Environmental Health Officer in carrying out the action or executing the works specified in such notice or order;
 - (c) an order made by a Medical Officer of Health or an Environmental Health Officer with respect to any such expenses;
 - (d) a demolition order under this Act or the Regulations;
 - (e) a closing order under this Act or the Regulations or a refusal to determine such a closing order; or
 - (f) a withholding of approval in relation to the use for any purpose of premises in respect of which a closing order is in force,

may, within twenty-one days after the date of the service of the notice, demand or order, or after the refusal, as the case may be, appeal therefrom to a Judge of the High Court, and, save in an emergency in which the public health is threatened by an epidemic of communicable or other disease, no proceedings shall be taken by a Medical Officer of Health or an Environmental Health Officer to enforce any notice, demand or order in relation to which an appeal is brought, before the appeal is finally determined:

Provided that on an appeal under paragraph (b) or paragraph (c) hereof, no questions shall be raised which might have been raised on an appeal against the original notice or order requiring action to be taken by the owner or occupier as aforesaid.

(Amended by Act 5 of 2001)

(2) On an appeal under this section the Judge may make such order either confirming or quashing or varying the notice, demand or order as he or she thinks fit, and he or she may, if he or she thinks fit, on an appeal against a notice requiring the execution of works to a house, include in his or her judgement a finding whether the house can or cannot be rendered fit for human habitation at a reasonable expense.

(3) For the purposes of this and the immediately preceding section of this Act, the withdrawal of an appeal shall be deemed to be a final determination thereof, having the like effect as a decision confirming the notice, demand or order or decision appealed against.

Document or writing signed by Minister or officer to be admissible in evidence.

25. In any proceedings under this Act or the Regulations, any notice, order or other document or writing purporting to be signed by the Minister or by an officer acting under this Act or the Regulations shall be admissible in evidence in a prosecution for a violation of this Act or the Regulations and shall be *prima facie* proof of the statements contained therein; but no such document or writing shall be receivable in evidence unless the party intending to produce it has, before the trial, given to the party against whom it is intended to be produced, reasonable notice of such intention, together, with a copy of the document or writing and the party against whom it is produced may require the attendance of the person signing the same for the purpose of cross-examination.

Onus of proof.

26. Where any act or thing is by this Act or the Regulations prohibited or prescribed, the duty of seeing that such prohibition or prescription is complied with rests upon the person to whom the prohibition or prescription relates, whether owner, occupier, operator or other person, and in any prosecution under this Act or the Regulations, the burden of proving that such prohibition or prescription was complied with shall rest upon such person.

Exemption from liability of officers acting *bona fide*.

27. No action, suit, proceeding or claim shall lie against any officer for anything *bona fide* done, directed or authorised by him or her under this Act or the Regulations.

Powers under Act, etc., to be additional.

28. All powers given by this Act or the Regulations shall be in addition to and not in derogation of any other powers conferred by any other Act, or subsidiary legislation, and such other powers may be exercised in the same manner as if this Act had not been passed; and nothing in this Act or the Regulations shall exempt any person from any penalty to which he or she would have been subject if this Act had not been passed, but so that no person shall be punished twice for the same offence.

FIRST SCHEDULE*(Section 6(1))***PUBLIC HEALTH
(ESTABLISHMENT OF A BOARD OF HEALTH) ORDER****Citation.**

1. This Order may be cited as the Public Health (Establishment of a Board of Health) Order.

Establishment of a Board of Health.

2. There is hereby established a Board to be known as the Board of Health (hereinafter referred to as “the Board”).

Composition of Board.

3. The Board established under section 2 hereof shall be composed of nine members to be appointed by the Cabinet under subsection (3) of section 6 of the Public Health Act, Cap. 9.21.

Election of Chairperson.

4. The Chief Medical Officer shall be, ex officio, Chairperson of the Board.

Quorum.

5. Any question considered by the Board may be resolved by a majority of its members.

***Duties of the Board.**

6. (1) The Board shall advise the Minister in regard to public health generally.
- (2) The Board may recommend rules and regulations governing—
- (a) the operation of public water supplies;
 - (b) the operation of business establishments and factories and markets;
 - (c) accidents and preventive programmes; and
 - (d) recreation programmes.
-

* Note: S.R.O. 15/1990 which purports to have amended this Schedule cannot be traced.

SECOND SCHEDULE

(Section 11)

PUBLIC HEALTH (NUISANCES) REGULATIONS

PART I

PRELIMINARY

Short title.

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

Interpretation.

2. (1) In these Regulations—

“the Act” means the Public Health Act, Cap. 9:21;

“Dunder” means the lees or dregs of cane juice;

“Owner” shall apply to every person in possession of or in receipt either of the whole or of any part of the rents or profits of any land or tenement whether in his or her own right or as trustee or personal representative, committee or guardian of any other person, or in the occupation of such land or tenement, other than as a tenant from year to year, or any less term, or as a tenant at will.

(2) The expressions “Chief Medical Officer”, “Environment Health Officer”, “Medical Officer of Health”, “Minister”, “Occupier”, “Premises”, “Public Health Inspector” and “State” have the meanings assigned respectively to those expressions in the Act.

PART II

NUISANCES

Enumeration of Nuisances.

3. (1) In addition to the nuisances hereinafter specifically enumerated in the following sub-paragraphs and in addition to the failing to comply with any regulations mentioned in the Act, any act or omission which constitutes a nuisance within the meaning of the Act shall for the purposes of these Regulations be deemed to be a nuisance.

(2) For the purposes of these Regulations, the following shall be nuisances—

- (a) any place, matter or thing, or deposit, or accumulation of liquid or solid matter that is so foul, or in such a state, or so placed or made or left, as to be left insanitary or injurious or dangerous to health, or likely to become so;
- (b) (i) the existence of flies or mosquitoes, or other insects capable of transmitting or causing disease;
- (ii) the existence of rodents or other verminous animals;

- (c) the existence of any condition, matter or thing, which in the opinion of the Minister provides or may provide food for, or harbourage for, or act as a breeding place for insects, rodents or other vermin;
- (d) any yard or enclosure or other place which by reason of the growth of vegetable matter and by reason of its not being kept properly bushed, dry and cleaned is insanitary or a nuisance or dangerous to health or likely to become so;
- (e) any gutter or ditch not kept free from bush, grass and weeds, and collections of water;
- (f) the presence on any premises or in any place, of empty bottles (broken or otherwise), empty tins, coconut shells, uncovered barrels, boxes or anything that will serve as a receptacle for water, or as a breeding place for mosquitoes or other insects;
- (g) any eaves, gutter, drain or down pipe so constructed that the water cannot drain freely and quickly away or which allows the collection of water at any spot;
- (h) any tree, or bush, or any erection built after the coming into operation of these Regulations, which interferes with the free ventilation of any neighbouring premises or buildings or is in such a position as to be hazardous to health or safety;
- (i) any water supply system which is not maintained in a sanitary manner;
- (j) any water tap, pipe or pump, or other means of obtaining water, which is needlessly allowed to run to waste, or under which water is allowed to accumulate or become stagnant;
- (k) any water supply system in such a state or condition, that the water passing through therein, when used for domestic purposes, could be injurious to health;
- (l) any sanitary convenience not constructed and maintained in accordance with any regulation or law or in accordance with any directions lawfully issued;
- (m) any sanitary convenience so located with regard to any neighbouring house, or for any other reason as to be insanitary, or injurious, or dangerous to health or likely to become so;
- (n) the discharge of any slop or sullage water, or any rain water from roofs, or any waste water whatsoever, on to any public place, alley or lane, which inconveniences the normal passage of pedestrians;
- (o) any pollution, save in accordance with a valid permit granted by the Minister, of any stream, water course, or any dunder, industrial waste, or other noxious matters, whether or not a prescriptive right has been acquired to any such pollution;
- (p) the production of smoke from any combustion or refuse, or any emission from any chimney of a bakery or other place of business, or factory which is excessive or noisome;
- (q) any dust or ashes noticeably airborne, resulting from any process of combustion;

- (r) any failure to comply with an order made or direction issued by the Minister under the Act for the abatement of a nuisance:

Provided that any accumulation or deposit necessary for the effectual carrying on of any business or manufacture shall not be punishable as a nuisance under these Regulations, if it is proved to the satisfaction of the Court that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury to health thereby.

Persons liable to conviction for an Offence under these Regulations.

4. The following persons shall be liable to conviction for an offence against these Regulations—

- (a) any person who commits a nuisance within the meaning of these Regulations;
- (b) any person who aids another person in committing a nuisance;
- (c) any person who procures another person to commit a nuisance;
- (d) the owner or occupier of any premises who knowingly permits a nuisance to continue thereon which it is within his or her power to prevent or abate.

Provisions in these Regulations to be in addition to provisions under any Other Law.

5. The provisions of these Regulations shall be deemed to be in addition to, and not to abridge or affect any right, remedy or proceeding under the Act or under any other enactment.

PART III

INFORMATION TO MINISTER, NOTICES AND PENALTIES

Notice requiring Abatement of Nuisance.

6. (1) On becoming aware of a nuisance liable to be dealt with under these Regulations any Medical Officer of Health or any Environmental Health Officer shall 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 occupier or owner of the premises on which the nuisance arises, or is liable to arise requiring him or her to abate the same within the time specified in the notice, and to execute such works and do such things as may be necessary for that purpose, and if the Minister thinks it desirable (but not otherwise), specifying any works to be executed.

(Amended by Act 5 of 2001)

(2) A Medical Officer of Health or an Environmental Health Officer may also, by the same or another notice served on such occupier, owner or person, require him or her to do what is necessary for preventing the recurrence of the nuisance, and, if the Minister thinks it desirable, specify any works, to be executed for that purpose, and may serve that notice notwithstanding that the nuisance may for the time being have been abated, if the Minister considers that it is likely to recur on the same premises.

(Amended by Act 5 of 2001)

(3) Provided that—

- (a) where the nuisance arises from any want or defect of a structural character, or where the premises are unoccupied, or consist of a tenement yard, the notice 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 from the act, default, or sufferance of the occupier or owner of the premises, any Medical Officer of Health or any Environmental Health Officer may abate the same and may do what is necessary to prevent the recurrence thereof.

(4) Provided also that in the event of immediate action becoming, in the opinion of the Minister, necessary to deal with a nuisance the abatement of which is certified by the Chief Medical Officer to be urgent, the Minister may direct a Medical Officer of Health or any Environmental Health Officer forthwith to take all such steps and to do all such things as may be necessary for the purpose of abating such nuisance.

Service of Notices.

7. (1) Notices authorised to be served under these Regulations may be served by delivering the same to or at the residence of the person to whom they are 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 affixing 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 was properly addressed and put into the post.

(2) Any notice by these Regulations authorised 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.

Penalty for Person Guilty of an Offence under these Regulations.

8. Any person found guilty of any offence against these Regulations shall be liable, on summary conviction before a Magistrate, to a fine not exceeding one thousand five hundred dollars.

(Amended by Act 9 of 1986)

THIRD SCHEDULE*(Section 11)***PUBLIC HEALTH
(KEEPING OF ANIMALS) REGULATIONS****Short title.**

1. These Regulations may be cited as the Public Health (Keeping of Animals) Regulations.

Standards for Premises on which animals are kept.

2. Every person who keeps or causes to be kept any pig, goat, sheep, cow, horse or poultry shall ensure that the premises on which such animals or birds are kept are maintained at all times in a clean, wholesome, and sanitary condition, and that no pollution of any water course or supply is likely to result or any public health nuisance likely to arise.

Restrictions on the Keeping of Animals or Poultry.

3. (1) No person shall keep pigs, goats, sheep, cattle, horses, mules, or donkeys within either—

- (a) the limits of Basseterre as defined in the Basseterre Limits Act, Cap. 23.02; or
- (b) the limits of Charlestown as defined in the Charlestown Limits Act, Cap. 23.06; or
- (c) the limits of Sandy Point as defined in the Sandy Point Limits Act, Cap. 23.28; or
- (d) one quarter of a mile of any of the limits specified in (a), (b), and (c) above;
- (e) Bird Rock Housing Development, Suncrest Housing Project, Harbour View Housing Project, Paragon Housing Project and Earles Mornes Housing Development;
- (f) Wades Gardens, College Housing and Shadwell Housing Development;
- (g) Cayon Housing Project;
- (h) Lamberts Housing Project;
- (i) any housing project as may be designated by the Minister from time to time,

except with the approval of the Minister and in accordance with conditions laid down by him or her in writing.

(Amended by S.R.O. 30/1985 and 23/1986)

(2) If such permission is obtained it shall be lawful to keep in any of the areas defined in this paragraph in pigsties, pens, cowsheds, stables or poultry units such pigs, sheep, goats, cattle, horses or poultry, subject to the following conditions—

- (a) the site and construction of the said containing units or hatcheries shall be subject to the approval of the Minister;

- (b) any permission granted by the Minister under this paragraph may be revoked if the said stables, poultry containing units are found to cause a nuisance.

Service of Notice.

4. Notice in writing shall be given by the Chief Environmental Health Officer or any authorised officer acting on his or her behalf to any person guilty of a breach of these Regulations that he or she is in breach of the Regulations and the person on whom such notice is served shall be deemed to commit a separate offence for every day during which such breach continues after service of the notice.

Penalty.

5. Every person who offends against or fails or neglects to perform any of the provisions or conditions of any of these Regulations, or aids or abets or in any way instigates any person to offend against them, or to fail or neglect to perform or observe any of such provisions or conditions or obstructs or interferes in any manner with the performance or observance of such provisions or conditions, commits an offence against these Regulations and shall be liable, on summary conviction before a Magistrate, to a penalty of five hundred dollars for each offence, and in the case of continuing offences, to a further penalty of twenty-four dollars for every day the offence continues after written Notice from the Chief Environmental Health Officer:

Provided that in the case of continuing offences the limit of the penalties payable shall not exceed the sum of one thousand five hundred dollars.

(Amended by Act 9 of 1986)

FOURTH SCHEDULE

(Section 11)

PUBLIC HEALTH (OFFENSIVE TRADES) REGULATIONS

Short title.

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

Interpretation.

2. In these Regulations “Offensive Trade” means—

- (a) blood or offal boiling or treating;
- (b) bone boiling or crushing;
- (c) chicken hatcheries, chicken farms or poultry units;
- (d) candle making, where tallow is rendered on the premises;
- (e) the curing, tanning or storing of hides;
- (f) fellmongering;
- (g) gut scraping;
- (h) lime making;
- (i) manufacture of gases;
- (j) manufacture of material for manure or fertilizers;
- (k) the slaughtering of animals or poultry;
- (l) soap boiling or soap manufacture;
- (m) any other trade, business or manufacture which the Minister may, from time to time, by notice published in the *Gazette*, declare to be an offensive trade.

Restriction on Establishment of Offensive Trades.

3. (1) No person shall, without the consent in writing of the Chief Medical Officer, establish or carry on any offensive trade.

(2) Any person who establishes or carries on an offensive trade, if such consent was required by law at the time of establishment, shall be liable, on summary conviction before a Magistrate, to a fine not exceeding two hundred dollars, and any person who carries on an offensive trade so established shall be liable, on summary conviction before a Magistrate, to a fine not exceeding twenty-four dollars for every day on which he or she carries on the trade after having been convicted in respect of the establishment thereof or, where he or she has not been so convicted, after receiving notice from the Chief Medical Officer to discontinue the trade:

Provided that in no case shall the penalty payable in respect of the carrying on of the trade after conviction or notice from the Chief Medical Officer, as the case may be, exceed the sum of five hundred dollars.

(3) Any consent of the Chief Medical Officer under this regulation to the establishment of an offensive trade may be given so as to authorise the carrying on of

the trade for a limited period specified in the consent, and for such extension of that period as may, from time to time, be granted by the Chief Medical Officer.

(4) Any person carrying on the trade after the expiration of the period so specified, or any extension thereof, as the case may be, shall be liable, on summary conviction before a Magistrate, to a fine not exceeding twenty-four dollars for each day on which he or she carries on the trade after notice from the Chief Medical Officer stating that the period, or, as the case may be, the period as extended, has expired:

Provided that in no case shall the penalty payable exceed the sum of five hundred dollars.

(5) Any person aggrieved by the refusal of the Chief Medical Officer to consent under this regulation to the establishment of a trade, or by any time limit attached to his or her consent, or by his or her refusal to extend such a time limit, may appeal to the Minister in the first instance.

(6) Further appeal shall be to a Magistrate of the District in which the offensive trade is carried on.

(7) For the purposes of this regulation, an offensive trade shall be deemed to be established not only when it is established in the first instance, but also if and when—

- (a) it is transferred or extended from the premises on which it is for the time being carried on to other premises;
- (b) it is resumed on any premises on which it was previously carried on; or
- (c) the buildings in which it is carried on are enlarged or substantially altered in any way:

Provided that in any change of ownership a fresh application shall be deemed to be necessary.

Forms of Consent.

4. The consent of the Chief Medical Officer for the purpose of these Regulations shall be given in the form contained in the Schedule hereto, or in such form as may from time to time be approved by the Minister.

Erection or use of Buildings for Offensive Trade.

5. No building shall be erected, converted or used for any offensive trade unless the location, site, plans and specifications for the offensive trade for which the building is to be used have been submitted and approved by the Chief Medical Officer.

Offensive hides of animals.

6. No person shall have, keep, or receive on any premises owned or occupied by him or her the fell or hide of any animal which is offensive or which may injuriously affect the health or comfort of individuals or the public.

Duty to carry on Offensive Trades in a reasonable and proper manner.

7. Notwithstanding such aforesaid consent in writing from the Chief Medical Officer to the establishment or carrying on of an offensive trade, the person so

licenced shall take all reasonable steps to prevent any gases, vapours or effluvia from being a nuisance or being injurious to the public health by—

- (a) preventing the occurrence of any offensive gases, vapours or effluvia; or
- (b) rendering innocuous such gases, vapours or effluvia emitted as a result of the offensive trade.

General Requirements of the Chief Medical Officer in Respect of Offensive Trades.

8. Every building or premises in which any offensive trade is carried on and all the utensils and equipments therein shall at all times be kept in a clean and sanitary condition and in good repair to the satisfaction of the Chief Medical Officer, or an officer duly authorised to act on his or her behalf.

General Penalty.

9. Any person who acts in contravention of or fails to comply with the provisions of any of these Regulations for which no special penalty is provided shall be liable, on summary conviction therefor before a Magistrate, to a fine of one hundred dollars.

Remedies for Nuisance not excluded.

10. Nothing in these Regulations shall be construed so as to exclude any person injured by an offensive trade from pursuing his or her legal or equitable remedies therefor as a nuisance if such it is.

SCHEDULE TO THE REGULATIONS

(Regulation 4)

THE PUBLIC HEALTH ACT

CONSENT OF THE CHIEF MEDICAL OFFICER
TO THE ESTABLISHMENT OF AN OFFENSIVE TRADE

To: Mr./Mrs. of

Permission is hereby granted to you to establish and operate the trade of situated at in accordance with the requirements of the above mentioned Regulations, subject to for a period of/indefinitely

Chief Medical Officer

FIFTH SCHEDULE*(Section 11)***PUBLIC HEALTH (COLLECTION AND
DISPOSAL OF REFUSE) REGULATIONS****Short title.**

1. These regulations may be cited as the Public Health (Collection and Disposal of Refuse) Regulations.

Interpretation.

2. (1) For the purposes of these regulations—

“Act” means the Public Health Act, Cap. 9.21 and all amendments thereto;

“disposal area” means any site or place designated as such by the Minister for the final disposal of refuse;

“dwelling house” means a building used or constructed or adapted to be used wholly or principally for human habitation;

“fixed refuse receptacle” means any concrete or metal structure so made or placed on any street or public place to receive and store temporarily refuse for removal;

“garbage” includes animal or vegetable waste or other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, bird, fruit or vegetable including cans, containers or wrappers wasted along with such material;

“other building” means any room or building in or at which people congregate, work, attend or are housed or accommodated and includes, but is not limited to barracks, common lodging houses, factories, hospitals, hotels, places of entertainment, places of worship, schools, stores, shops and supermarkets;

“refuse” includes all solid waste derived from garbage, rubbish, swill, trade refuse and other waste matter, but does not include human excrement;

“rubbish” includes house sweepings, wood, leaves, trimmings from shrubs, sawdust, paper, cardboard, grass, rags, cane and fruit peelings, old shoes, tyres and all other combustible material not included under the term “garbage”;

“swill” includes such garbage which is wholly or nearly so, edible and usable as a food having food value for animal or birds, accumulating from animal, vegetable or other matter wasted from clubs, hospitals, hotels, restaurants and public eating places;

“trade refuse” means the waste product of any trade or manufacture not specified as an offensive trade in the Public Health (Offensive Trades) Regulations, but includes the refuse from hotels and other business places;

“waste matter” includes material composed of soil, earth, stones, wasted concrete blocks, glassware, ashes, metals and other non-combustible material which is, has been or is to be discarded.

(2) The expressions “Minister”, “Occupier”, and “Premises” have the meanings assigned respectively to those expressions in the Act.

Operation of Public Cleansing Service.

3. (1) The public cleansing service shall, as far as practicable, be made available to every dwelling house and other building.

(2) Where a public cleansing service is provided, such service shall, if practicable, be operated daily and in any case not less frequently than once in every seven days.

(3) The Minister shall publish in the *Official Gazette* and issue public announcements concerning—

- (a) the areas and districts for which a public cleansing service is provided, stating the days and the hours during which refuse collection shall be carried out and any alteration in any such service shall be notified in like manner;
- (b) any charges, whenever such become necessary, to be met by the owner or occupier of any dwelling house or other building for the collection and removal of refuse from such premises.

(4) The Minister shall cause to be provided sites convenient for the placing of fixed refuse receptacles for the deposit of refuse and may require owners and occupiers of dwelling houses or other buildings to cause the same to be deposited daily or at such times as the Minister may require in such receptacles provided for the purpose.

(5) The Minister shall prescribe suitable sites for the proper disposal of refuse.

(6) The Minister shall cause to be disposed all refuse collected by public and other cleansing vehicles in such a manner as to prevent the breeding of flies, rodents or other vermin and to prevent the creation of a nuisance or of any situation likely to be injurious to the public health or public safety.

Duty to keep Premises clean.

4. The owner or occupier of every dwelling house and the owner or person in charge of every other building shall—

- (a) at all times keep his or her premises in every respect clean and free from offensive matter or refuse and shall collect or cause to be collected all refuse and place it in the receptacle provided for the purpose;
- (b) in respect of each such house or building provide for the storage of refuse one or more receptacles suitably covered, of reasonable weight, of a capacity—
 - (i) in the case of a dwelling house, not exceeding 4 cubic feet; and
 - (ii) in the case of every other building, not exceeding 30 cubic feet, and of a type approved by the Minister;
- (c) in areas or districts where a public cleansing service is available place for removal of its contents any receptacle provided under paragraph (b) as near to the adjoining road as possible (but not so as to impede vehicular traffic) on such days and between such hours as the Minister may specify.

Private Arrangements for Disposal of Refuse.

5. Notwithstanding paragraph (c) of regulation 4, the owner or occupier of any dwelling house or the owner or person in charge of any other building may make his or her own arrangements for disposal of refuse from his or her premises provided that the method of disposal is approved by the Minister.

Operation of Incinerators.

6. The Minister may, on an application made to him or her for the purpose, allow the installation and operation of incinerators of a type and size approved by him or her and shall specify the conditions under which such incinerators may be operated.

Procedure in areas without Cleansing Service.

7. The owner or occupier of every dwelling house and the owner or person in charge of every other building situated in any area or district for which no cleansing service is provided shall at least once in every seven days dispose of all refuse from his or her premises in a manner approved by the Minister.

Restriction on Disposal of certain items.

8. No person shall, under any circumstances, deposit or place or cause to be deposited or placed any discarded fluorescent lighting tubes or aerosol containers in any refuse intended or likely to be burnt, but shall dispose of the same by burial or in any other manner at a place approved by the Minister.

Restriction on Disposal of Refuse in a Public Place.

9. No person shall place, deposit or cause to be placed or deposited any refuse on any pavement, street, road, lane, path, ghaut, ravine, beach or other public place or on or about the premises of another person or in any prohibited area defined by the Minister by official notice or sign, except on such sites and in such manner and during such hours as the Minister may approve for the purpose.

Removal of refuse by Unauthorised Persons Prohibited.

10. No person shall, except with the authority of the Minister—
- (a) disturb, remove or carry away any refuse placed in any receptacle for removal by the public cleansing service; or
 - (b) remove any refuse from a disposal area.

Obstruction of Persons Removing Refuse.

11. No person shall hinder or obstruct any person lawfully engaged in cleaning or removing refuse in any public place or cause obstruction by parked vehicles, push carts, trailers, trolleys or in any way whatsoever.

Transportation of Refuse.

12. (1) No refuse shall be transported along any public street, alleyway, lane or highway unless such vehicle be so constructed or loaded so that no refuse can fall through or out of such vehicle and unless such vehicle is protected by a closed-in top or canvas cover or such refuse be placed in a container or containers kept tightly closed.

(2) If in the process of removal the contents escape or fall from the vehicle the driver of such vehicle shall cause the same to be removed immediately from the public street, alleyway, lane or highway.

Sale of refuse Prohibited.

13. (1) No driver in charge of a public cleansing vehicle shall sell or give away or permit to be sold or given away any refuse without the permission of the Minister, or place or deposit or cause to be placed or deposited any refuse in any place other than at a disposal area approved for the purpose by the Minister.

(2) No person shall take or receive any refuse from a public cleansing vehicle or induce by any means whatsoever any person to deal with any refuse otherwise than as prescribed by these regulations.

Dumping at Disposal Area.

14. No person shall dump or deposit or cause to be dumped or deposited any refuse at a disposal area except in a manner and at such place within the disposal area as may be approved by the Minister.

Deposit of refuse Prohibited.

15. No person shall deposit any refuse or cause or permit the same to be deposited upon any street, alleyway, park, beach or other public place or deposit the same in or upon any premises or vacant lot or in any drain or waterway.

Discharge liable to affect Drain Prohibited.

16. No person shall, without the approval of the Minister, discharge or cause to be discharged from any factory, bakery, distillery, workshop or workplace or from any building or place in which steam, water or mechanical power is employed, into any drain any hot water, steam, fumes or any liquid liable to affect the proper working of the drain.

Deposit of Disused Vehicle or other matter Prohibited.

17. No person shall, except with the approval of the Minister—

- (a) place or deposit or cause to be placed or deposited in any street or on any land any disused vehicle or part thereof or any disused household appliance or part thereof or any trunk or cut branches of trees;
- (b) place or deposit or cause to be placed or deposited into any drain, ghaut, or ravine any disused vehicle or part thereof or any disused household appliance or part thereof or any trunk or cut branches of trees.

Lighting of Fires in refuse Receptacle or Disposal Area Prohibited.

18. No person shall, without the approval of the Minister, cause any fire to be lit in any fixed refuse receptacle or in any disposal area.

Removal of Waste Matter from Construction Repair or Demolition.

19. Every owner, agent, building contractor or sub-contractor engaged in the construction, repair or demolition of any building or structure or part thereof shall—

- (a) remove and dispose of in a manner approved by the Minister from any street, drain, alleyway, gutter, park, sidewalk, curb or any premises all waste matter or rubbish deposited thereon in connection with the construction, repair or demolition work under his or her special or general supervision;
- (b) clean up and remove such waste matter and rubbish within seven days of the final cessation of work.

Restriction on Burning of Refuse and Other Material.

20. No person shall—

- (a) burn refuse at any place or in any manner likely to create a health hazard or a nuisance;
- (b) burn any material likely to cause excessive smoke or produce a noxious odour or to liberate any toxic substances on combustion likely to affect the occupants of any premises, except under conditions approved by the Minister.

Disposal of Spoiled or Condemned remains or Carcass.

21. Every person who is the owner or custodian of any animal, bird, livestock or game which has died other than by slaughter for food, any offal or putrescible waste derived from any place where meat, fish, fowl or poultry are handled or discarded as unfit for food or spoiled or condemned, shall dispose of the remains, carcass or parts of entrails thereof immediately after such death or accumulation in a sanitary manner and in accordance with all requirements and orders of the Minister.

Power to hold, impound or Dispose of Animals.

22. The Minister or any person authorised by him or her for the purpose may hold, impound or dispose of any animal which interferes in any way with refuse deposited or disposed of in a manner and at a site approved by the Minister.

Penalty for Person Guilty of an Offence under these Regulations.

23. Any person who contravenes the provisions of these regulations commits an offence and liable, on summary conviction, to a fine not exceeding four hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

SIXTH SCHEDULE

(Section 11)

BAKEHOUSES REGULATIONS

Short title.

1. These Regulations may be cited as the Bakehouses Regulations.

Interpretation.

2. In these Regulations—

“bakeroom” means any room or part of a bakehouse where the actual preparation or baking of bread is done;

“bread” includes cake, biscuits, pastry and confectionery;

“bread seller” means any person who sells bread and includes a person transporting bread in any public place or thoroughfare.

Structure of Floors and Walls.

3. (1) The floor of every bakeroom shall be constructed of concrete or tiles and shall be of a smooth finish to the satisfaction of the Local Authority.

(2) The walls of a bakehouse shall be in a good state of repair and free of open joints and crevices.

Cleanliness and Sanitation.

4. (1) No person shall be employed in a bakehouse unless he or she is clean both in his or her person and in his or her apparel.

(2) The floor of a bakehouse shall be scrubbed daily at any time other than when bread is prepared, stored or issued for sale, and as often as may be necessary to keep it clean.

(3) The floor of a bakehouse shall not be dry swept at any time when bread is being prepared, stored or issued for sale.

(4) Every room of a bakehouse shall be kept free from cobwebs and no objects shall be kept in a bakeroom except such as are necessary for the preparation and storage of bread for sale.

(5) There shall be provided and maintained in every bakehouse for the use of employed persons adequate and suitable facilities for washing which shall include one wash basin for every ten or less of employed persons and a sufficient supply of soap and clean towels, and these facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

(6) There shall be provided and maintained in every bakehouse for the use of employed persons one latrine for every ten or less of persons employed.

(7) There shall be satisfactory and suitable provision made for the drainage of slops from a bakehouse.

(8) The doors and windows of, and all other openings communicating directly with a bakehouse shall be fitted with screen wire to exclude flies to the satisfaction of the Local Authority, and such doors and windows shall be hinged to open outward.

(9) All equipment in a bakeroom shall be properly washed daily immediately after use and shall be stored and shuttered in a section of the bakehouse.

(10) All receptacles used in a bakehouse for receiving leaven and mixing dough shall be made of metal or shall be lined with metal with smooth interior surfaces to the satisfaction of the Local Authority, and no dough or leaven shall be kept in any receptacle unless such receptacle is kept in the bakehouse in a fly-proof receptacle and is adequately shuttered.

(11) No bread for issue for sale shall be kept on any open shelf nor in any container which is not—

- (a) sufficient in size;
- (b) dust proof; and
- (c) constructed with a glass top or front.

Collection and Removal of Dust, Ashes and Refuse.

5. (1) There shall be sufficient provision made in every bakehouse for the collection of dust, ashes and refuse and the receptacle used for such collection shall be kept at a reasonable distance apart and away from the bakehouse.

(2) No person shall, in cleaning a bakehouse and removing ashes from an oven, deposit any dust, ashes or refuse anywhere else than in a suitable receptacle.

(3) It shall be the duty of the occupier of a bakehouse to remove from the premises promptly after cleaning and before baking again on those premises, all accumulations of dust, ashes or refuse.

(4) No occupier of a bakehouse shall permit the use of leaves, paper or any material other than metal sheets for the purpose of receiving unbaked bread.

Medical Examination.

6. (1) Every occupier of, and every person employed at, a bakehouse shall, before engaging in the production and issue of bread for sale, obtain a certificate of good health (hereinafter called a “baker’s certificate”) issued free of charge by the Medical Officer of Health or other medical officer authorised by him or her.

(2) Every baker’s certificate shall be valid for three months after the date of issue unless cancelled by the Local Authority before the date of expiration.

(3) The Local Authority may, whenever in its discretion it deems fit, require any person employed in a bakehouse to be examined for the purpose of ascertaining the health of that person whether or not a valid baker’s certificate has been issued in the name of such person.

(4) No person shall enter a bakeroom unless he or she is employed in the bakehouse and is in possession of a baker’s certificate issued in his or her name.

(5) Every baker’s certificate should be conspicuously posted in the bakehouse in which the person is employed, or, if he or she is employed in more than one bakehouse, in any one of such bakehouses.

Apparel.

7. (1) Every owner or occupier of a bakehouse shall—

- (a) provide at least two full-length white aprons for each person employed in the bakehouse;

(b) not allow any person to be engaged in preparing or selling bread unless that person is wearing a clean full-length white apron.

(2) It shall be the duty of the occupier of every bakehouse to supply, launder and store all aprons for use at his or her bakehouse.

Penalty.

8. Any person who neglects, disobeys or fails to comply with the requirements of any of these regulations shall be liable, on summary conviction, to a fine not exceeding three hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

SEVENTH SCHEDULE

(Section 11)

FOOD REGULATIONS

Short title.

1. These Regulations may be cited as the Food Regulations.

Interpretation.

2. In these Regulations—

“food” means any article used as food or drink for human consumption, other than drugs and water, and includes—

- (a) any substance which is intended for use in the composition or preparation of food;
- (b) any flavouring matter or condiment; and
- (c) any colouring matter;

“food handling” means selling or distributing food which is not contained in a sealed container and storing, preserving or preparing food intended for sale for human consumption;

“stand” means any point, position or location where food handling is carried on in a public place.

Food Handling on a Temporary Basis.

3. (1) No person shall engage in food handling at any dance, concert, party or similar social gathering which is conducted for money or other payment or reward without first applying for and obtaining permission from the Local Authority to engage in such food handling.

(2) Applications for permission under sub-regulation (1) shall be in writing and shall be delivered to the clerk of the Local Authority not less than twelve hours before the commencement of the social gathering as aforesaid.

Granting of Health Permits.

4. (1) Except in the cases and for the purposes mentioned in regulation 3, no person shall engage in food handling without having first obtained from the Local Authority a health permit as hereinafter provided.

(2) Applications for licences shall be in writing and shall be signed by the persons making them, and the applications shall be delivered to the Local Authority not less than fourteen days before the commencement of the food handling business to which they relate and shall contain full particulars as to the nature and extent of the business and of the place at which the business is to be conducted.

(3) A licence granted under the provisions of this regulation may, at any time, be cancelled by the Local Authority.

(4) A health permit shall be granted by the Medical Officer of Health or any other Medical Officer authorised by him or her whenever such Medical Officer is satisfied that the person to whom the permit is to be granted is in a sufficiently good state of health to engage in food handling without any danger to public health.

(5) Health permits may, at any time, be examined by the Local Authority.

(6) Every holder of a health permit shall, once in every three months and at such other time as the Medical Officer who issued the health permit shall direct, present himself or herself to such Medical Officer for examination and instruction.

(7) The health permit of any person who fails to comply with any of the provisions of sub-regulation (g) of this regulation may be cancelled by the Medical Officer who granted such permit.

Stands.

5. (1) No stand at which cooked food is sold shall be located at any point less than fifty feet from any public sanitary convenience or less than twenty feet from any refuse bin.

(2) The name or initial of the owner of every barrow, basket, cart, tray or other article used at a stand shall be marked upon every such article.

(3) The owner of a stand shall provide at such stand arrangements satisfactory to the Local Authority for—

- (a) the storage of food at such stand before such food is prepared for sale;
- (b) the storage and drainage of all utensils and equipment used at such stand;
- (c) the washing and cleansing of all utensils used at such stand; and
- (d) the disposal of refuse and slops therefrom.

Licensing of Rooms Within which Food Handling is Conducted.

6. (1) Except in the cases and for the purposes mentioned in regulation 3, no room shall be used for food handling unless such room has first been licensed for that purpose by the Local Authority.

(2) Applications for licences shall be in writing and shall be signed by the persons making them, and shall be delivered to the Local Authority not less than fourteen days before the commencement of the food handling business to which they relate and shall contain full particulars as to the nature and extent of the business and of the place at which the business is to be conducted.

(3) A licence granted under the provisions of this regulation may, at any time, be cancelled by the Local Authority.

(4) No room shall be licensed for food handling unless the following requirements are satisfied—

- (a) the floors, inner walls and ceilings shall be of such material and finish as to permit of their being thoroughly cleansed;
- (b) except where there is mechanical ventilation satisfactory to the Local Authority, the ventilation openings of such room shall be of an area of not less than one-tenth of the area of the floor of such room and they shall, to the satisfaction of the Local Authority, be arranged in such a manner as to permit the room being as free from dust as possible;
- (c) there shall be within such room either such supply of running water or such arrangements for storage of water as may be approved by the Local Authority;
- (d) there shall be in or about such room sufficient sanitary conveniences and lavatory accommodation to permit of there being one latrine and one wash-basin for every ten persons to be employed in such room, one latrine for every fifty persons to be served as customers in such room and one wash-basin for every twenty persons to be served as customers in such room;
- (e) there shall be provision, satisfactory to the Local Authority, for the drainage of slops and the removal of waste and refuse from such room.

Cleansing of Rooms and Furniture.

7. (1) The owner or occupier of any room within which food handling is being carried on shall cause the inner walls and ceilings and the surfaces of all doors and windows of such room to be cleansed at intervals of not less than once in every three months with soap and water or by any other method approved by the Local Authority and shall, whenever so directed by the Local Authority, cause such walls, ceilings and surfaces to be painted in a light colour or lime-washed.

(2) The owner or occupier of every room within which food handling is carried on shall cause the floor of such room to be at all times clean, and to be cleansed not less than once in every day:

Provided that such room shall not be dry-swept at any time whilst food is being prepared for sale or sold therein.

(3) The owner or occupier of every room in which food handling is carried on shall cause all furniture used in such room to be cleansed daily with soap and water or by any other means approved by the Local Authority.

Cleansing of Utensils and Equipment.

8. (1) Every person engaged in food handling shall cleanse and maintain in a sanitary condition all utensils and implements used by such person for food handling and such utensils and implements may, at any time, be inspected by the Local Authority.

(2) A person serving food at any place where food handling is being carried on and who is serving such food for the purposes of food handling—

- (a) shall not use any utensil, piece of crockery or other ware or any other article in connection with such service unless such article shall have

been thoroughly washed with soap and either clean running cold water or hot water of a temperature of not less than one hundred and sixty five degrees fahrenheit, or was cleansed in a mechanical washer or by any other means approved by the Local Authority and was, after being cleansed as aforesaid rinsed either in clean running cold water or hot water of a temperature of not less than one hundred and eighty degrees fahrenheit and thereafter allowed to drain and dry by some method approved by the Local Authority;

- (b) shall not use in connection with such service any cracked or damaged piece of ware or other article which cannot be thoroughly cleansed as aforesaid.

Storage, Exposure and Carriage of Food.

9. (1) All food when stored or exposed for sale shall be properly protected from rats and other vermin and against soiling.

(2) All preserved foods intended for sale, except such as are contained in sealed tins, bottles or other containers, shall, where cold store or refrigeration is not used, be kept or stored away from moisture and shall be maintained dry by storage under dust proof cover in such room or place as the Local Authority may determine.

(3) No food other than ground provisions shall be exposed for sale except such food is placed in a container and kept at a height of not less than eighteen inches above the ground and no butcher's meat, dressed fish or cooked food intended for sale shall be exposed to the public view in the open air or carried through any public place except under cover.

(4) All vehicles, barrows, trays, or other containers used for the carriage or exposure of the foods mentioned in paragraph (c) of this regulation shall be kept by the owners thereof in a clean and sanitary condition and in accordance with the instructions of the Local Authority.

Penalty.

10. Any person who wilfully neglects or disobeys any of these regulations commits an offence against these regulations and shall be liable, on summary conviction, to a fine not exceeding one thousand five hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

EIGHTH SCHEDULE

(Section 11)

HEALTH (SWINE) REGULATIONS

Short title.

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

Swine not to be Slaughtered.

2. No swine shall be slaughtered for human consumption without the permission of the Government Veterinary Surgeon.

Swine not to be Removed.

3. No swine shall be removed from the estate or place where the same is kept without the permission of the Government Veterinary Surgeon.

NINTH SCHEDULE

(Section 11)

ICE AND AERATED WATER MANUFACTURING (NEVIS) REGULATIONS

Short title.

1. These Regulations may be cited as the Ice and Aerated Water Manufacturing (Nevis) Regulations.

Application for Registration.

2. Any person desirous of manufacturing ice or aerated water in the island of Nevis shall make application in writing to the Central Board of Health stating in such application all matters relating to the sanitary condition of the premises and environments wherein it is intended to carry on the said manufacture.

Registration and Grant of Certificate.

3. If the Board is satisfied, having regard to the sanitary condition of the premises and environments, that premises in respect of which an application is made are suitable for the manufacture of ice or aerated water the Board shall register in a book kept for the purpose such premises (hereinafter called registered premises) and shall grant a certificate to the applicant in the form contained in Schedule 1 to these regulations.

Registered Premises Only to be Used.

4. No ice or aerated water shall be manufactured in any premises other than registered premises.

Employees to be Medically Examined.

5. All persons employed in or about any registered premises shall be medically examined from time to time as the Board shall think fit but not less often than once in every three months and shall produce upon the request of any person authorised by the Board a certificate from a qualified Medical Officer or Practitioner in the form contained in Schedule 2 to these regulations; and no person shall work or shall be employed in or about any registered premises unless he or she is in possession of a certificate as aforesaid issued to him or her by a qualified Medical Officer or Practitioner within a period of three months:

Provided that if the certificate be given by a Government Medical Officer no charge shall be made therefor.

Pure Water Supply to be Used.

6. All water used in the manufacture of ice or aerated water shall be taken direct from a service tap in the registered premises and shall not be allowed to pass through pipes or allowed to collect in any vessel made of any material capable of contaminating it.

Filters.

7. The Board may, at any time, order that all water used for manufacture into ice or aerated water shall be distilled or filtered, by any prescribed type of filter, before use and no filter shall be used in the manufacture of ice or aerated water without its use having been first approved by the Board.

Inspection.

8. All Government Medical Officers and Sanitary Inspectors or Officers and all persons duly authorised in writing by the Board may enter any premises used for the manufacture or sale of ice or aerated water for the purpose of inspecting the same.

Insanitary Premises.

9. If any registered premises, or any machine, equipment or utensil therein, or any equipment or utensil used for the sale from registered premises of ice or aerated water, are found to be in an insanitary condition the Board may withdraw its certificate and strike such registered premises off the register:

Provided that nothing contained in this regulation shall prohibit a further application under regulation 2.

SCHEDULE 1 TO THE REGULATIONS

(Regulation 3)

This is to certify that the premises of Mr.
situate at and bounded
have been examined by the Board and are in a fit and proper sanitary condition for
the manufacture of ice and/or aerated water.

Dated at the day of 20

.....
Clerk to the Central Board of Health

SCHEDULE 2 TO THE REGULATIONS

(Regulation 5)

I hereby certify that I examined
on the day of and found
him or her free of any infectious or contagious disease or any disease which renders
objectionable his or her employment in or about premises registered for the
manufacture of ice or aerated water.

Dated at the day of 20

.....
Medical { *Officer*
Practitioner

TENTH SCHEDULE*(Section 11)***ICE AND AERATED WATER MANUFACTURING
(SAINT CHRISTOPHER) REGULATIONS****Short title.**

1. These Regulations may be cited as the Ice and Aerated Water Manufacturing (Saint Christopher) Regulations.

Application for Registration.

2. Any person desirous of manufacturing ice or aerated water in the island of Saint Christopher shall make application in writing to the Central Board of Health stating in such application all matters relating to the sanitary condition of the premises and environments wherein it is intended to carry on the said manufacture.

Registration and Grant of Certificate.

3. If the Board is satisfied, having regard to the sanitary condition of the premises and environments, that premises in respect of which an application is made are suitable for the manufacture of ice or aerated water the Board shall register in a book kept for the purpose such premises (hereinafter called registered premises) and shall grant a certificate to the applicant in the form contained in Schedule 1 to these regulations.

Registered Premises Only to be Used.

4. No ice, or aerated water shall be manufactured in any premises other than registered premises.

Employees to be Medically Examined.

5. All persons employed in or about any registered premises shall be medically examined from time to time as the Board shall think fit but not less often than once in every three months and shall produce upon the request of any person authorised by the Board a certificate from a qualified Medical Officer or Practitioner in the form contained in Schedule 2 to these regulations; and no person shall work or shall be employed in or about any registered premises unless he or she is in possession of a certificate as aforesaid issued to him or her by a qualified Medical Officer or Practitioner within a period of three months:

Provided that if the certificate be given by a Government Medical Officer no charge shall be made therefor.

Pure Water Supply to be Used.

6. All water used in the manufacture of ice or aerated water shall be taken direct from a service tap in the registered premises and all water used for manufacture into ice or aerated water shall be distilled or filtered before use and shall not be passed through pipes or allowed to collect in any vessel made of any material capable of contaminating it.

Filters to be Approved.

7. No filter shall be used in the manufacture of ice or aerated water without the approval in writing of the Board first had and obtained.

Inspection.

8. The Medical Officer of Health or any duly authorised agent of the Board may enter any premises used for the manufacture or sale of ice or aerated water for the purpose of inspecting the same.

Insanitary Premises.

9. If any registered premises, or any machine, equipment or utensil therein, or any equipment or utensil used for the sale from registered premises of ice or aerated water, are found to be in an insanitary condition the Board may withdraw its certificate and strike such registered premises off the register:

Provided that nothing contained in this regulation shall prohibit a further application under regulation 2.

SCHEDULE 1 TO THE REGULATIONS

(Regulation 3)

This is to certify that the premises of Mr./Mrs
situate at and bounded
have been examined by the Board and are in fit and proper sanitary condition for the
manufacture of ice and/or aerated water.

Dated at the day of 20

.....
Clerk to the Central Board of Health

SCHEDULE 2 TO THE REGULATIONS

I hereby certify that I examined
on the day of and found
him or her free of any infectious or contagious disease or any disease which renders
objectionable his or her employment in or about premises registered for the
manufacture of ice or aerated water.

Dated at the day of 20

.....
Medical { *Officer*
Practitioner

ELEVENTH SCHEDULE*(Section 11)***INFECTIOUS DISEASES (SHIPS) REGULATIONS****Short title.**

1. These Regulations may be cited as the Infectious Diseases (Ships) Regulations.

Interpretation.

2. In these Regulations—

“Port Health Officer” means any duly qualified Medical Practitioner;

“ship” means any ocean-going vessel.

Preventive Measures.

3. On arrival in the State of any ship which has, at any time during the preceding two months called at any place infected with equine encephalomyelitis, the Harbour Master after the ship has been admitted to pratique shall inform the Port Health Officer accordingly and it shall be lawful for such Port Health Officer or an Environmental Health Officer authorised by him or her in that behalf, together with such persons as may be necessary for the purpose to board such ship forthwith and if he or she shall think fit to disinfect or cause to be disinfected to his or her satisfaction the whole or any part of such ship.

Certificate of Disinfection.

4. Whenever the Master of any ship boarded and disinfected as aforesaid shall so demand, the Port Health Officer shall furnish him or her a free certificate stating the measures which have been applied to the ship.

TWELFTH SCHEDULE*(Section 11)***INFECTIOUS DISEASES (SURVEILLANCE) REGULATIONS****Short title.**

1. These Regulations may be cited as the Infectious Diseases (Surveillance) Regulations.

Health Officer to Direct Surveillance.

2. Every person shall present himself or herself for surveillance at the place and at the hour as directed by the Health Officer and any such person while undergoing such surveillance may be removed to any hospital or place of reception on the instructions of the Health Officer.

Penalty.

3. Every person failing to present himself or herself for surveillance as directed by the Environmental Health Officer, or in any way disobeying the orders of the Health Officer, shall be liable to a penalty not exceeding five hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

THIRTEENTH SCHEDULE

(Section 11)

LOCAL AUTHORITIES (POWERS AND DUTIES) REGULATIONS**Short title.**

1. These Regulations may be cited as the Local Authorities (Powers and Duties) Regulations.

Interpretation.

2. In these Regulations “Act” means the Public Health Act.

*Administration***General.**

3. It shall be the duty of every Local Authority within their respective district or districts, to observe and enforce all the provisions of the Act and of any regulations made under the Act.

Powers of Local Authorities.

4. (1) Every Local Authority may and, if directed by the Board, shall from time to time issue Orders in respect of any matter mentioned in the Act or any regulations made under the Act.

(2) All such Orders shall be submitted for the approval of the Board, who may alter the same or delete any of the provisions thereof.

(3) The Board may place at the disposal of a Local Authority such funds as may be required for carrying out their duties under the Act and any regulation made thereunder.

Term of Office.

5. The members of a Local Authority shall hold office during the pleasure of the Minister for a period not exceeding three years and shall forfeit their seats upon failure to attend meetings of the Local Authority for three consecutive months.

*Procedure***Meetings.**

6. A Local Authority shall hold meetings not less than once in every month.

Place of Meeting.

7. The place of meeting of a Local Authority shall be a Health Centre in the district or districts for the supervision of which they are responsible or such other place as they may determine from time to time.

Quorum.

8. At any meeting of a Local Authority three members shall form a quorum.

Voting.

9. All decisions at meetings of a Local Authority shall be by the majority of members present and voting, and the Chairperson shall have an original and a casting vote.

Chairperson.

10. In the absence of the Chairperson of a Local Authority such member as may be elected by the members present shall act as chairperson of the meeting.

*Duties***Cleansing of Towns and Villages.**

11. Every Local Authority, within the towns and villages in the sanitary district or districts under their supervision—

(a) shall—

- (i) keep the public streets including side paths, gutters, and surface drains, and all places under the immediate control clean and in a satisfactory sanitary condition and free from bush and dense vegetation and collections of water;
- (ii) keep all sewers, drains, privies, urinals, sinks, siphons, fittings and other sanitary conveniences and their appurtenances and accessories under their immediate charge in a sanitary condition so as not to be a nuisance or injurious or dangerous to health;
- (iii) cause all collections of water and water containers to be kept in accordance with law and regulations;

(b) shall provide and maintain—

- (i) an efficient service of vehicles and scavengers with all necessary supervision and appliances for the collection and removal of refuse, night soil and other waste matter from private premises and public places; or
- (ii) such numbers of properly constructed vehicles or conveniences of such description as is approved by the Board for the collection and carriage of waste and refuse matter; or

- (iii) with the approval of the Board, contract for the removal of the above matter under the same conditions and under such supervision as the Board may deem necessary;
- (c) shall—
 - (i) provide in convenient situations receptacles and places where sweepings and other waste matter may be deposited temporarily or permanently or be buried or burnt;
 - (ii) take such measures as may be prescribed by the Board or by regulation for preventing such matter if not deeply buried or burnt from being a nuisance or insanitary or injurious to life and health;
 - (iii) fix times for emptying of sanitary receptacles and for collection and conveying all such matters as are mentioned in this section so as not to cause a nuisance;
- (d) shall maintain all public latrines, bathrooms, washrooms, and bathing places within their district or districts;
- (e) shall in every case provide efficient supervision so that a nuisance or insanitary condition may not be caused.

Reports.

12. (1) A Local Authority shall make quarterly reports to the Board on the administration of the Act within their respective district or districts and on any other matter relating to the public health and may make recommendations to the Board when they deem it necessary.

(2) In addition, a Local Authority shall inform the Board by special report of any matter arising in their district or districts relating to the public health.

Records.

13. Every Local Authority shall keep satisfactory record books of all action taken under the Act and any regulation made thereunder, and these records shall at all reasonable times be open to inspection by any member or officer of the Board.

FOURTEENTH SCHEDULE*(Section 11)***MILK REGULATIONS****Short title.**

1. These Regulations may be cited as the Milk Regulations.

Interpretation.

2. In these Regulations—

“milk” means the milk of cows and goats intended for sale for human consumption or for use in the manufacture of products for sale for human consumption;

“adulterated milk” means milk with less than 3% of butter fat and less than 8.5% solids not fat.

Registration.

3. No person shall keep cows for the production of milk unless he or she is registered by the Local Authority as a cow-keeper.

Licensing of Places in which Cows are Kept for the Sale of Milk.

4. No person shall keep cows for the production of milk in any place unless such place is licensed by the Local Authority for the keeping of cows for the sale of milk.

Licensing of Dairy person.

5. No person may engage in the occupation of a dairy person unless he or she is licensed in that behalf by the Local Authority.

Restrictions on issue of Licences to Dairy persons.

6. The Local Authority shall not issue a licence to any person to engage in the occupation of a dairy person unless such person holds a certificate of good health from the Medical Officer of Health or from any other Medical Officer authorised by the Medical Officer of Health to grant such a certificate.

Presentation of Health Certificate upon Inspection of Dairies.

7. During the inspection of any dairy, the dairy person in charge thereof shall, at the request of the person inspecting the dairy, present to such person the health certificates of all persons employed at such dairy.

Dairies.

8. (1) Dairies shall, in the discretion of the Local Authority, be supplied with adequate running water and washing facilities and their floors shall be concreted.

(2) No dairy shall be situate less than twenty feet from any latrine or rubbish accumulation and shall be distinct and apart from any dwelling house on the same premises.

(3) No dairy shall, except with the permission of the Local Authority, be used for residential purposes.

(4) No articles other than those used in connection with a dairy shall, except with the permission of the Local Authority, be kept at a dairy.

(5) Dairy persons shall keep their dairies clean and free from manure accumulations.

Precautions for Protecting Milk Against Infection or Contamination.

9. (1) No milk shall be extracted from an animal by any person unless such person holds a certificate of good health from the Medical Officer of Health or from any other Medical Officer authorised by the Medical Officer of Health to grant such a certificate.

(2) Every person extracting milk from animals shall cleanse his or her hands before each separate milking of an individual animal and shall be attired in clean apparel.

(3) No person shall extract milk from any animal unless the flanks, legs, tail and udders of such animal are properly clean; the udders and tail of such animal are trimmed of undue growths of hair; and the tail of such animal is fastened to one of its hind legs.

(4) No person shall allow any calf to nose or suck a mother animal already prepared for milking either before or during the milking of such animal.

(5) No person shall extract milk from any animal unless, at the time of such extraction, such person and the animal are outside of any stable or pen enclosure and not less than twelve feet from any dusty place, manure accumulation or privy.

(6) A person extracting milk from any animal in an open place shall, in the event of the falling of rain whilst he or she is milking the animal, cease milking until the rain has ceased to fall.

(7) No person shall extract milk from any animal at a time less than two weeks before or one week after such animal has given birth to young.

(8) A person extracting milk from an animal shall waste on the ground the first two squirts from individual teats.

(9) Whilst extracting milk from animals no person shall apply to his or her hands any grease, milk or other substance for the purpose of ease in milking.

(10) Mechanical milkers shall not be used on any animal for the purpose of extracting milk therefrom unless such milkers are treated to chlorination or some other disinfecting process approved by the Local Authority.

(11) It shall be lawful for an Environmental Health Officer or other person authorised by the Local Authority to enter upon any dairy and to collect samples of milk therefrom in order to determine the quality of such milk and to ascertain whether or not such milk is adulterated.

(12) The Medical Officer of Health or the Local Authority may, at any time, stop the sale of any milk which, in the opinion of either or both of them, has been exposed to contamination.

Cleanliness of Milk Vessels.

10. (1) Pails used for conveying milk shall be of the hooded type with well fitting covers.

(2) Where milk is sold directly from a pail, such pail shall be fitted with a tap to draw off the milk contained therein.

(3) No person whilst conveying milk shall carry on his or her person any funnel or milk measure.

(4) After the expiration of three months from the date of these regulations no milk shall be transported for sale unless such milk is stored in a stopped bottle or in a pail of the type prescribed by paragraph (a) of this regulation.

(5) No pail which is used for transporting milk shall be used to hold or transport any water for the washing of any animal to be prepared for milking.

(6) All receptacles used for the collection and delivery of milk shall be thoroughly cleansed and sterilized daily by means of steam, boiling water or other method approved by the Local Authority.

Cancellation of Licences.

11. A licence granted under the provisions of these regulations may be cancelled by the Local Authority at any time when, in the opinion of the Local Authority, the holder of such licence is guilty of a breach of any of these regulations.

Licences and Certificates to be Free of Charge.

12. All licences and certificates issued or given under the provisions of these regulations shall be issued or given free of charge.

Penalty.

13. Any person who neglects, disobeys or fails to comply with the requirements of any of these regulations shall be liable, on summary conviction, to a fine not exceeding three hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

FIFTEENTH SCHEDULE

(Section 11)

MOSQUITO CONTROL REGULATIONS

Short title.

1. These Regulations may be cited as the Mosquito Control Regulations.

Interpretation.

2. In these Regulations—

“Department” means the Medical and Health Department of the State;

“member of the Department” includes the Senior Medical Officer, any other Medical Officer, the Chief Sanitary Inspector, any Sanitary Inspector, any person appointed by the Senior Medical Officer to be Supervisor of the Mosquito Control Programme and any person employed to spray premises by mechanical means;

“Senior Medical Officer” means the Officer for the time being performing the duties of Head of the Health Department of the State;

“to inspect premises” means to inspect premises to ascertain the presence of mosquitoes and to examine any water in or upon any premises whether contained in a receptacle or not, for the purpose of ascertaining whether it contains any of the immature stages of the mosquito;

“to spray premises” means to treat all buildings, and any other structure, and their contents with Dichloro Diphenyl Trichlorethane or any other form of insecticide ordered by the Senior Medical Officer.

Spraying of Premises.

3. It shall be lawful for any member of the Department to spray premises when ordered by the Senior Medical Officer or any other Medical Officer so to do.

Inspection of Premises.

4. When ordered by the Senior Medical Officer or any other Medical Officer so to do it shall be lawful for any member of the Department, between the hours of seven in the morning and six in the afternoon of any day, to inspect premises and to examine all articles likely to contain water found in or upon such premises:

Provided that in the case of business premises the said inspection shall take place during any period of time in which the business may be in progress.

Notice of Spraying.

5. (1) No premises shall be sprayed unless at least twenty-four hours notice in writing of such spraying shall have been given to the occupier of such premises:

Provided that in the case of perifocal spraying, premises may be sprayed without any notice of such spraying being given to the occupier of such premises.

(2) In this regulation, the expression “perifocal spraying” means the application of Dichloro Diphenyl Trichlorethane or other insecticide approved by the Senior Medical Officer and applied by the use of a small hand pump to the inside of

containers which hold or may hold water and to any surface with which such containers may be contiguous.

Duties of Occupiers.

6. (1) When notified that premises are to be sprayed, the occupiers thereof shall, before the time fixed for spraying, remove all foodstuffs, clothing and any other article which they have been warned may be damaged by spraying:

Provided that they shall not remove mosquito nets and bedding which shall be sprayed.

(2) The occupiers of premises which are being sprayed shall extinguish all fires and naked flames on the premises during the process of spraying.

Limitations on Spraying.

7. (1) Mattresses shall not be sprayed if objection thereto is taken by the owners thereof.

(2) Only the outside of the backs of food safes shall be sprayed.

Receptacles for Storage of Water.

8. (1) The owner or occupier of premises shall place all tanks, drums, vats, barrels, or other receptacles intended for the storage of water in such positions that they are accessible for inspection of their contents.

(2) All wall-tanks shall be placed not less than six inches from the nearest wall and not less than fifteen inches from the nearest part of the ceiling or roof:

Provided that automatic flushing tanks may be affixed to, or placed within six inches of a wall, if inspection of the contents thereof is convenient.

(3) When a member of the Department has completed his or her inspection of the contents of any tank, drum, vat, barrel, or other receptacle intended for the storage of water the owner or occupier of the premises shall forthwith render such receptacle mosquito-proof.

Covered Drains and Sewer-traps.

9. (1) Each covered drain shall be provided with an inspection chamber which shall be placed in a position which is easily accessible for the purpose of inspection.

(2) All sewer-traps shall be placed in positions which are easily accessible for the purpose of inspection.

Drinking Water for Animals.

10. All receptacles used to provide drinking water for animals or poultry shall be such as can be quickly and completely emptied at any time.

Wells.

11. All wells shall be rendered and kept mosquito-proof or permanently stocked with larvivorous fish of a species to be approved by the Senior Medical Officer.

Finding of Mosquitoes in Aquatic Stages.

12. If any member of the Department finds any mosquito in its aquatic stages in any water or in any receptacle containing water, he or she shall, according to his or her judgment and the circumstances of the case—

- (a) apply the larvicide used by the Department;
- (b) require the occupier of the premises to stock the water with larvivorous fish of a species approved by the Senior Medical Officer;
- (c) render the receptacle, if it be of little or no commercial value, incapable of holding water; or
- (d) report the matter to the Senior Medical Officer or any other Medical Officer.

Inspection Cards.

13. Any member of the Department may affix a card or other document to any tank or vat, or in any inconspicuous position on any premises for the purpose of recording notes or any inspection of a tank or other receptacle containing water, and no person may remove or deface any such card or document.

Roof-Gutters.

14. (1) Roof-gutters shall have sufficient capacity and fall to ensure that the rain water will not be retained at any point thereof.

(2) Wherever there are roof-gutters, the owner thereof shall arrange that the roof-gutters shall be accessible for inspection.

(3) If any member of the Department finds mosquitoes in their aquatic stages in water collected in a roof-gutter he or she shall give notice thereof in writing to the person responsible for the maintenance of the roof-gutter and such person shall forthwith take action to prevent the said mosquitoes from being in the roof-gutter.

(4) Owners or occupiers of premises shall keep trimmed and free from mosquito larvae all trees, shrubs, hedges, and plants, and prevent all trees and shrubs from overhanging roof-gutters on their or any other person's premises.

Storing of Water.

15. Where no declaration under the Public Health Act, Cap. 9:21 is in force in respect of any area the following provisions shall apply to such area—

- (a) water may be stored in barrels, large vessels, or other similar water containers;
- (b) such barrels, large vessels, or other similar containers, shall conform to models approved from time to time by the Department for the purpose of such storage;
- (c) such barrels, large vessels, or other similar water containers, where used for storing water, shall be mosquito-proofed or kept constantly stocked with larvivorous fish provided and maintained by the occupier of the premises, such fish being of a species approved by the Department;

- (d) artificial ponds, lakes, and basins which contain water shall be stocked with larvivorous fish provided and maintained by the occupier of the premises, such fish being of a species approved by the Department.

Drainage of Water from Buildings and Premises.

16. (1) No part of any building or premises or of any wall or other structure surrounding such building or premises shall be so constructed as to be capable of retaining water unless provision is made whereby such water may easily be drained therefrom.

(2) Upon notice in writing being given by the Department to the owner of any building or premises or of any wall or other structure as aforesaid that any part thereof is capable of retaining water and that no provision is made whereby such water may easily be drained therefrom such owner shall forthwith cause the said part to be constructed in accordance with the provisions of paragraph (a) of this regulation.

Cemeteries.

17. (1) Flower vases, jars, jardinières and other ornamental articles in cemeteries shall not be allowed to contain water.

(2) Any such receptacle shall be permanently filled with sand.

(3) Mausoleums, vaults, and burial urns shall be maintained in such a condition as not to collect water.

(4) The owner or occupier of a cemetery shall be responsible for ensuring that water does not collect in excavations or tombs therein.

Stagnant Water.

18. (1) No person shall expose any empty bottle (broken or otherwise), empty tin, coconut shell, uncovered barrel, box or any other article in such manner as to cause the same to be a receptacle for stagnant water or a breeding place for mosquitoes.

(2) The presence of mosquito larvae in any collection of water shall be proof that such water is stagnant.

Hindrance or Obstruction Prohibited.

19. No person shall hinder or obstruct any member of the Department whilst such member is acting in the execution of any duty imposed upon him or her by these regulations.

Penalty.

20. Any person who neglects, disobeys or fails to comply with any of the provisions of regulations 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18 (1) and 19, shall be liable, on summary conviction, to a fine not exceeding three hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

SIXTEENTH SCHEDULE

(Section 11)

NIGHT SOIL (SAINT CHRISTOPHER) REGULATIONS

Short title.

1. These Regulations may be cited as the Night Soil (Saint Christopher) Regulations.

Restriction on Transporting Night Soil through Streets.

2. No night soil shall be transported through the streets of Basseterre unless the same has been previously treated with dry earth and the containers provided with a cover.

SEVENTEENTH SCHEDULE

(Section 11)

PUBLIC HEALTH (NEVIS) REGULATIONS

Short title.

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

Owners or occupiers to keep houses, etc., clean.

2. Owners or occupiers of all houses or other premises in Charlestown and throughout the Districts, are required at all times to keep such houses or premises, in every respect, clean and free from matter of every kind, which may be offensive to persons residing in the neighbourhood, or be detrimental, to the public health.

Owners or occupiers of houses, etc., to clean their houses, etc., daily.

3. The owners or occupiers of all houses or other premises in the town of Charlestown shall cause their several premises to be cleaned daily (Sundays excepted) and the filth, dirt, or rubbish to be removed from the town, or deposited at the side of the street nearest their premises in casks, boxes, or other suitable receptacles previously to eight o'clock a.m.

Removal of filth, etc.

4. All filth, dirt, and rubbish from the streets or other public places of Charlestown shall be removed every day (Sundays excepted) by such person or persons as the Board shall appoint.

Privies, Pits, etc., to be kept in sanitary condition.

5. Owners or occupiers of all houses, or other premises in Charlestown and throughout the Districts are required to keep their privies, pits, or other receptacles for night-soil, in a sanitary condition, and also in such a state as not to give offence by bad smells; and for this purpose they shall, as regards pits, apply thereto dry earth or other proper disinfectants in such quantities, and so often, as may be necessary for keeping down such smells, and shall remove the contents from such pits as often as is

necessary for the purpose of keeping such pits in a clean, inoffensive, and sanitary condition.

Keeping and collecting of manure.

6. No person in the villages throughout the Districts or within thirty feet thereof shall keep or collect any manure heap for a longer period than three days.

Throwing and depositing of dead animals, etc., upon a public street prohibited.

7. No dead animal, night-soil, manure, rotten or decayed substance or filth of any kind, shall be thrown or deposited upon any public street or road, or in any pond or running water:

Provided that this shall not apply to *bonâ fide* collections of offal deposited temporarily by the side of any road for the purpose of being removed by the public scavenger.

Throwing or letting out night-soil, etc., upon any place prohibited.

8. No night-soil, washings, kitchen slops, or offensive matter of any kind, shall be thrown or let out upon any place where the same may be offensive to persons residing in the neighbourhood, or be detrimental to the public health; and in every such case the occupier of the premises whence the same issued, or the person committing the nuisance, shall be held responsible.

Restriction on keeping of pigs.

9. No pig shall be kept by any person in Charlestown and no pig shall be kept by any person in the Districts within ten feet of any road or occupied house, and in no case shall filth or urine be allowed to remain under or around such pig.

Inspection of fresh meat for sale.

10. All persons throughout the Districts, offering for sale any fresh meat, shall on the application made at a reasonable time and place by a member or authorised servant of the Board or any District Board, produce for his or her inspection the organs of the animal slaughtered, and in the event of any such person refusing to show such organs the carcass shall be deemed unfit for food and destroyed.

Restrictions on sale of animals which die from infectious diseases, etc.

11. No animal having died or supposed to have died from any infectious or contagious disease, shall be opened or skinned except it be necessary for veterinary purposes and in that case the skin must be buried with the carcass.

Keeping of disinfectants.

12. The Central Board of Health shall keep under the care of the Clerk a sufficient quantity of disinfectants to be used by the Central and District Boards as the Central Board and District Boards or the District Medical Officers shall from time to time direct.

Burying of carcasses of animals.

13. No person shall allow the carcass of any animal which was his or her property or in his or her possession to remain unburied.

EIGHTEENTH SCHEDULE

(Section 11)

PUBLIC HEALTH (NO. 1) (SAINT CHRISTOPHER) REGULATIONS

Short title.

1. These Regulations may be cited as the Public Health (No. 1) (Saint Christopher) Regulations.

Interpretation.

2. In these Regulations—

“house refuse” means dust and sweepings of a dwelling house, a common lodging house and a barrack or barrack yard in the ordinary course of living therein, waste paper, broken glass and crockery and includes kitchen refuse and flower-garden refuse when contained in the prescribed refuse receptacle but does not include refuse of any other nature, or refuse in excess of the quantity contained in such prescribed receptacle;

“trade refuse” means the waste products of any trade or manufactory and includes the refuse from hotels and business places when contained in the prescribed receptacles but does not include refuse of any other nature or refuse in excess of such quantity;

“small stock” means rabbits, poultry, sheep and goats;

“large animals” means cattle, horses, mules and donkeys.

Duties of Owners and Occupiers of Premises in Connection with the Removal of House Refuse

Provision of movable receptacle by occupiers, etc., of houses.

3. (1) The occupier of every dwelling house in Basseterre, and the owner of every common lodging house and of every barrack or barrack yard in Basseterre shall not later than six o'clock in the morning of every day deposit within the gateway of such premises in a conveniently accessible position a movable receptacle in which shall be placed the house refuse of such premises for the purpose of removal free of charge by the Board.

(2) The receptacle to be provided shall be of a capacity not exceeding two and a half cubic feet and such receptacle shall be provided with a suitable cover and shall at all times be kept in good repair and covered while in use.

Movable receptacle to be provided by hotel proprietors, etc.

4. (1) The proprietor or manager of every hotel, manufactory or business premises in Basseterre shall not later than eight o'clock in the morning of every day (except Sundays and public holidays) deposit within the gateway of such premises or in some other conveniently accessible position a movable receptacle in which shall be placed the trade refuse of such premises for the purpose of removal free of charge by the Board.

(2) The receptacle to be provided shall be of reasonable weight and of a capacity not exceeding twelve cubic feet and such receptacle shall be provided with a suitable cover and shall at all times be kept in good repair, and covered while in use.

Removal of refuse, other than house refuse, etc., from premises.

5. In the case of all premises in Basseterre, any refuse other than house and trade refuse and refuse in excess of the prescribed quantity shall be removed therefrom upon payment by the owner or occupier, as the case may be, of such premises of the cost of removing such refuse at the rates fixed by the Board from time to time.

Receptacles to be properly kept.

6. The occupier of any premises in the town of Basseterre shall keep the said receptacles properly covered:

Provided that in the case of barracks and barrack yards any person using such receptacles shall cover them properly immediately after using them.

Proprietor of hotel, etc., to assist scavengers.

7. The proprietor or manager of every hotel, factory, workshop and other business premises shall in every case in which the receptacle provided exceeds two and a half cubic feet in capacity provide the necessary assistance to the scavengers for emptying the contents of such receptacle into the scavenging vehicle.

Keeping of Animals in Towns

Animals which may be kept in towns.

8. The following animals may be kept within the limits of towns in the State—cattle, sheep, horses, mules, donkeys, goats, rabbits, poultry, dogs and cats.

Animals to be kept in stables or other stalls.

9. Cattle, sheep, horses, mules, donkeys and goats which are kept within the limits of any town in the State, shall be kept in stables or other stalls approved by an officer of the Central Board of Health or Local Authority:

Provided that where such animals are kept at a distance of less than ten yards from any dwelling house such stables or other stalls shall be paved and drained either by open concrete channel into a public drain or by trapped concrete channel into a cesspit approved by an officer of the Central Board of Health or Local Authority.

Paved stables and Paved stalls to be cleaned daily.

10. Paved stables and paved stalls shall be washed and all other stables and stalls shall be cleaned daily in a manner satisfactory to an officer of the Central Board of Health or Local Authority.

Distance of stables and stalls from premises.

11. No stable or other stall in towns shall be less than six feet from any house or other premises.

Board to be informed of maximum number of animals to be kept.

12. Any person keeping animals on any premises in a town shall first intimate to the Central Board of Health or Local Authority the maximum number of each kind of animal intended to be kept on such premises allowing free space for each kind as follows—

For small stock 5 sq. ft. per head.

For large animals..... 20 sq. ft. per head.

Removal of droppings and animal litter, etc.

13. Any person keeping animals in any premises in the town shall collect daily, in a receptacle or receptacles provided by himself or herself for the purpose, all droppings, animal litter and feeding refuse from such premises for removal, and the removal of such collection shall be that person’s responsibility.

Penalty.

14. Any person who fails to comply with the requirements of any of these regulations shall be liable, on summary conviction, to a fine not exceeding three hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

NINETEENTH SCHEDULE

(Section 11)

**PUBLIC HEALTH (NO. 2)
(SAINT CHRISTOPHER) REGULATIONS**

Short title.

1. These Regulations may be cited as the Public Health (No. 2) (Saint Christopher) Regulations.

Interpretation.

2. In these Regulations—

“built-up area” means any of the places set forth in the Schedule to these regulations and any other place in the island of St. Christopher outside of the town of Basseterre declared by the Board with the approval of the Minister to be a built-up area;

“refuse” means dust and sweepings of a dwelling house, a common lodging house, and a barrack or barrack yard in the ordinary course of living therein, waste paper, broken glass and crockery, and includes kitchen refuse, flower-garden refuse, waste products of any trade or manufactory and refuse from hotels and business places, but does not include animal droppings, litter and animal feeding refuse or refuse of any nature not specified above.

Removal of Refuse.

3. In built-up areas the occupier of every dwelling house, the owner of every common lodging house and every barrack or barrack yard and the proprietor or manager of every hotel, manufactory or business premises shall daily not later than 8 o'clock in the morning of every day deposit the refuse of such premises in a receptacle to be provided by the Local Authority for the purpose of removal free of charge by the Local Authority.

Keeping of Animals.

4. Any person keeping animals on any premises in the island of Saint Christopher outside the town of Basseterre shall collect daily and deposit at a place approved by the Local Authority the droppings, litter and waste fodder of such animals.

Penalty.

5. Any person who fails to comply with the requirements of any of these regulations shall be liable, on summary conviction, to a fine not exceeding three hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

SCHEDULE TO THE REGULATIONS

(Regulation 2)

Challengers
Old Road
Verchild's Village
Middle Island
Half way Tree
Godwins
New Guinea
Sandy Point
Newton Ground
St. Pauls
Parson's Village
Saddlers Village
Lynches Village
Lavington Village
Tabernacle
Estridge
Stonecastle
Belle Vue

Harris
Mansion Village
Phillips
Molyneux
Lodge Village
Bourryeau Village
Ottleys Village
Cayon
Brighton Village
Whytes Village
Tank Village
Stapleton Village
Parry's Village

TWENTIETH SCHEDULE

(Section 11)

ENVIRONMENTAL HEALTH OFFICERS (DUTIES) REGULATIONS

Short title.

1. These Regulations may be cited as the Environmental Health Officers (Duties) Regulations.

General.

2. An Environmental Health Officer shall perform, under the direction of the Medical Officer of Health, all duties imposed upon Sanitary Inspectors by Statute, Order or Regulation or by direction of the Board or of the Local Authority for his or her district.

Systematic Inspection.

3. An Environmental Health Officer shall keep himself or herself fully informed on the sanitary condition of his or her district in respect of nuisances needing abatement by inspection of his or her district both systematically and at intervals as required.

Nuisances.

4. An Environmental Health Officer shall, on receiving notice of the existence of a nuisance or the non-observance or breach of any law or regulation made for the suppression of nuisances in his or her district, visit the spot as soon as practicable and inquire into such alleged nuisance or breach of law or regulation.

Water Supply.

5. An Environmental Health Officer shall report immediately to the proper authority any pollution or wastage of water supplies.

Food Inspection.

6. (1) An Environmental Health Officer shall, from time to time, regularly and forthwith on complaint visit and inspect dairies, food-shops and other food-handling places under the provisions of such Statutes and Regulations dealing with the same and shall examine any animal or part thereof and any article of food or drink in such establishments intended for human consumption.

(2) He or she shall record for report as directed by the Board or Local Authority particulars of action taken with respect to such inspections and examinations.

Infectious Disease Control.

7. (1) An Environmental Health Officer shall give immediate notice to the Medical Officer of Health of the occurrence within his or her district of any infectious diseases or other serious outbreak of illness, and whenever it appears to him or her that the intervention of such officer is necessary in consequence of the existence of any nuisance injurious to health or of any overcrowding in a house or of any other condition affecting the health of the district forthwith inform the Medical Officer of Health of the condition.

(2) He or she shall, if so directed by the Medical Officer of Health, remove or superintend the removal of patients suffering from infectious diseases to a suitable hospital or place and perform or superintend the work of disinfection after the occurrence of cases of infectious diseases.

Housing.

8. An Environmental Health Officer shall, if so directed by the Board or Local Authority, make an inspection of housing conditions in respect of overcrowding, latrine accommodation and other sanitary conditions.

Sanitary Works.

9. An Environmental Health Officer shall, if so directed by the Central Board or Local Authority, supervise the execution of any works which may be undertaken under their direction for the prevention, suppression or removal of nuisances and for disinfestation by residual spraying.

Offensive Trades.

10. An Environmental Health Officer shall record from daily inspections for report to the Local Authority or Board all non-observance of regulations in respect of noxious and offensive trades, businesses and manufactories.

Attendance at Meetings.

11. An Environmental Health Officer shall attend all meetings of the Local Authority.

Records and Reports.

12. (1) An Environmental Health Officer shall enter from day to day in a book or on separate sheets or cards provided by the Board or Local Authority particulars of all his or her inspections and of the action taken by him or her in respect of his or her duties.

(2) He or she shall keep a book of separate sheets provided by the Board or Local Authority so arranged as to form a continuous record of the sanitary conditions of each premises in his or her district.

(3) He or she shall keep a book provided by the Board or Local Authority so arranged as to form a continuous record of all action taken under the Public Health Act in respect of any premises in his or her district.

(4) He or she shall maintain in form approved by the Medical Officer of Health a plan or map of his or her district showing the distribution of premises, any works or property under the control of the Board or Local Authority, and any such places or localities which are liable to become a nuisance or injurious to the health of the public.

(5) He or she shall at all reasonable times when requested by the Medical Officer of Health, Board or Local Authority produce his or her books or any of them and render such information as he or she may be able to furnish with respect to any matter to which the duties of the Sanitary Inspector relate.

(6) He or she shall furnish the Medical Officer of Health or Local Authority with weekly reports in tabular form showing—

- (a) the number and nature of inspections made by him or her during the period;
- (b) the number of notices (statutory or other) served during the period;
- (c) the result of the services of such notices.

Other Duties.

13. In matters not specially provided for in these regulations an Environmental Health Officer shall observe and execute all lawful orders and directions of the Board, of the Local Authority and of the Medical Officer of Health.

TWENTY-FIRST SCHEDULE*(Section 11)***PUBLIC HEALTH (QUARANTINE)
REGULATIONS****Citation.**

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

Interpretation.

2. In these Regulations—

“officers” means persons appointed by the Governor-General in the manner provided under section 3 of the Quarantine Act;

“Public Health Act” means the Public Health Act, Cap. 9.21;

“Quarantine Act” means the Quarantine Act, Cap. 9.23;

“Quarantine Authority” means the Chief Medical Officer in accordance with the provisions of section 3 of the Quarantine Act.

Schedule of diseases.

3. Pursuant to section 11(c)(i) of the Public Health Act, the diseases listed in Schedule 1 to these regulations are infectious, communicable or notifiable diseases dangerous to public health to which the provisions of these Regulations apply.

Quarantine Authority establishment and powers.

4. (1) The Quarantine Authority established under section 3 of the Quarantine Act shall be the Quarantine Authority for the purposes of these Regulations.

(2) The Quarantine Authority shall have the powers conferred on him or her under the Quarantine Act in exercise of his or her duties under these Regulations.

Appointment of officers, quarantine guards or screening officers.

5. (1) Pursuant to the provisions of section 11(b) of the Public Health Act, the officers, including, any quarantine guards necessary for giving effect to the provisions of these Regulations, shall be appointed by the Governor-General, in accordance with the provisions of section 3 of the Quarantine Act.

(2) The officers or quarantine guards referred to in sub-regulation (1), shall have such duties as are directed by the Quarantine Authority.

(3) The screening officers referred to in sub-regulation (1), shall have such duties as are directed by the Quarantine Authority.

Duties and powers of the police.

6. (1) The police shall have the duties and powers conferred under the Quarantine Act for the purposes of these Regulations.

(2) Pursuant to section 11(ee) of the Public Health Act, the police may enter, with reasonable force if necessary, into any premises where the owner does not give permission for the inspection or examination thereof.

Duties and powers of the Defence Force.

7. For the purposes of these Regulations, the St Kitts and Nevis Defence Force shall have such duties and powers as may be specified by the Minister, with the approval of Cabinet, by Order published in the *Gazette*.

Reporting cases.

8. (1) Pursuant to section 11(c)(ii) of the Public Health Act, a person may make a report of cases or suspected cases of infectious, communicable or notifiable diseases to the Quarantine Authority.

(2) A report shall be in the Communicable Disease Notification Form set out in Schedule 2 to these regulations or by telephone call to the Quarantine Authority or the officers of the Authority.

Supplies to suppress an epidemic.

9. Pursuant to section 11(c)(iii) of the Public Health Act, the emergency supply chain action plan will guide the forecasting, procurement, importing, stockpiling or issuing of relevant medical supplies necessary for preventing, mitigating, controlling or suppressing an epidemic or spread of any infectious, communicable, notifiable or other disease.

Screening.

10. (1) The Quarantine Authority may authorise the establishment of screening stations at designated screening sites depending on the nature of the disease.

(2) The screening process shall be in accordance with well-defined algorithms and specific actions to be taken which shall be explained to each person being screened.

(3) A person shall submit to the examination, answer questions or other requirements of the screening process.

Surveillance, removal, quarantine or isolation.

11. Pursuant to section 11(c)(iv) of the Public Health Act, the Minister may, in consultation with the Quarantine Authority, authorise the surveillance, removal, quarantine or isolation of any person at a place or health facility designated by the Minister and dependent on the nature of the infectious, communicable or notifiable disease.

Preventing persons or conveyances.

12. Pursuant to section 11(c)(v) of the Public Health Act, the Minister depending on the nature of the disease may prevent or restrict persons or conveyances from passing from one locality to any other locality in a manner that is necessary for preventing, mitigating, controlling or suppressing an epidemic or spread of any infectious, communicable, notifiable or other disease.

Detention in another island, state or country.

13. (1) Pursuant to sections 4, 11(c)(v), 11(c)(vi) and 11(c)(x) of the Public Health Act, the Minister may, with the approval of Cabinet—

(a) in the national interest;

(b) in the interest of public health; or

(c) public safety,

in writing, request a person to remain outside of Saint Christopher and Nevis or outside of one either island.

(2) The Minister shall specify the terms and conditions of the request and shall include—

- (a) the specified period;
- (b) the resources to be provided to assist the person during the specified period including—
 - (i) any reasonable provisions for accommodation;
 - (ii) any reasonable provisions for meals;
 - (iii) any reasonable provisions for transportation;
 - (iv) any requirements for receipts.

(3) The Minister shall, if the person referred to in sub-regulation (1) makes a request in writing, notify the person's employer in writing of the request and the employer shall not reduce or deduct the person's salary for the specified period.

Social distancing.

14. (1) Pursuant to section 11(c)(xiv) of the Public Health Act, the Minister may, by notice published in the *Gazette*, authorise—

- (a) the closing of schools, churches and places of public assembly or entertainment; or
- (b) any other social distancing interventions that may be appropriate depending on the nature of the infectious, communicable or notifiable disease for the purpose of preventing, controlling or containing the spread of disease.

Offenses and penalties.

15. Pursuant to section 11(l) of the Public Health Act, a person who contravenes the provisions of these Regulations shall be liable on summary conviction to a fine not exceeding eight thousand dollars.

Notice of Quarantine/Isolation.

16. (1) A person who is subject to quarantine or isolation shall be issued with a notice as set out in the form in Schedule 3 to these Regulations, which shall be signed in duplicate.

(2) Where a person is identified as being subject to quarantine or isolation, he or she shall sign the notice and shall retain a copy of the notice.

(3) Where the subject of the quarantine or isolation is a child or a person who is mentally disabled or otherwise incapacitated, a parent or guardian of the subject of the quarantine or isolation shall be issued with the notice and shall sign same on behalf of the child or person who is mentally disabled or otherwise incapacitated.

(Inserted by S.R.O. 8/2020)

SCHEDULE 1 TO THE REGULATIONS

(Regulation 3)

**INFECTIOUS, COMMUNICABLE OR NOTIFIABLE DISEASES
FOR QUARANTINE OR ISOLATION**

The provisions of these Regulations shall apply in relation to infectious, communicable or notifiable diseases including emerging diseases such as:

1. Zika virus
2. Chikungunya virus
3. Ebola virus
4. Novel Coronavirus or COVID-19

SCHEDULE 2 TO THE REGULATIONS

(Regulation 8)

NOTIFIABLE DISEASES FORM

Clinic Health Centre:
Hospital:
Laboratory:
Private Physician:
Health District:

Last name:

First name:

Alias:

(circle option) Sex: M F Pregnant

If less than 1 year, age in months:

If more than 1 year, age in years:

Address:
.....
.....

Area (Region/District/Parish):

Telephone:(Mobile).....(Work).....(Ext)

(Circle options)

Is the patient's occupation:

Food Handling	Yes	No
Student	Yes	No
Agriculture/Farming	Yes	No
Other:		

Name of business/school:

Address:

Area (region/District/Parish):

Date first Seen / / Date of onset: / /

(check box)

Contact of known case _____	Imported _____
Status: Suspected _____	
Probable _____	
Confirmed _____	<i>(Circle Option)</i>
Unknown _____	Lab Done Yes No

LIST OF DISEASES

(circle condition)

Accidental poisoning*	Leptospirosis +
Acquired Immunodeficiency + Syndrome / HIV Infection +	Leprosy + (Hansen's Disease)
Acute Hemorrhagic conjunctivitis +	Malaria +
Acute Respiratory Infection < 5 +	Measles +
Amoebiasis /	Meningitis (other) +
Chicken Pox +	Meningococcal Meningitis +
Chlamydial infection /	Mumps +
Cholera *	Ophthalmia neonatorum +
Ciguatera poisoning	Plague *
Chikungunya +	Poliomyelitis * (paralytic)
Congenital Syphilis*	Pertussis +
Dengue Fever and +	Rubella +
Dengue Hemorrhagic Fever +	Rubella Syndrome (Congenital) *
Diphtheria*	Rabies *
Encephalitis *	Smallpox *

(a) Travel history which indicates that you have traveled to a known territory which has COVID cases

OR

(b) You have been exposed to someone who has the disease or exposed to someone who is/was providing care to someone with COVID-19

OR

(c) You currently display symptoms consistent with the conditions of being infected with COVID-19

“Isolation” means that you are suffering from the COVID-19 virus and you must be completely separated from and must not come into contact with other persons with the exception of any medical personnel or public health officers.

“Quarantine” means that you should remain in the confines of your home or other approved location for a period of at least 14 days and that you must NOT come into contact with other people during this period.

During this period you are also required to comply with all instructions given by the Ministry of Health’s Public Health Officers.

A Public Health Officer will be checking in on you periodically to ensure that your health remains stable and that you are complying with the requirements in this Notice. We shall further advise you when it is safe to return to your normal activities.

It is critical that you DO NOT resume normal activities or interact with other persons UNTIL your status has been confirmed by an official from the Ministry of Health. A failure to comply with these requirements may result in a fine and you being quarantined in a Government facility until the period of confinement is over. Please be reminded that this is for your health and the health of others.

Other Specific Instructions for Your Case:

.....

Dated this day of 2020.

Ministry of Health

Person Quarantined

¹The remainder of this letter should be modified if being delivered to the parent or guardian of dependents. The parent or guardian should be given the choice to be quarantined with the dependent. If the parent or guardian does not choose to be quarantined with the dependent, then the parent/guardian is responsible for making arrangements for the dependent’s care and appropriate level of supervision.

(Inserted by S.R.O. 2/2020 and amended by S.R.O. 8/2020)

