

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health.

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Health at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

References in or in relation to this Chapter to—

“the Departmental Head”—should be read as references to the Secretary for Health;

“the Department”—should be read as references to the Department of Health.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health Act.

Being an Act relating to public health and to mental disorders, and for related purposes.

PART I.—PRELIMINARY.

1. Interpretation.

In this Act, unless the contrary intention appears—

“child” means a person under the age of 16 years;

“drug” includes—

- (a) any article used for or in the composition or preparation of medicine for internal or external consumption or use by man; and
- (b) a disinfectant, germicide, antiseptic, preservative, deodorant, anaesthetic, narcotic, soap, cosmetic, dusting powder, essence, unguent and any other toilet article; and
- (c) tobacco;

“dwelling” means any house, room, vessel or other structure used by a human being for sleeping in, or in which a human being dwells;

“food” includes—

- (a) any article that—
 - (i) is used for food or drink by man; or
 - (ii) enters into or is used in the composition or preparation of any such article; and
- (b) any infant food, flavouring matter, colouring matter, essence, condiment, spice or confectionery;

“inspector” means an Inspector of Health¹;

“Inspector of Health” means an Inspector of Health appointed under Section 8;

“Local Medical Authority” means a Local Medical Authority appointed by or under Section 4, and includes an Assistant Local Medical Authority appointed under Section 7;

“the Mining Act” means—

- (a) in relation to the former Territory of Papua—the *Mining Act* 1937 (Adopted) of that Territory; and
- (b) in relation to the former Territory of New Guinea—the *Mining Act* 1928 (Adopted) of that Territory;

“occupier”, otherwise than in Parts III., IV., V., VI., VII. and VIII., includes—

- (a) any person in occupation of premises, without regard to the title under which he occupies; and

¹ It should be noted that the term “inspector” has different meanings in different regulations under the Act.

- (b) where premises are subdivided and let to lodgers or various tenants—the person receiving the rent payable by the lodgers or tenants, whether on his own account or as agent for any person entitled to the rent;

“owner”, otherwise than in Parts III., IV., V., VI., VII. and VIII., includes—

- (a) the person for the time being entitled to receive the rent of the premises in connexion with which the expression is used—
 (i) on his own account; or
 (ii) as manager for, agent of, or trustee for any other person; and
(b) the person who would be entitled to receive the rent if the premises were let at a rent; and
(c) a lessee or licensee under a lease or licence granted or approved under—
 (i) the *Land Act*; or
 (ii) the *Mining Act*;

“premises”, otherwise than in Parts IV., V., VI., VII. and VIII., includes—

- (a) messuages, buildings, lands and hereditaments of every tenure; and
(b) any vehicle, conveyance or vessel;

“the regulations” means any regulations made under this Act;

“this Act” includes the regulations.

2. Application in relation to public buildings.

(1) Premises owned or occupied by the State or by public bodies are subject to this Act in the same manner as if they were owned or occupied privately.

(2) The officer having the use or control of any premises referred to in Subsection (1) is liable for any breach of this Act as if he were the actual owner or occupier of the premises.

(3) Where, by virtue of Subsection (2), an officer is charged with an offence against this Act, it is a defence if he proves that, within the resources made available to him and the authority vested in him, he took all reasonable steps to ensure compliance with this Act.

PART II.—ADMINISTRATION.

3. The Minister.

In addition to any other powers conferred on him by this Act, the Minister has, throughout the country, the powers conferred by this Act on a Local Medical Authority or on an inspector.

4. Local Medical Authorities.

(1) Subject to Subsection (2), the Provincial Medical Authority for a province is the Local Medical Authority for the province.

(2) With its concurrence, the Minister may, by written notice, appoint a Local Government Council to be the Local Medical Authority for the area of the Council.

5. Councils as Local Medical Authorities.

(1) Where a Local Government Council is appointed a Local Medical Authority under Section 4(2), it is responsible to the Minister for the efficient exercise and performance of its powers, functions, duties and responsibilities.

(2) The Minister may issue directions to a Local Government Council concerning the exercise and performance of its powers, functions, duties and responsibilities as a Local Medical Authority.

(3) Where a Local Government Council fails or neglects to exercise or perform, to the satisfaction of the Minister, any of its powers, duties, functions or responsibilities as a Local Medical Authority, or any directions given to it under Subsection (2), the Minister may revoke the appointment of the Council as a Local Medical Authority.

(4) Where in order to rectify the failure or neglect of a Local Government Council to exercise or perform any of its powers, duties, functions and responsibilities it is necessary to carry out any work or provide any service, the Minister may—

- (a) cause the work to be carried out or the service to be provided; and
- (b) direct that the Council be responsible for any costs involved.

(5) An amount for which a Council is responsible under Subsection (4) is recoverable by the State as a debt.

6. Powers of Local Medical Authorities.

In addition to any powers conferred on him by this Act, a Local Medical Authority has all the powers conferred by this Act on an inspector.

7. Assistant Local Medical Authorities.

The Minister may, by written notice, appoint—

- (a) a medical practitioner; or
- (b) an officer of the Public Service; or
- (c) an officer of a Local Government Council or of a Local Government Authority,

to be an Assistant Local Medical Authority.

8. Inspectors.

The Minister may appoint a person to be an inspector for the purposes of this Act.

9. Declaration of residential areas.

The Minister may, by notice in the National Gazette, declare a part of a town to be a residential area for the purposes of this Act.

10. Powers and duties of inspectors, etc.

In addition to any other powers or duties expressly conferred or imposed on him by this Act, an inspector, or a person authorized in writing by the Minister, may exercise such other powers and perform such other duties as are prescribed.

11. Power of entry, etc.

For the purpose of giving effect to this Act, a Local Medical Authority or an inspector—

- (a) may enter and examine any premises—
 - (i) at any time during which business is carried on, or is usually carried on, on the premises; and
 - (ii) at such other times as are prescribed; and
- (b) may inspect and seize any article on the premises¹.

12. Bribery, obstruction, etc.

(1) A person who—

- (a) gives, offers or procures to be given to an officer or person a bribe, recompense or reward to induce him in any way to neglect or not to perform his duty under this Act; or
- (b) makes a collusive agreement with an officer or person to neglect or not to perform his duty under this Act; or
- (c) by threats, demands or promises, attempts improperly to influence a person in the performance of his duty under this Act; or
- (d) assaults, intimidates or by force molests or obstructs a person in the performance of his duty under this Act,

is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding six months, or both.

PART III.—BLOOD TRANSFUSIONS.**13. Blood transfusions without consent.**

(1) A medical practitioner may perform the operation of transfusion of human blood on a minor without the consent of a parent or guardian or any other person where—

- (a) the parent, guardian or other person—
 - (i) when requested to give consent, fails or refuses to do so; or
 - (ii) cannot, after reasonable inquiry, be found, or it is impracticable in the circumstances to obtain the consent; and
- (b) the medical practitioner and, where practicable, at least one other medical practitioner thinks that the operation—
 - (i) is a reasonable and proper one to be performed for the condition from which the minor is suffering; and
 - (ii) is essential in order to save his life; and
- (c) the medical practitioner—
 - (i) has had previous experience in performing the operation of transfusion of human blood; and
 - (ii) before commencing the operation assures himself that the blood to be transfused is compatible with that of the minor.

¹ But see Constitution, Section 44.

(2) Where an operation of transfusion of human blood has been performed on a minor under and in accordance with Subsection (1), it shall be deemed to have been performed with all consents otherwise required by law.

(3) The powers conferred on a medical practitioner by Subsection (1) are in addition to and not in derogation of any other powers of a medical practitioner.

PART IV.—INFECTIOUS DISEASES.

Division 1.—Preliminary.

14. Interpretation of Part IV.

In this Part, unless the contrary intention appears—

“building” includes any building or structure, whether temporary or permanent;

“infectious disease” means—

(a) any disease specified in Schedule 2; or

(b) any disease declared under Section 15 to be an infectious disease.

15. Infectious diseases.

The Minister may, by notice in the National Gazette, declare a disease to be an infectious disease for the purposes of this Part.

Division 2.—Reports of Infectious Disease, etc.

16. Urgent reports of certain diseases.

Immediately on any case of anthrax, cholera, amoebic dysentery, plague, yellow fever or small-pox coming to the knowledge of the Local Medical Authority, he must—

(a) report the case to the Departmental Head by radio or telephone, or by the quickest practicable method; and

(b) forward a report in the prescribed form.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding six months, or both.

17. Reports by medical practitioners and medical assistants.

Immediately any case of infectious disease comes to his knowledge, a medical practitioner or medical assistant must report the case, in the prescribed form, to the Local Medical Authority.

Penalty: A fine not exceeding K40.00.

18. Reports by officers in charge of certain institutions.

(1) In this section, “institution” means a hospital or institution, whether public or private.

(2) Immediately on any case of infectious disease or suspected infectious disease being discovered amongst the inmates of an educational establishment, mission station, mission school or other institution, or amongst the persons employed or residing at an institution or plantation, the person in charge must report the case, in the prescribed form, to the Local Medical Authority.

Penalty: A fine not exceeding K40.00.

19. Reports by employers.

Immediately on any case of infectious disease or suspected infectious disease being discovered amongst his employees, an employer must report the case, in the prescribed form, to the Local Medical Authority.

Penalty: A fine not exceeding K40.00.

20. Reports by Government officers.

(1) Subject to Subsection (2), immediately on any case of infectious disease coming to the notice of an officer, he must report the case to the Local Medical Authority.

Penalty: A fine not exceeding K40.00.

(2) Where the officer has reasonable cause to believe that the case—

(a) is being attended to by a medical practitioner or by a medical assistant; or

(b) has been duly reported to a Local Medical Authority,

he is not required to make a report under Subsection (1).

21. Advice to schools.

Where an infectious disease occurs in a house where a child attending at a school resides, the parent or guardian of the child must, within 24 hours, give to the head teacher of the school notice of the occurrence of the disease.

Penalty: A fine not exceeding K40.00.

22. Advice to householders.

A medical practitioner who is in attendance at a house where there is any person suffering from an infectious disease must furnish to the occupier of the house a certificate to the effect that there is a person suffering from an infectious disease in the house.

Penalty: A fine not exceeding K40.00.

*Division 3.—General Provisions for the Control of Infectious Diseases.**Subdivision A.—Powers of Local Medical Authorities, etc.***23. Disinfection of buildings, etc.**

If the Local Medical Authority is of the opinion that the cleansing and disinfection of a building or part of a building, or of any articles in a building likely to retain infection, would tend to prevent or check infectious disease, he may—

(a) give written notice to the owner or occupier of the building, or the part of a building, requiring him to cleanse or disinfect the building or part, or any articles in the building, to the satisfaction of the Local Medical Authority, within a time specified in the notice; and

(b) order, and supervise, the use of disinfectants; and

(c) take such other sanitary precautions as he thinks necessary to cleanse and disinfect the building, or the part of a building, or any article in the building,

and for the purposes of Paragraph (b) or (c) may remove any article.

24. Destruction of buildings.

Where a Local Medical Authority certifies in writing to a District Officer that the destruction of a building is necessary to prevent or check infectious disease and requests the destruction of the building, the District Officer may order the destruction of the building.

25. Destruction of infected articles.

The Local Medical Authority may direct the destruction of any bedding, clothing or other article that, in his opinion, has been exposed to infection from an infectious disease.

26. Removal and confinement of infected persons.

(1) Where a suitable hospital, quarantine station or place for the reception of the sick is provided within a province or within a reasonable distance from a province, and a person in the province who is suffering from an infectious disease is lodged—

- (a) in a room occupied by members of more than one family; or
- (b) on board a vessel; or
- (c) in a hotel, common lodging house or boarding house,

or where proper isolation is otherwise impracticable, a Local Medical Authority may—

- (d) on a certificate signed by a medical practitioner; and
- (e) with the consent of the officer-in-charge of the hospital, quarantine station or place,

compulsorily remove the person to the hospital, quarantine station or place.

(2) A person detained in a hospital, quarantine station or place for the reception of the sick under Subsection (1) must not be released except by written order of the Local Medical Authority¹.

Penalty: A fine not exceeding K40.00.

(3) The cost of the removal of a person under Subsection (1) shall be borne by the Local Medical Authority.

27. Power of entry and examination.

A Local Medical Authority may—

- (a) enter any building or premises in which an infectious disease exists or has existed; and
- (b) examine all persons who reside at or are discovered in the building or premises for the purpose of ascertaining if they are in an infectious condition.

Subdivision B.—General.**28. Restrictions on movement, etc., of infected persons and things.**

(1) A person who—

- (a) when suffering from an infectious disease and knowing he is so suffering, intentionally—
 - (i) is in a street, shop, eating house, club, bar or place of common resort or in a public conveyance, without taking reasonable precautions against spreading the disease; or

¹ But see Constitution, Section 42.

- (ii) enters any public conveyance without previously notifying the owner or the person in charge that he is suffering from the disease; or
- (b) being in charge of any person suffering from an infectious disease, whom he knows to be so suffering—
 - (i) causes or permits him to be in any street, shop, eating house, club, bar or place of common resort or in a public conveyance; or
 - (ii) permits him to enter any public conveyance without previously notifying the owner or the person in charge that the person is suffering from the disease; or
- (c) subject to Subsection (3)—gives, lends, sells, transmits or exposes, without previous disinfection, any bedding, clothing, rags or other things that have been exposed to infection from an infectious disease,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding six months, or both.

(2) In addition to any penalty that may be imposed under Subsection (1), a person, who, while suffering from an infectious disease, enters a public conveyance in contravention of Subsection (1)(a) may be ordered by the court that convicts him to pay to the owner or driver of the conveyance the amount of any loss or expense incurred by him in respect of the disinfection of his conveyance.

(3) No offence against Subsection (1)(c) is committed by a person who, with proper precautions, takes or sends any bedding, clothing, rags or other things for the purpose of having them disinfected.

29. Recently infected persons.

A person who knowingly or negligently sends to, allows to attend at, or returns to a school, plantation, mission or other place at which people congregate any person who then is, or has been within the space of eight weeks, suffering from—

- (a) scarlet fever, diphtheria, measles or small-pox; or
- (b) any other disease declared by the Minister, by notice in the National Gazette, for the purposes of this section,

without furnishing the head teacher of the school or the officer-in-charge of the place with a written certificate from a medical practitioner to the effect that—

- (c) the person is free from infectious disease and infection; and
- (d) the clothes of the person are free from risk of conveying infection,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

30. Disinfection of conveyances, etc.

(1) Immediately after a public conveyance has, to the knowledge of the owner or driver, conveyed any person suffering from an infectious disease, he must disinfect the conveyance, to the satisfaction of a Local Medical Authority.

Penalty: A fine not exceeding K40.00.

(2) The owner or driver of a conveyance is not required to convey a person suffering from an infectious disease until he has been paid a sum of money sufficient to cover any loss

or expense incurred by him in conveying the person so suffering or in disinfecting his conveyance.

31. Vacation of infected building.

(1) Subject to Subsection (2), a person who—

- (a) ceases to occupy a building, or a part of a building, in which an infectious disease has existed within six weeks before his departure; and
- (b) does not have the building, or the part of the building, and all articles in it that are liable to retain infection, disinfected to the satisfaction of a medical practitioner, as testified by a certificate signed by the medical practitioner; and
- (c) does not give the owner of the building, or of the part of the building, notice that an infectious disease has existed in the building or in the part of the building,

is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(2) It is a defence to a charge of an offence against Subsection (1) if it is proved, to the satisfaction of the court, that a medical practitioner was not available within a reasonable distance of the place in which the building was situated.

32. Letting of infected building.

(1) A person who knowingly lets for hire any building, or a part of a building, in which a person affected with an infectious disease has resided, without causing the building, or the part of the building, as the case may be, and all articles in it liable to retain infection to be disinfected to the satisfaction of the Local Medical Authority, as testified by a certificate signed by him, is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(2) A person who—

- (a) lets for hire, or shows for the purpose of letting for hire, a building, or a part of a building; and
- (b) does not inform the person who is hiring, or is negotiating for the hire of, the building, or the part of a building, of the fact of there being, or of there having been within the previous six weeks, a person suffering from an infectious disease in it,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding six months, or both.

33. Disposal of infected matter.

A person who knowingly casts into any ash-pit, ash-tub or other receptacle for the deposit of refuse any infected rubbish, without having previously disinfected it, is guilty of an offence.

Penalty: A fine not exceeding K40.00.

*Division 4.—Infected Areas.***34. Interpretation of Division 4.**

In this Division, "infected area" means a part of the country declared under Section 35 to be an infected area.

35. Declaration of infected areas.

(1) The Minister may, by notice in the National Gazette, declare that any part of the country in which he suspects that an infectious disease exists is an infected area, for a period fixed by the notice.

(2) The Minister may—

(a) in a notice under Subsection (1); or

(b) by a subsequent notice in the National Gazette,

declare that Sections 36 and 37 do not apply to a person or class of persons specified in the notice.

36. Isolation of infected areas.

Subject to Section 35(2), a person who enters into or departs from an infected area without the prior written permission of the Departmental Head or the Local Medical Authority is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding six months, or both.

37. Unlawful departure from infected area.

(1) Subject to Section 35(2), a person who unlawfully departs from an infected area may be—

(a) arrested by a member of the Police Force, or by a Local Medical Authority, medical practitioner or medical assistant; and

(b) taken back into the infected area or kept in custody until it is ascertained whether he has or has not contracted an infectious disease.

(2) Where a person who has been detained under Subsection (1) is found to have contracted an infectious disease, he may be further kept in custody until any danger of his communicating the disease to any other person ceases.

*Division 5.—Typhoid Fever.***38. Interpretation of Division 5.**

In this Division—

"anti-typhoid inoculation" means one injection intramuscularly of 0.5 cm³ of a suspension of killed bacteria containing—

(a) 1 000 000 000 *Bacilli typhosi*; and

(b) 750 000 000 *Bacilli paratyphosi* A; and

(c) 750 000 000 *Bacilli paratyphosi* B,

together with approved preservative, in each cubic centimetre, followed after an interval of not less than five days or more than 10 days by a second injection intramuscularly of 1.0 cm³ of a similar suspension of killed bacteria;

"employment agreement" means an agreement under the *Native Employment Act* 1958 (Adopted);

"resident" means present in a typhoid area and having been there for a period of at least 14 days;

"typhoid area" means a part of the country declared under Section 39 to be a typhoid area for the purposes of this Division;

"typhoid fever carrier" means a person in any of whose discharges the bacillus associated with typhoid fever and known as the *Bacillus typhosus* is at any time discovered, and who does not show clinical evidence of typhoid fever.

39. Declaration of typhoid areas.

If the Minister is satisfied that it is advisable to do so for the purpose of preventing the spread of typhoid fever, he may, by notice in the National Gazette, declare a part of the country specified in the notice to be a typhoid area for the purposes of this Division.

40. Medical examination and inoculation of persons in typhoid areas.

(1) Subject to Section 41, every person who is resident in a typhoid area must present himself to a medical practitioner or a medical assistant, for the purpose of anti-typhoid inoculation, not later than 14 days from—

- (a) the publication of the relevant notice under Section 39; or
- (b) his entry into the typhoid area; or
- (c) if he has been previously given an anti-typhoid inoculation—the expiration of 12 months from his last such inoculation,

whichever last happens.

Penalty: A fine not exceeding K40.00.

(2) Subject to Section 41, a person resident in a typhoid area must again present himself to a medical practitioner or a medical assistant for a further anti-typhoid inoculation not earlier than 11 months or later than 13 months after every anti-typhoid inoculation.

Penalty: A fine not exceeding K40.00.

(3) A person resident in a typhoid area who is a parent or guardian of a child who is required to present himself in accordance with Subsection (1) or (2) must ensure that the child presents himself accordingly.

Penalty: A fine not exceeding K10.00.

(4) The employer of a person under the *Native Employment Act* 1958 (Adopted) must, within 14 days after the person's arrival in a typhoid area, cause him to present himself to a medical practitioner or a medical assistant for anti-typhoid inoculation.

Penalty: A fine not exceeding K40.00.

(5) Anti-typhoid inoculations by a medical practitioner or a medical assistant shall be performed free of charge.

41. Exemptions from inoculation requirements.

(1) If a Local Medical Authority is of opinion on medical grounds that an anti-typhoid inoculation is not advisable in the case of any person, he may, by a written certificate, exempt the person from Section 40(1) and (2) for such period as he thinks proper.

(2) The Local Medical Authority may, by written certificate, exempt any person from compliance with Section 40(1) or (2) until a date specified in the certificate, after the time allowed by that subsection.

42. Inoculation certificates.

(1) A medical practitioner or medical assistant who has given an anti-typhoid inoculation must—

- (a) give to the person inoculated a certificate showing the date of the inoculation; or
- (b) in the case of a person employed under the *Native Employment Act 1958* (Adopted)—endorse on the employment agreement the date and fact of the anti-typhoid inoculation.

(2) On being given 48 hours' written notice to do so by a District Officer, an officer of the Department or a commissioned officer of the Police Force, a person resident in a typhoid area who is the holder of a certificate given under Subsection (1) must produce the certificate to the person specified in the notice.

Penalty: A fine not exceeding K10.00.

43. Production of employment agreements.

On being given 48 hours' written notice to do so by a District Officer, an officer of the Department or a commissioned officer of the Police Force, a person resident in a typhoid area must produce to the person specified in the notice the employment agreements of any persons employed by him under the *Native Employment Act 1958* (Adopted).

Penalty: A fine not exceeding K40.00.

44. Suspected typhoid fever carriers.

Where a medical practitioner gives a written certificate that, as a result of his observation, he has reason to suspect that a person is a typhoid fever carrier, a District Officer may, on the written application of the medical practitioner, order the person to place himself, at a time and date specified in the order, in a hospital so specified, for a period not exceeding one week, for the purpose of bacteriological investigation by a Local Medical Authority.

45. Burden of proof.

The burden of proving compliance with any provision of this Division (other than Section 44) is on the person charged with a breach of the provision.

Division 6.—Special Provisions in Relation to Certain other Diseases.

46. Compulsory hospitalization of infected persons.

Under the direction, and on the certificate, of the Local Medical Authority that—

- (a) a person is suffering from cholera, small-pox, plague, anthrax, yellow fever, amoebic or bacillary dysentery, typhoid fever, epidemic influenza or tuberculosis (including phthisis, bony tuberculosis and miliary tuberculosis); and

- (b) the person's removal is necessary in order to prevent the disease from spreading,

the person may be removed immediately to any place specified by the Minister, and kept there until he is released by an order of the Minister, the Departmental Head or the Local Medical Authority.

Division 7.—General.

47. Disobedience of orders.

A person who disobeys a lawful order given under this Part by a Local Medical Authority, medical practitioner, medical assistant or District Officer is guilty of an offence.

Penalty: A fine not exceeding K40.00.

PART V.—VENEREAL DISEASES.

Division 1.—Preliminary.

48. Interpretation of Part V.

In this Part, unless the contrary intention appears—

“the Commissioner” means the Commissioner appointed under Section 49;

“manager”, in relation to a hospital, includes the board, committee or other body managing the hospital;

“venereal disease” means gonorrhoea, gleet, gonorrhoeal ophthalmia, syphilis, soft chancre, venereal warts or venereal granuloma.

Division 2.—Administrative and Executive Provisions.

49. The Commissioner.

The Minister shall appoint a medical practitioner to be the Commissioner for the purposes of this Part.

50. General powers of Minister.

(1) The Minister shall—

(a) establish hospitals or places for the reception and treatment of persons suffering from venereal disease; and

(b) arrange for—

(i) the examination or treatment by medical practitioners of persons suffering from venereal disease; and

(ii) the remuneration of medical practitioners under any such arrangements; and

(c) arrange for chemical, bacteriological and other examinations and investigations, free of charge to the patient, for the purpose of ascertaining whether a person is—

(i) suffering from; or

(ii) cured of; or

(iii) free from; or

(iv) no longer liable to convey infection of, venereal disease, and for the remuneration payable under any such arrangement; and

(d) arrange for the supply of drugs, medicines and appliances for the treatment, alleviation and cure of venereal disease in the case of persons unable, through poverty or otherwise, to pay for them; and

(e) provide for the preparation and distribution of information relating to venereal disease.

(2) The regulations may provide for the reception, examination and treatment, free of charge—

(a) at hospitals or places referred to in Subsection (1)(a); and

(b) by medical practitioners referred to in Subsection (1)(b),

of persons suffering from venereal disease.

(3) The Minister may arrange with the manager of any hospital receiving aid from the State to make effective provision, as prescribed, for the reception, accommodation, examination and treatment, free of charge, of such numbers of persons, or such classes of persons, suffering from venereal diseases as are prescribed.

51. Prosecutions¹.

(1) Subject to Subsection (2), a prosecution or proceedings for the recovery of penalties under this Part or any regulation made for the purposes of this Part shall not be instituted except by—

(a) the Commissioner; or

(b) a person authorized in writing by the Commissioner for the purpose, generally or in the particular case.

(2) Subsection (1) does not affect any right to institute proceedings independently of this section in respect of an offence other than an offence against this Part.

Division 3.—Reports, etc., of Venereal Disease.

52. Reports by medical practitioners.

(1) A medical practitioner who becomes aware that any person consulting him, or attended by him, is suffering from a venereal disease must give notice of the fact to the Commissioner.

(2) A notice under Subsection (1)—

(a) shall be in the prescribed form; and

(b) shall be given within the prescribed period; and

(c) shall not disclose the name or address of the patient.

(3) Where—

(a) a person suffering from a venereal disease who has been attended or treated by a medical practitioner for the disease fails to consult or attend the medical practitioner during any period prescribed for the purposes of Section 56(2) or within 10 days after the end of that period; and

¹ And see, with particular regard to Subsection (2) and Section 64, Constitution, Sections 176, 177.

- (b) the medical practitioner has not, before the end of the period of 10 days referred to in Paragraph (a), received from another medical practitioner a notice that the person has placed himself under treatment by another medical practitioner,

the first-mentioned medical practitioner must send to the Commissioner in a sealed envelope, marked "Confidential", a notice in the prescribed form of the facts.

Penalty: For a first offence—a fine not exceeding K40.00. For a subsequent offence—a fine of not less than K40.00 and not exceeding K200.00.

53. Warning to patients.

(1) A medical practitioner who attends, treats or advises a person (other than a child) for or in respect of a venereal disease from which the person is suffering, must—

- (a) by written notice in the prescribed form delivered to the person—
 - (i) direct his attention to the infectious nature of the disease, and to the legal consequences of infecting others; and
 - (ii) warn him against contracting a marriage until he is certified as cured under this Act; and
- (b) give him such printed information as is prescribed regarding the disease and the duties of persons suffering from the disease.

(2) A medical practitioner who attends, treats or gives advice with respect to a child suffering from venereal disease must give to the parent or guardian or other person in charge of the child such directions and printed information as are prescribed.

Penalty: A fine not exceeding K10.00.

54. Advice to prospective spouses of infected persons.

Where a medical practitioner has reason to believe that a person suffering from venereal disease intends to contract a marriage, he may, after giving an intimation of his intention to the person suffering from the disease, inform—

- (a) any person whom he believes on reasonable grounds to be the other party to the proposed marriage; and
- (b) any parent or guardian of that party; and
- (c) the Commissioner,

that the person suffering from the disease is so suffering.

Division 4.—Treatment, etc.

55. Persons who may treat venereal diseases.

(1) Subject to Subsection (2), a person other than—

- (a) a medical practitioner; or
- (b) a person acting under the direct instructions of a medical practitioner,

who attends on, prescribes for or supplies a drug or medicine to a person suffering from a venereal disease, for the purpose of curing, alleviating or treating the disease, is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding six months.

(2) It is not an offence against Subsection (1) for a pharmacist—

- (a) to dispense to the patient of a medical practitioner a prescription by the medical practitioner if the prescription is dated, and bears the address and usual signature (including the surname) of the medical practitioner; or
- (b) to sell or supply, in the ordinary course of business, a drug or medicine (except such drugs or medicines as are prescribed) if the drug or medicine is not prescribed by the pharmacist for any person suffering from venereal disease for the purpose of curing, alleviating or treating the disease.

56. Requirement of treatment.

(1) A person who becomes aware that he is suffering from a venereal disease must, within three days—

- (a) consult and furnish his correct name, occupation and address to, and place himself under treatment by, a medical practitioner; or
- (b) attend at a hospital or other place declared by the Minister, by notice in the National Gazette, for the purposes of this subsection, and place himself under treatment at that hospital or place.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding three months.

(2) A person suffering from a venereal disease who has consulted and placed himself under treatment by a medical practitioner, or who has attended and placed himself under treatment at a hospital or other place declared under Subsection (1)(b), must, until he has received a certificate that he is cured of or is free from venereal disease—

- (a) visit or cause himself to be attended by a medical practitioner; or
- (b) attend at a hospital or other such place,

for the purpose of treatment and advice at least once in every prescribed period, and follow the advice given by the medical practitioner or by a medical practitioner at the hospital or place.

Penalty: A fine not exceeding K40.00.

(3) A medical practitioner who, otherwise than in accordance with this Act, communicates to any person or in any other way makes known any name or address furnished to him under Subsection (1) is guilty of an offence, and shall be deemed to be guilty of professional misconduct.

Penalty: A fine not exceeding K200.00.

(4) The fact that a person who has been suffering from a venereal disease has ceased to be liable to convey infection, but has not been cured, does not exonerate—

- (a) the person from complying with the provisions of this Act with respect to treatment; or
- (b) a medical practitioner from complying with the requirements of this Act with respect to notices.

57. Change of address.

If a person suffering from a venereal disease who has consulted and placed himself under treatment by a medical practitioner changes his address, he must, within seven days, notify the practitioner of the change and of his new address.

Penalty: A fine not exceeding K10.00.

58. Change of medical practitioner.

(1) Where—

(a) a person suffering from a venereal disease who has consulted and placed himself under treatment by a medical practitioner desires to discontinue the treatment and to place himself under treatment by some other medical practitioner; or

(b) the medical practitioner treating a person suffering from a venereal disease—

(i) dies; or

(ii) for any reason is unable or unwilling to treat him further,

the person must, unless he places himself under treatment at some hospital or other prescribed place—

(c) immediately consult and place himself under the treatment of another medical practitioner; and

(d) advise him of the name and last-known address of the medical practitioner by whom he was previously treated.

(2) If the original medical practitioner is resident in the country, the medical practitioner to whom the patient transfers must, immediately he is advised in accordance with Subsection (1)(d), send a notice in the prescribed form to the original medical practitioner.

Penalty: A fine not exceeding K10.00.

59. Certificates of cure, etc.

(1) On being satisfied that a person who has been suffering from a venereal disease—

(a) is cured of or free from the disease; or

(b) has ceased to be liable to convey infection,

a medical practitioner must, subject to this Act, give to him, at his request, a certificate in the prescribed form that he—

(c) is cured of or is free from venereal disease; or

(d) is no longer liable to convey infection,

as the case may be.

(2) A medical practitioner who gives to a person a certificate referred to in Subsection (1), knowing the certificate to be false in a material particular, or otherwise than under the conditions and in the circumstances prescribed, is guilty of an offence.

Penalty: A fine not exceeding K100.00.

Division 5.—Special Provisions in Relation to Children.

60. Duty of parents and guardians, etc.

(1) A parent, guardian or other person in charge of a child suffering from a venereal disease who fails to have the child treated for the disease in accordance with this Part is guilty of an offence.

(2) Where a child is or becomes liable under this Act to do or submit to any act, matter or thing, any parent, guardian or other person in charge of the child who, knowing that the child is so liable, fails to exercise his authority to compel or induce the child to do so or submit to the act, matter or thing, is guilty of an offence.

(3) A parent, guardian or other person in charge of a child who knows that the child has failed to comply with any provision of this Part and who fails to report the fact, and such particulars as are prescribed, to the Commissioner is guilty of an offence.

Penalty: A fine not exceeding K20.00.

61. Directions by medical practitioners to parents, guardians, etc.

A medical practitioner who attends, treats, or gives advice with respect to a child suffering from a venereal disease must give to the parent, guardian or other person in charge of the child such directions and printed information as are prescribed.

Penalty: A fine not exceeding K10.00.

62. Order for examination of child.

(1) If a Judge or a Magistrate Grade III. or IV. has reason to believe that a child is suffering from a venereal disease, he may at any time order an examination to be made of the child by a medical practitioner.

(2) Where a medical practitioner reports that a child is suffering from a venereal disease, the Judge or Magistrate shall notify the Commissioner in writing immediately, and the Commissioner may deal with the child as provided in this Part.

Division 6.—Protection of Medical Practitioners.

63. Privileged reports, etc.

(1) A certificate, notice or other communication, oral or written, given in good faith and without negligence by a medical practitioner for the purpose of this Part, that any person is suffering from venereal disease shall not be made the ground of any legal proceedings, civil or criminal, against the medical practitioner.

(2) In particular, any communication made in good faith in the exercise or supposed exercise of the powers conferred by Section 54 is absolutely privileged.

Division 7.—Offences Generally.

64. Marriage by infected person.

A person who, while suffering from a venereal disease in an infectious stage, marries, knowing that he is so suffering, is guilty of an indictable offence.

Penalty: A fine not exceeding K1 000.00 or imprisonment for a term not exceeding five years, or both.

65. Restrictions on employment of infected persons.

(1) A person who, knowing himself to be suffering from a venereal disease in an infectious stage, works in or about a factory, shop, hotel, restaurant, house or other place in any capacity requiring him to handle food intended for human consumption is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding one year.

(2) A person who knowingly employs or continues to employ a person suffering from a venereal disease in an infectious stage at any work, or in any capacity, requiring him to handle food intended for human consumption is guilty of an offence.

Penalty: A fine of not less than K40.00 and not exceeding K200.00.

66. Infecting other persons.

A person who knowingly—

- (a) infects any other person with a venereal disease; or
- (b) does any act, or permits any act to be done, that is likely to lead to the infection of any other person with such a disease,

is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

67. Permitting infected prostitute to occupy house, etc.

(1) The owner or occupier of a house, room or place who knowingly permits a female suffering from a venereal disease to occupy or resort to the house, room or place for the purpose of prostitution is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months.

(2) A conviction of an offence against Subsection (1) does not exempt the offender from any penal or other consequences to which he may be liable for keeping or being concerned in keeping a bawdy-house or disorderly house, or for any resultant nuisance.

68. Use of certificate of cure, etc., for purposes of prostitution.

A person who, for the purposes of, in relation to or in connexion with, prostitution uses a certificate given by a medical practitioner under Section 59 is guilty of an offence.

Penalty: A fine not exceeding K40.00.

Division 8.—Miscellaneous.

69. Privacy of proceedings¹.

(1) A matter to be heard by a magistrate under this Part shall be heard and decided in chambers and in private, and a person other than—

- (a) the magistrate; and
- (b) the party concerned; and
- (c) the Commissioner; and
- (d) such officers, witnesses, or persons as the magistrate—
 - (i) requires; or
 - (ii) at the request of the party concerned, permits, to be present,

shall not have access to, or be permitted to be present in, any room where the matter is being heard.

(2) Any person who acts or assists in the administration of this Part, and any person present in any room where any matter under this Part is being heard, who—

- (a) fails to preserve and aid in preserving secrecy with regard to all matters and things that come to his knowledge while he is so acting, assisting or present; or

¹ But see Constitution, Section 37(12),(13).

(b) communicates any such matter or thing to any other person, except—

(i) in the performance of his duties under this Part; or

(ii) in answer to some question that he is legally bound to answer,

is guilty of an offence.

(3) A person who, except on the written authority of the Commissioner, publishes in a newspaper the report of any proceedings or matter heard in private under this Part is guilty of an offence.

Penalty: A fine not exceeding K100.00.

70. Seizure of certain articles.

(1) Subject to this Act, a Judge or a Magistrate Grade III. or IV. may, by special warrant, authorize a member of the Police Force—

(a) to enter any house, office, shop, room or other place, not being the house, office, shop, room or surgery of a medical practitioner or a pharmacist; and

(b) to search for, seize and bring before him all articles, medicines, instruments or appliances found in it that are capable of being used for the alleviation or cure of any venereal disease.

(2) A special warrant under Subsection (1) shall not be granted except on complaint on oath by the Commissioner that he has reason to believe, and does believe, that the articles, medicines, instruments or appliances are kept, held or exhibited in the house, office, shop, room or place for the purpose of sale or unlawful use.

(3) If necessary, the member of the Police Force to whom a special warrant under Subsection (1) is granted may obtain assistance and use force by breaking open doors or otherwise in order to effect entrance.

(4) Where any articles, medicines, instruments or appliances are seized and brought before a Judge or Magistrate under a special warrant under Subsection (1), he shall issue a summons calling on the occupier of the house, office, shop, room or other place entered by virtue of the warrant to appear within seven days before him to show cause why the articles, medicines, instruments and appliances so seized should not be destroyed or forfeited.

(5) If the occupier or some other person claiming to be the owner of the articles, medicines, instruments or appliances seized under this section—

(a) does not appear within the time limited by a summons under Subsection (4);
or

(b) appears and it is found that the articles, medicines, instruments or appliances seized, or any of them—

(i) are of the character stated in the relevant special warrant under Subsection (1); and

(ii) are kept, held or exhibited for the purpose of sale or unlawful use,

the Judge or Magistrate issuing the summons shall order them, or any of them, to be destroyed or forfeited.

(6) If the Judge or Magistrate is satisfied that articles, medicines, instruments and appliances seized under this section—

(a) are not of the character stated in the warrant; or

(b) are not kept, held or exhibited for the purpose of sale or unlawful use, he shall direct them to be returned to the occupier of the house, office, shop, room or other place in which they were seized, or to the person appearing to be the owner.

PART VI.—HANSEN'S DISEASE.

71. Interpretation of Part VI.

In this Part, unless the contrary intention appears—

“Hansenide Centre” means a place appointed to be a Hansenide Centre under Section 72;

“medical officer” means a medical practitioner appointed under Section 73 to be a medical officer for the purposes of this Part.

72. Hansenide Centres.

The Minister may, by notice in the National Gazette, appoint a place to be a Hansenide Centre.

73. Appointment of medical officers.

The Minister may, by notice in the National Gazette, appoint a medical practitioner to be a medical officer for the purposes of this Part.

74. Medical examinations.

(1) A medical officer may examine any person for the purpose of ascertaining whether he is affected with Hansen's Disease.

(2) A medical officer may, after examination, declare that a person is in his opinion affected with Hansen's Disease.

(3) A person who, when called on by a medical officer, refuses to allow himself to be examined for the purpose of ascertaining whether he is affected with Hansen's Disease is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

75. Compulsory hospitalization of infected persons.

(1) A medical officer appointed in writing by the Minister for the purpose may authorize a person declared under Section 74(2) to be affected by Hansen's Disease to be confined in a Hansenide Centre.

(2) An instrument signed by a medical officer appointed under Subsection (1) authorizing the confinement of a person declared under Section 74(2) to be affected by Hansen's Disease in a Hansenide Centre is, subject to Subsection (3), a sufficient warrant to the person in charge of the Centre for detaining the person in that Centre.

(3) Unless within six months of the signing of a document specified in Subsection (1) the Departmental Head confirms an instrument referred to in Subsection (2) to the person in charge of the Hansenide Centre in which the person the subject of the instrument is confined, the instrument—

(a) shall be deemed to have been revoked; and

(b) is no longer a warrant for the detention in a Hansenide Centre of the person concerned.

(4) A person declared under Section 74(2) to be affected with Hansen's Disease who leaves a Hansenide Centre without the permission of a medical officer, or of the person in charge of the Centre, is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

(5) A person who is authorized under Subsection (2) to be confined in a Hansenide Centre may appeal to the Minister, whose decision is final¹.

76. Reports of infected persons.

A person who—

(a) knows or has reason to believe or suspect that he or another person, not already declared under Section 74(2) to be affected with Hansen's Disease, is infected with that disease; and

(b) fails to report the facts immediately to a medical officer or Provincial Commissioner,

is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

77. Concealment, etc., of infected persons.

A person who—

(a) knowingly detains, harbours, conceals or secretes a person affected with Hansen's Disease; or

(b) supports a person affected with Hansen's Disease who is living in concealment,

is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

PART VII.—MALARIA.

78. Control of mosquitoes.

(1) A medical officer, Health Inspector or Malaria Control Assistant of the Public Service, or an officer authorized by the Departmental Head for the purpose, may, at all reasonable times and with such assistants as he thinks necessary, enter any building or place and take such steps and do such things (including the spraying with insecticide or fumigation of the building or place, or anything in or on the building or place) as he thinks necessary for the eradication of mosquitoes and the prevention of their breeding.

(2) An entry under Subsection (1) shall be made only after at least 24 hours' written notice, specifying the intended date and time of entry, to a person over or apparently over the age of 21 years residing in the building or place, or if there be no such person, or no such person can be found, then to the person having charge of or control over the building or place.

¹ But see Constitution, Section 155.

79. Obstruction, etc.

A person who in any way, directly or indirectly, hinders or obstructs an officer in the exercise of his powers or the performance of his duties under Section 78 is guilty of an offence.

Penalty: A fine not exceeding K200.00.

80. Compensation.

(1) An officer acting under this Part is not personally liable for damage occasioned by carrying out this Part, unless the damage was occasioned maliciously or without reasonable cause.

(2) Where a building or place, or a thing in or on a building or place, is damaged as a result of the exercise of any powers under this Part, compensation is payable by the State.

(3) In case of dispute, the amount of compensation payable under Subsection (2) shall be settled by arbitration.

PART VIII.—MENTAL DISORDERS AND TREATMENT.*Division 1.—Preliminary.***81. Interpretation of Part VIII.**

In this Part, unless the contrary intention appears—

“admission centre” means an admission centre established under Section 82(c);

“admission order” means an order for admission in to a mental hospital made under Section 109 or 110;

“committee”, in relation to a person of unsound mind, means a committee appointed under Section 94;

“the Court” means the National Court;

“inquiry” means an inquiry directed by the Court under Section 86;

“Magistrate” means a Magistrate of a District Court;

“Medical Superintendent”, in relation to a mental hospital, means the Medical Superintendent, a Deputy Medical Superintendent or an Assistant Medical Superintendent of the hospital;

“mental colony” means a mental colony established under Section 82(b);

“mental hospital” means a mental hospital established under Section 82(a);

“person of unsound mind” means a person who is found under this Part to be of unsound mind and incapable of managing himself or his affairs;

“Visitor” means a Visitor appointed under Section 84.

*Division 2.—Administration, etc.***82. Establishment of mental hospitals, etc.**

The Minister may, by notice in the National Gazette, establish—

(a) mental hospitals; and

(b) mental colonies; and

(c) admission centres,

at such places as he thinks proper, for the admission and detention and treatment of persons of unsound mind.

83. Management of mental hospitals and mental colonies.

The management of each mental hospital and mental colony and the care and custody of its patients shall be regulated as prescribed.

84. Visitors.

(1) The Minister shall, by notice in the National Gazette, appoint for each mental hospital and each mental colony not less than 12 Visitors, six of whom shall be medical officers.

(2) The powers and functions of a Visitor under this Part shall not be exercised or performed in relation to a patient—

- (a) who, immediately before his admission into a mental hospital or mental colony, was under treatment by the Visitor for mental disorder; or
- (b) in respect of whose admission into a mental hospital or mental colony the Visitor has given a certificate, order or request under this Act; or
- (c) who is a relative, partner or assistant of the Visitor; or
- (d) to whom the Visitor stands in a fiduciary relationship.

85. Inspections by Visitors.

Two Visitors, one of whom shall be a medical officer, shall, either together or separately, as often as they think fit, and at least once in every three months—

- (a) inspect every part of the mental hospital of which they are Visitors; and
- (b) see and examine, as far as circumstances permit—
 - (i) each patient in the hospital; and
 - (ii) the order or certificate for the admission of each patient admitted since the last inspection of the Visitors; and
- (c) enter in a book to be kept for the purpose any remarks that they think proper in regard to the patients.

Division 3.—Inquiries into Cases of Mental Disorder.

86. Order for inquiry by Court.

(1) On application in accordance with Subsection (3), the Court may make an order directing an inquiry, whether a person who is alleged to be of unsound mind is or is not of unsound mind and incapable of managing himself or his affairs.

(2) An order under Subsection (1) may contain directions for inquiries concerning—

- (a) the nature of the property belonging to the person alleged to be of unsound mind; and
- (b) the persons who are his relatives or next of kin; and
- (c) the time during which he has been of unsound mind; and
- (d) such other matters as to the Court seem proper.

- (3) An application for an order under Subsection (1) may be made by—
- (a) a person related by blood or marriage to the person alleged to be of unsound mind; or
 - (b) an officer authorized for the purpose by the Minister.

87. Notice of inquiry.

(1) Such reasonable notice as is directed by the Court of the time and place appointed for an inquiry under this Division shall be given to the person alleged to be of unsound mind.

(2) If it appears that the person alleged to be of unsound mind is in such a state that personal service on him would be ineffectual, the Court may direct such substituted service of the notice as it thinks proper.

(3) If it thinks fit, the Court may direct notice of the inquiry to be served on any person related by blood or marriage to the person alleged to be of unsound mind.

88. Examination of person allegedly of unsound mind.

At any time after the application for the inquiry the Court may—

- (a) require the person alleged to be of unsound mind to attend at such convenient time and place within the country as the Court appoints, for the purpose of being personally examined by the Court or by any person from whom the Court desires to have a report of his mental capacity and condition; and
- (b) make an order authorizing a person named in the order to have access to the person alleged to be of unsound mind for the purpose of a personal examination.

89. Questions to be decided by Court.

On the hearing of the inquiry, the Court shall decide, after receiving such reports and hearing such evidence and arguments as it thinks fit—

- (a) whether the person who is alleged to be of unsound mind is or is not of unsound mind and incapable of managing himself or his affairs; and
- (b) any other questions as to which an inquiry has been directed.

90. Order as to costs.

(1) Subject to Subsection (2), the Court may make such order as seems to it just respecting the costs of the inquiry, and may include in the order an order for such remuneration to physicians and surgeons as the Court thinks reasonable.

(2) An order for the payment of costs shall not be made against the State or against an officer authorized under Section 86(3)(b).

91. Attendance of relatives, etc., at proceedings on inquiries.

- (1) The Court—
- (a) once in the matter of each inquiry, shall; and
 - (b) may afterwards from time to time,

determine whether any and, if any, how many and which of the relatives or next of kin of the person the subject of the inquiry shall attend before the Public Curator at the cost of the estate of the person in any proceedings connected with the management of the estate.

(2) If a relative or next of kin of the person the subject of the inquiry is an infant, the Court may appoint a fit person to be his guardian for the purpose of the proceedings.

92. Petitions as to matters related to inquiries.

On application made to it by petition concerning a matter connected with the inquiry, the Court may, subject to this Part, make such order respecting—

(a) the application; and

(b) the costs of the application and of the consequent proceedings,
as seems to it just.

Division 4.—Property Generally and Committees.

Subdivision A.—General.

93. Orders for raising money out of estates.

If it appears to it just or for the benefit of a person of unsound mind, the Court may order that any of his property, whether in possession, reversion, remainder, contingency or expectancy, be sold, mortgaged or otherwise disposed of as seems to the Court most expedient for the purpose of raising money to be applied for the purpose of—

(a) the payment of his debts, including any debt incurred for his maintenance or otherwise for his benefit; or

(b) the discharge of any encumbrance on his estate; or

(c) the payment of, or provision for the expenses of, his future maintenance and the maintenance of his family, including, if he is removed to his country of origin or elsewhere, the expenses of his removal, and all incidental expenses; and

(d) the payment of—

(i) the costs of any proceedings under this Part; and

(ii) any costs incurred by order or under the authority of the Court.

94. Appointment of committees.

(1) If the Court finds that a person who is alleged to be of unsound mind is of unsound mind and incapable of managing himself or his affairs, it may, if it thinks fit—

(a) appoint a committee of his person and estate; and

(b) make such order (if any) as to—

(i) the remuneration of the committee out of the person's estate; and

(ii) the giving of security by the committee,

as to the Court seems proper.

(2) If the Court finds that a person who is alleged to be of unsound mind is incapable of managing his affairs but is not dangerous to himself or to others, it may appoint a committee of his estate, without appointing a committee of his person.

95. Powers of committees as to management of estates.

(1) Subject to Subsection (2), on the appointment of a committee of the estate of a person of unsound mind the Court may direct by the order of appointment, or by a subsequent order, that the person to whom the charge of the estate is committed have such

powers for the management of the estate as to the Court seem necessary and proper, having regard to the nature of the property of which the estate consists.

(2) The powers conferred under Subsection (1) do not extend to—

- (a) the sale or mortgaging of the estate, or of any part of the estate; or
- (b) the leasing of real property, except for a term not exceeding three years.

96. General duty of committees to execute instruments and exercise powers of persons of unsound mind.

The committee of the estate of a person of unsound mind shall, in his name and on his behalf—

- (a) execute all such conveyances and other instruments, relative to any sale, mortgage or other disposition of his estate, as the Court orders; and
- (b) under the order of the Court, exercise all powers vested in the person, whether vested in him for his own benefit or in the character of trustee or guardian.

97. Performance of contracts by committees.

Where—

- (a) a person who has contracted to sell or otherwise dispose of his estate, or any part of it, afterwards becomes a person of unsound mind; and
- (b) the contract is one that the Court thinks ought to be performed,

the Court may direct the committee of his estate to execute such conveyances and do such acts in fulfilment of the contract as the Court thinks proper.

98. Partnerships.

(1) If a member of a partnership is found to be of unsound mind, the Court may, on the application of—

- (a) the other partners; or
- (b) a person who appears to the Court to be entitled to require the partnership to be dissolved,

dissolve the partnership.

(2) On the dissolution of a partnership under Subsection (1) or on a dissolution by decree of court or otherwise by due course of law, the committee of the estate, in the name of and on behalf of the person of unsound mind—

- (a) may join with the other partners in disposing of the partnership property on such terms as the Court thinks proper; and
- (b) shall do all such acts for carrying into effect the dissolution of the partnership as the Court thinks proper.

99. Disposal of business premises.

(1) Where—

- (a) a person of unsound mind has been engaged in business; and
- (b) it appears to be for the benefit of his estate that the business premises should be disposed of,

the Court may order the committee of the estate to sell and dispose of the premises.

(2) The proceeds of a sale under Subsection (1) shall be applied in such manner as the Court directs.

100. Disposal of leases.

Where—

(a) a person of unsound mind is entitled to a lease or sub-lease; and

(b) it appears to be for the benefit of his estate that it should be disposed of,

the committee of the estate may, with the consent of the Court, surrender, assign or otherwise dispose of the lease or sub-lease to such person, for such consideration and on such terms as the Court thinks proper.

101. Disposal of stock, Government securities, etc.

Where—

(a) any stock or Government or Municipal security; or

(b) a share or debenture in a public company (which is transferable within the country or the dividends of which are payable in the country),

stand in the name of, or are vested in—

(c) a person of unsound mind who is beneficially entitled to it or them; or

(d) a committee of the estate of a person of unsound mind or a trustee for such a person,

and—

(e) the committee or trustee—

(i) dies intestate; or

(ii) himself becomes a person of unsound mind; or

(iii) is out of the jurisdiction of the Court; or

(f) it is uncertain whether the committee or trustee is living or dead; or

(g) the committee or trustee neglects or refuses—

(i) to transfer the stock, security, share or debenture; or

(ii) to receive the dividends, and pay them, to a new committee or trustee, or as he directs, within 14 days after being required by him to do so,

the Court may order a proper person—

(b) to transfer the stock, or as the case may be; and

(i) to receive and pay over the dividends in such manner as the Court directs,

and the transfer or payment is valid and effectual for all purposes.

Subdivision B.—Special Provisions for Maintenance without Committee.

102. Order for maintenance without appointment of committee.

(1) If it appears to the Court, having regard to the situation and condition in life of a person of unsound mind and of his family, and the other circumstances of the case, to be expedient that his property should be made available for his or their maintenance in a direct and inexpensive manner, the Court may, instead of appointing a committee of the estate, order that—

(a) the property, if it is money; or

(b) if it is of any other description, the produce from the property when realized, be paid to such person as the Court thinks fit, to be applied for that purpose.

(2) Payments made under Subsection (1) are a good discharge to the person making the payment.

(3) If it appears to the Court that—

(a) the unsoundness of mind of a person of unsound mind is in its nature temporary; and

(b) it is expedient to make temporary provision for his maintenance or the maintenance of his family,

it may, in the same manner as under Subsection (1), direct that his property, or a sufficient part of it, be applied for that purpose.

Subdivision C.—Miscellaneous.

103. Inquiries by Public Curator as to management of estates.

(1) The Public Curator may receive a proposal and conduct an inquiry respecting the management of the estate of a person of unsound mind, if the proposal relates to a matter that the committee of the estate has not been empowered to dispose of by an order under Section 95.

(2) The Public Curator may also receive and inquire into a proposal relating to—

(a) the sale or mortgaging of the estate or of any part of the estate; or

(b) the leasing of any real property for a term exceeding three years.

(3) The Public Curator shall report to the Court on a proposal referred to in Subsection (1) or (2) and, subject to this Part, the Court shall make such order on the report and respecting the costs as seems to it just.

104. Property of person of unsound mind residing out of Papua New Guinea.

(1) Where—

(a) property situated in the country stands in the name of, or is vested in, a person residing out of the country; and

(b) the Court is satisfied that the person has been declared of unsound mind and that his personal estate has been vested in a committee, curator or manager according to the laws of the place where he is residing,

the Court may order a proper person—

(c) to make such transfer of the property, or of any part of the property, to the committee, curator or manager, or otherwise; and

(d) to receive and pay over any proceeds or profits in such way,

as the Court thinks proper.

(2) An act done under an order under Subsection (1) is valid and effectual for all purposes.

105. Customary land.

This Division does not apply to customary land.

Division 5.—Admission, Detention, etc.**Subdivision A.—Reception.****106. Effect of Division 5.**

This Division does not affect the powers of the Court over a person found to be of unsound mind under Divisions 3 and 4.

107. Reception of patients.

Except as otherwise provided by law, a person shall not be received into a mental hospital except—

- (a) on the order of the Court under Section 108; or
- (b) on an order under Section 109 or 110; or
- (c) on his own application under Section 111,

and a person received in accordance with Section 109 or 110 shall not be detained for a longer period than is prescribed in Section 114(1) except on a written order of a Magistrate.

108. Reception on order of Court.

Where, on an inquiry under this Part, a person has been found by the Court to be of unsound mind and incapable of managing himself or his affairs, the Court—

- (a) shall—
 - (i) make an order for him to be received into a mental hospital; and
 - (ii) send him in suitable custody, together with the order for his reception, to the mental hospital named in the order; or
- (b) if a friend or relative of the person undertakes in writing, to the satisfaction of the Court, that he will be properly taken care of and will be prevented from doing injury to himself or others—may make him over to the care of the friend or relative.

109. Reception on request and medical orders.

(1) Subject to Subsections (2) and (3), a person may be received into a mental hospital on a request in Form 1 under the hand of some person accompanied by—

- (a) the statement of particulars contained in that form; and
- (b) two orders in Form 2 made by two medical practitioners, of whom one is a Medical Officer.

(2) A medical practitioner who is a relative, partner or assistant of, or stands in a fiduciary relationship to, the patient or the person presenting the request is not qualified to make an order under Subsection (1).

(3) A person who—

- (a) has not attained the age of 21 years; or
- (b) has not, within seven days before the date of signing, personally seen the person to whom the request or statement relates,

is not qualified to make a request under Subsection (1).

(4) An order under Subsection (1) ceases to have effect for the purposes of this section on the expiration of 14 days from the last date on which the person to whom the order refers was examined by a medical practitioner for the purpose of making the order.

110. Reception on medical order after apprehension in certain cases.

(1) A commissioned officer of the Police Force shall arrest any person—

(a) found wandering at large whom he reasonably suspects of being of unsound mind; or

(b) whom he suspects of being dangerous by reason of unsoundness of mind,

and bring him without delay before two medical practitioners, one of whom is a Medical Officer.

(2) The medical practitioners shall separately examine a person brought before them under Subsection (1) and, if satisfied that the person is of unsound mind, shall each make an order in Form 2.

(3) When orders are made under Subsection (2) by both of the medical practitioners examining a person, the commissioned officer of the Police Force shall send him, in suitable custody, to the mental hospital specified in the orders, and in any other case the person shall be discharged.

111. Reception of voluntary patients.

(1) On making a written application to the Medical Superintendent, a person who wishes to submit voluntarily to treatment but whose mental condition is not such as to justify the issue of a certificate of unsoundness of mind may be received into a mental hospital for care and treatment.

(2) Except under an order of a Magistrate, a person received into a mental hospital under Subsection (1) who is capable of expressing himself as willing or unwilling to continue to receive treatment shall not be detained for more than seven days after he has given written notice to the Medical Superintendent of his intention or desire to leave hospital.

112. Persons of unsound mind who are being cruelly treated.

(1) If it appears to a Magistrate, on the report of a commissioned officer of the Police Force or on the information of any person, that a person supposed to be of unsound mind is not under proper care and control or is cruelly treated or neglected by a relative or other person having charge of him, the Magistrate may—

(a) send for the person supposed to be of unsound mind; and

(b) summon the relative or other person to appear before him.

(2) Where a relative or other person summoned under Subsection (1) is legally bound to maintain the person supposed to be of unsound mind, the Magistrate may make an order for the last-mentioned person to be properly cared for and treated.

(3) If the relative or other person wilfully neglects to comply with an order under Subsection (2), he is guilty of an offence, and the Magistrate may sentence him to imprisonment for any period not exceeding one month.

(4) Where there is no person legally bound to maintain the person supposed to be of unsound mind, or if the Magistrate thinks fit to do so, the Magistrate may send the person before two medical practitioners, one of whom is a Medical Officer, who shall then proceed in the manner prescribed by Section 110.

(5) A commissioned officer of the Police Force shall report to a Magistrate any case of neglect or cruel treatment referred to in Subsection (1) that comes to his notice.

(6) A medical practitioner referred to in Subsection (4), or a commissioned officer of the Police Force not below the rank of Inspector, may, at such times as the Magistrate fixes,

visit a person supposed to be of unsound mind in the care of a friend or relative for the purpose of ascertaining his condition.

(7) If in a case to which Subsection (6) applies the friend or relative fails or refuses to produce the person concerned for inspection by the Visitor, he is guilty of an offence.

Penalty: A fine not exceeding K100.00.

113. Amendment of orders, etc.

(1) Where, after the reception of a person under this Part into a mental hospital, it appears that an order or a medical certificate on which he was received is defective or incorrect, the order or certificate may be amended, with the sanction of the Medical Superintendent, by the person who made or gave it.

(2) An amendment made under Subsection (1) shall be deemed to have been effective as from the date of the reception.

114. Effect of medical orders, etc.

(1) Two duly made orders in Form 2 are sufficient authority for the detention of the patient to whom they refer—

- (a) for a period not exceeding six months; or
- (b) until the next inspection by the Visitors of the mental hospital after the expiry of that period if the Medical Superintendent thinks that the further detention is necessary.

(2) Unless the order is made under Section 108, a person received into a mental hospital under an order made under this Part that is accompanied by the requisite medical certificate—

- (a) may be detained in the hospital until he is removed or discharged under this Act; and
- (b) if he absconds from the hospital—may, within 28 days of absconding, be retaken by—
 - (i) the Medical Superintendent; or
 - (ii) an officer or servant of the hospital; or
 - (iii) any other person authorized by the Medical Superintendent; or
 - (iv) a commissioned officer of the Police Force,and conveyed to and received and detained in the hospital.

Subdivision B.—Removal, etc.

115. Removal to another hospital.

(1) Subject to Subsection (3), the Minister may, by order in the prescribed form, order the removal from one mental hospital to another of a person detained in a mental hospital under this Part.

(2) An order under Subsection (1) is sufficient authority—

- (a) for the removal of the person; and
- (b) for his reception into and detention in the hospital to which he is ordered to be removed.

(3) A person admitted into a mental hospital in consequence of a request under Section 109 shall not be removed from a mental hospital under Subsection (2) until notice of the intended removal has been given to the person who made the request.

116. Removal from Papua New Guinea.

(1) Where—

- (a) a person is detained under this Part as a person of unsound mind; and
- (b) it seems expedient that he should be removed to some other country; and
- (c) the Head of State, acting on advice given after consideration of a report from the Departmental Head, is satisfied that—
 - (i) his removal is likely to be for his benefit; and
 - (ii) proper arrangements have been made for the removal and for his subsequent care and treatment,

the Head of State, acting on advice, may, by warrant, direct that he be delivered to the person named in the warrant for the purpose of removal to that other country.

(2) A warrant under Subsection (1)—

- (a) shall be addressed to the Medical Superintendent of the mental hospital in which the person to whom it relates is at the time detained; and
- (b) shall direct him to deliver up the person to the person specified in the warrant, at such place and in such manner as is specified in the warrant, for the purpose of the removal.

(3) A warrant under Subsection (1) is sufficient authority for the master of a vessel or captain of an aircraft to receive and detain the person to whom it relates on board the vessel or aircraft for the purpose of conveying him to his destination.

117. Return to Papua New Guinea.

(1) Where a person detained under this Part who was born in the country and was removed from the country under this Part ceases, to the satisfaction of the Minister, to be a person of unsound mind, he is entitled, on application being made in the prescribed manner and time, to be returned to the country at the expense of the State.

(2) A person detained under this Part who was not born in the country and was removed from the country under this Part, and who returns to the country without the consent of the Minister, shall be deemed to be a prohibited immigrant within the meaning of any law relating to immigration.

(3) An entry permit, or a declaration as to status, under the *Migration Act* is not a consent for the purposes of Subsection (2), and its issue is not evidence of such a consent.

Subdivision C.—Discharge, etc.

118. Annulment of finding of unsoundness of mind.

(1) Where a person has been found of unsound mind and it is shown to the Court that there is reason to believe that the unsoundness of mind has ceased, the Court may make an order for an inquiry whether he is or is not still of unsound mind and incapable of managing himself or his affairs.

(2) An inquiry under Subsection (1) shall be conducted in the same manner and subject to the same rules as are prescribed for an inquiry directed under Section 86.

(3) If on an inquiry under Subsection (1) it is found that the unsoundness of mind has ceased, the Court shall order all proceedings in the matter to cease or to be set aside on such terms and conditions as seem to it proper.

(4) Where, after an inquiry into the unsoundness of mind of a person detained in a mental hospital, the Court has made an order under Subsection (3) that the proceedings cease or be set aside, the person in charge of the mental hospital shall, on the production of a certified copy of the order, immediately discharge him from the mental hospital.

119. Discharge of voluntary patients.

If a person received as a voluntary patient under Section 111 becomes incapable of expressing himself as willing or unwilling to continue to receive treatment, he shall not be retained afterwards as a voluntary patient for a longer period than 28 days, and if he has not been previously discharged, he shall be discharged on the expiration of 28 days from the date on which he became incapable of so expressing himself, unless in the meantime—

- (a) he has again become capable of so expressing himself; or
- (b) steps have been taken to deal with him under Section 109 as a person of unsound mind.

120. Discharge by order of Visitors.

Subject to any other law, two of the Visitors, of whom one is a Medical Officer, appointed for a mental hospital may, by writing under their hands, order the discharge of a person detained under this Part in the hospital.

121. Discharge on application of person requesting admission under Section 109.

(1) Subject to Subsection (2), a person detained under this Part in a mental hospital under an order made under Section 109 on the request of any person shall be discharged by the Medical Superintendent on the written application of the person on whose request the reception order was made.

(2) A person shall not be discharged under Subsection (1) if the Medical Superintendent certifies in writing that he is dangerous or unfit to be at large.

122. Discharge on undertaking for proper care.

Where a relative or friend of a person detained in a mental hospital under Section 109 or 110 wishes the person to be delivered over to his care and custody, he may make application to a Magistrate, and the Magistrate—

- (a) if, after consulting the Medical Superintendent and the Visitors appointed for the mental hospital, or one of the Visitors who is a Medical Officer, he thinks fit; and
- (b) on the written undertaking of the relative or friend, to the satisfaction of the Magistrate that the patient—
 - (i) will be properly taken care of; and
 - (ii) will be prevented from doing injury to himself or others,

may make an order in the prescribed form for the discharge of the patient.

123. Discharge or leave by Medical Superintendent.

(1) The Medical Superintendent of a mental hospital may, by writing under his hand—

- (a) discharge a person detained under this Part in the hospital; or

- (b) grant to a person detained under this Part in the hospital leave of absence for such period and on such conditions as the Medical Superintendent thinks proper.

(2) A person to whom leave of absence has been granted under Subsection (1)(b) who, without reasonable excuse—

- (a) fails to return to the hospital at the expiration of the period of leave; or
- (b) contravenes or fails to comply with a condition on which the leave was granted,

may be arrested by a commissioned officer of the Police Force and returned to the hospital.

Subdivision D.—Miscellaneous.

124. Dealing with reception orders.

(1) In this section, “the appropriate authority” means—

- (a) in the case of an order made under Section 108—the Registrar of the National Court; and
- (b) in the case of an order made under Section 109 or 110—the Medical Officer or medical practitioner who made the order.

(2) Where an order is made under Section 108, 109 or 110, the appropriate authority shall send a certified copy of the order without delay to the person in charge of the mental hospital into which any person is ordered to be received.

Division 6.—Electro-convulsive Treatment.

125. Administration of electro-convulsive treatment.

Notwithstanding any other law, a medical assistant or nurse who holds a certificate in the prescribed form, signed by the Minister, that he is proficient in the administration of electro-convulsive treatment may administer the treatment to a person of unsound mind if, in his opinion—

- (a) delay might prejudice the course of the illness; or
- (b) it is necessary because of transport difficulties or other urgent reason,

and it is not practicable for the treatment to be given by a medical practitioner.

Division 7.—Offences.

126. Improper detention.

(1) Subject to Section 130, a person who—

- (a) otherwise than in accordance with this Part, receives or detains in a mental hospital a person who is or is alleged to be of unsound mind; or
- (b) for gain, detains two or more persons of unsound mind in any place, not being a mental hospital or designated observation ward,

is guilty of an offence.

Penalty: A fine not exceeding K800.00 or imprisonment for a term not exceeding two years, or both.

(2) A prosecution under this section shall not be commenced without the consent of the Public Prosecutor.

127. Offences against patients.

(1) An attendant, nurse, servant or other person employed in a mental hospital who ill-treats or wilfully neglects a person detained under this Part in the hospital is guilty of an offence.

Penalty: A fine not exceeding K200.00 or imprisonment for a term not exceeding two years, or both.

(2) A person who has or attempts to have sexual intercourse with a female person of unsound mind under care or treatment in a mental hospital, while she is in the hospital or on leave from the hospital, is guilty of an offence.

Penalty: A fine not exceeding K400.00 or imprisonment for a term not exceeding two years, or both.

(3) Consent is not a defence to a charge of an offence against Subsection (2) if the accused knew or had reason to suspect that the person in respect of whom the offence was committed was a person of unsound mind—

- (a) under care or treatment in a mental hospital; or
- (b) on leave from a mental hospital.

(4) If on the trial of a person for rape or attempted rape the Court—

- (a) is satisfied that the accused is guilty of an offence against Subsection (2); and
- (b) is not satisfied that he is guilty of rape or attempted rape,

it may acquit him of rape or attempted rape, and find him guilty of an offence against that subsection¹.

*Division 8.—Miscellaneous.***128. Construction of laws, etc., referring to lunacy, etc.**

In any law or instrument, a reference to a lunatic or to lunacy, or to a lunatic asylum or mental hospital, or to a similar expression, shall be read as a reference to a person of unsound mind or to a mental disorder, or to a mental hospital, as the case requires, within the meaning of this Part.

129. Evidentiary effect of medical orders, etc.

An order or certificate of a medical practitioner given under this Part is evidence, for the purposes of this Part, of—

- (a) the facts appearing in the order or certificate; and
- (b) the opinion stated to have been formed by the person certifying on the facts,

as if the matters appearing in the order or certificate had been verified on oath.

130. Protection of persons acting under Part VIII.

(1) A person who has—

- (a) made a request for the reception of a person into a mental hospital; or
- (b) signed or carried out, or performed an act with a view to signing or carrying out—
 - (i) an order purporting to be a reception order; or
 - (ii) a report, application, recommendation or certificate under this Part; or

¹ See, also Criminal Code, Section 216.

(c) done any other thing under this Part,
is not liable to any civil or criminal proceedings on the ground of want of jurisdiction or any other ground unless he has acted in bad faith or without reasonable care.

(2) Civil or criminal proceedings shall not be brought against a person in a court in respect of a matter referred to in Subsection (1) without the leave of the court, and leave shall not be given unless the court is satisfied that there is a substantial ground for the contention that the person against whom it is sought to bring the proceedings has acted in bad faith or without reasonable care.

(3) Notice of an application under Subsection (2) shall be given to the person against whom it is sought to bring the proceedings, and he is entitled to be heard against the application.

PART IX.—PROCEDURAL AND EVIDENTIARY PROVISIONS RELATING TO CERTAIN REGULATIONS.

131. Application of Part IX.

Except where the contrary intention appears in this Act or in the regulations, the provisions of this Part do not apply to or in relation to Parts IV., V., VI., VII. or VIII., or to regulations made for the purposes of any of those Parts.

132. Service of notices, etc.

(1) A notice, order or other document required or authorized under this Act to be given or served to or on a person may be served—

- (a) by delivering it to the person; or
- (b) by leaving it at his usual or last-known place of abode; or
- (c) by forwarding it by post addressed to him at his usual or last-known place of abode.

(2) If it is addressed to the owner or occupier of premises, a notice, order or document referred to in Subsection (1) may be served—

- (a) by delivering it, or a true copy of it, to some adult person on the premises; or
- (b) if there is no such person on the premises who can be served—by fixing it, or a true copy of it, on some conspicuous part of the premises.

(3) Where a notice is required to be given to a person whose name and address are unknown, the notice may be served by publishing it three times, with intervals of not less than one week between any two publications, in the National Gazette and in a newspaper circulating in the country.

(4) If the name of the owner or occupier is not known, a notice required by this Act to be given to the owner or occupier of any premises may be addressed to him 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.

(5) Where there is more than one owner or occupier, it is sufficient if—

- (a) the notice or order is served on any one of them; and
- (b) the name of any one of them is specified with the addition of the words "and others".

(6) Failure to effect service on—

- (a) the owner—does not affect the validity of service on the occupier; and
- (b) the occupier—does not affect the validity of service on the owner.

133. Proof of notices, etc.

(1) Where in any proceedings under this Act a notice, order or other document has to be proved—

- (a) the defendant shall be deemed to have received notice to produce it; and
- (b) until the contrary is shown—it and its due service may be proved by or on behalf of the complainant by the production of what purports to be a copy, bearing what purports to be a certificate under the hand of the person authorized to issue the original that—
 - (i) the copy is a true copy of the original; and
 - (ii) the original was served on the date specified in the certificate.

(2) The validity of any notice, order or other document, or of its service, is not affected by an error, misdescription or irregularity that—

- (a) in the opinion of the court dealing with the matter, is not likely to mislead; or
- (b) in fact does not mislead.

134. Proof of appointments.

In a prosecution or other proceedings under this Act, proof is not required of the particular or general appointment of any person under this Act.

135. Effect of service of notices, etc.

If a notice or order—

- (a) is required under this Act to be served on an owner or occupier; and
- (b) has been duly served on an owner or occupier,

it is binding on—

- (c) any person claiming by, from or under the owner or occupier so served; and
- (d) any subsequent owner or occupier,

as if it had been duly served on him.

136. References to "owner" or "occupier".

Where in any proceedings under this Act it is necessary to refer to the owner or occupier of any premises, it is sufficient to designate him as the "owner" or "occupier" of those premises, without name or further description.

137. Death of party to proceedings.

Proceedings under this Act against several persons included in an information, complaint or summons do not abate by reason of the death of any of them, but may be carried on as if the deceased person had not been originally included.

138. Proceedings in case of nuisance.

(1) Where a nuisance appears to be wholly or partially caused by the act or default of two or more persons—

- (a) proceedings may be instituted against any one of them; or
- (b) all or any of them may be included in the one proceedings.

(2) Any of the persons referred to in Subsection (1)—

- (a) may be ordered to abate the nuisance so far as it appears to the court dealing with the matter to be caused by his or their act or default; or
- (b) may be prohibited from continuing any act or default that, in the opinion of the court, contributes to the nuisance; or
- (c) may be fined or otherwise punished notwithstanding that the act or default of any one of them would not separately have caused a nuisance.

(3) The costs and expenses may be distributed in such manner as appears to the court fair and reasonable.

139. Proof of ownership.

(1) Evidence by a certificate signed by—

- (a) the Registrar of Titles that any person's name appears in the Register of Administration Leases kept under the *Lands Registration Act 1924* (Adopted) of the former Territory of New Guinea, or the Register of Crown Leases kept under the *Real Property Act, 1913* (Adopted) of the former Territory of Papua, as the registered owner, proprietor or lessee; or
- (b) the warden of any gold-field or mineral field that any person's name appears in the records of his office as the lessee or licensee,

as the case may be, of any premises, is, unless the contrary is proved, evidence that that person is, for the purposes of any proceedings under this Act, the owner of the premises.

(2) If the person appearing to be the owner of any premises is absent from the country or cannot, after reasonable inquiries, be found, an occupier, agent or person advertising or notifying himself as being authorized to deal with the premises in any way shall, for the purposes of any proceedings under this Act, be deemed to be the owner.

(3) In a case to which Subsection (1) or (2) applies, the occupier, agent or person referred to in that subsection may recover from the owner—

- (a) any penalty in respect of any conviction under this Act; or
- (b) any expenses to which he has been put under this Act; or
- (c) any sums of money or costs that he has expended in and on the premises under this Act,

whether under legal process or not.

(4) This section does not prejudice, exclude or take away any other method of proof.

140. Prohibited advertisements.

(1) In this section, "statement" includes any document, book or paper containing a statement.

(2) For the purposes of this section, a person who—

- (a) affixes or inscribes a statement on any thing so as to be visible to persons being in or passing along a street, road, highway, pathway, public place or public conveyance; or
- (b) delivers, offers or exhibits a statement to any person in or passing along a street, road, highway, pathway, public place or public conveyance; or
- (c) throws a statement into or on a street, road, highway, pathway, public place or public conveyance, or into the area, yard, garden or enclosure of a house; or
- (d) exhibits a statement to public view in a house, shop or place; or
- (e) prints or publishes a statement in a newspaper; or
- (f) sells, offers or shows, or sends by post, a statement to a person,

shall be deemed to have published the statement.

(3) Subject to Subsection (4), a person who publishes a statement, whether by way of advertisement or otherwise, to promote the sale of an article as a medicine, instrument or appliance for the alleviation or cure of—

- (a) a venereal disease; or
- (b) a disease affecting the generative organs or functions; or
- (c) sexual impotence; or
- (d) a complaint or infirmity arising from or relating to sexual intercourse; or
- (e) female or menstrual irregularities,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(4) This section does not apply to—

- (a) any book, document or paper published in good faith for the advancement of medical or surgical science; or
- (b) any advertisement, notice or recommendation published by the authority of the Commissioner appointed under Section 49; or
- (c) any publication sent only to medical practitioners or to pharmacists for the purposes of their businesses.

PART X.—REGULATIONS.

141. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular prescribing matters providing for and in relation to—

- (a) the prevention of disease; and
- (b) the maintenance of health; and
- (c) sanitation in respect of places, premises and receptacles; and
- (d) defining nuisances for the purposes of this Act, and providing for their prevention and abatement; and
- (e) the care and treatment of sick persons; and

- (f) the promotion of public health by the establishment of special clinics for the treatment and prevention of disease; and
- (g) the medical and dental inspection of school children, and measures to be instituted for the remedy and prevention of diseases and dental defects in children; and
- (b) subject to the *Building Act*—
 - (i) the declaration of buildings as dangerous or unfit for human habitation, occupation or use; and
 - (ii) the prohibition of the habitation, occupation or use of any such building after the making of any such declaration; and
 - (iii) the measures to be taken by the persons who own, inhabit, occupy or use any such building after the making of any such declaration, and providing, in default, power for the prescribed authority to do the work and recover the cost from the owner or occupier of any such building; and
- (i) the licensing, control and inspection of—
 - (i) the preparation, sale, distribution and possession of food and drugs; and
 - (ii) the keeping of animals used for food or for the production of food products, and the food products of those animals; and
 - (iii) dairies and milk supply; and
 - (iv) eating houses and food shops; and
 - (v) food manufactories; and
 - (vi) boarding houses; and
 - (vii) subject to the *Medical Services Act*—hospitals; and
 - (viii) barbers' shops and hairdressing establishments; and
 - (ix) laundries, cleaning establishments and dye works; and
 - (x) the housing of birds and animals and the conditions under which they may be kept; and
- (j) defining offensive trades and regulating the conditions under which they may be carried on; and
- (k) the prevention of the pollution of natural water courses and the maintenance of the purity of water supply; and
- (l) the disposal of garbage, refuse and night-soil; and
- (m) measures for the control or destruction of vermin; and
- (n) measures for the prevention or destruction of mosquitoes; and
- (o) subject to the *Cemeteries Act*—the establishment, control and inspection of cemeteries, burial grounds, crematories, mortuaries and morgues; and
- (p) the care, treatment and detention of persons of unsound mind, including—
 - (i) the conditions and circumstances under which mechanical means of restraints or seclusion may be applied to patients; and
 - (ii) the books and records to be kept in mental hospitals; and

- (iii) the duties of Visitors appointed for mental hospitals under this Act; and
- (q) the charges to be made for services supplied or rendered under the regulations; and
- (r) the purposes for which and the conditions on which licences, certificates and other documents may be issued, and the fees payable; and
- (s) the imposition of penalties—
 - (i) of fines not exceeding K50.00 for offences against the regulations made for the purposes of Part V.; and
 - (ii) of fines not exceeding K200.00 for offences against the regulations made under Paragraph (p) or for the purposes of Part VIII.; and
 - (iii) of fines not exceeding K100.00 or imprisonment for terms not exceeding three months for offences against any other provision of the regulations.

SCHEDULES.

SCHEDULE 1.

PAPUA NEW GUINEA.

Public Health Act.

Sec. 109(1).

Form 1.

REQUEST FOR THE ADMISSION OF A PRIVATE PATIENT.

To the Medical Superintendent,

Mental Hospital.

I, _____, of _____, request you to receive _____ as a patient into your hospital. A statement concerning him is attached.

Dated _____ 19 ____.

(Signature.)

Details of Person Making Request.

Name:

Age: _____ Occupation (if any): _____

Place of abode:

Degree of relationship (if any) or other circumstances of connexion with the patient:

Date on which patient was last seen:

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Statement.

(If any of the particulars in this statement are not known, the fact to be stated.)

Name of patient in full:

Sex: Age: Married, single or widowed:

Condition in life and previous occupation (if any):

Religion, as far as known:

Previous place of abode:

Whether first attack:

Age, if known, on first attack:

When and where previously under care and treatment:

Duration of existing attack:

Supposed cause:

Whether subject to epilepsy:

Whether suicidal:

Whether dangerous to others:

Whether found to be of unsound mind by the National Court:

Date of decision of National Court (if any):

Whether any member of patient's family has been or is affected with mental disorder:

Unsoundness of mind:

Dated 19 .

*(Signature of person
making statement.)*

Details of Person Making Statement.

Where the person signing the statement is not the person who signs the request for admission, the following particulars concerning the person signing the statement are to be added, namely :—

Name:

Age: Occupation (if any):

Place of abode:

Degree of relationship (if any) or other circumstances of connexion with the patient:

Date on which patient was last seen:

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Public Health

PAPUA NEW GUINEA.

Public Health Act.

Secs. 109(1)(b),

110(2), 114(1).

Form 2.

MEDICAL ORDER ADMITTING PATIENT TO MENTAL HOSPITAL.

To the Medical Superintendent,

Mental Hospital.

I, *(name and official designation, if any)*, certify that on 19 , at
I personally examined, separately from any other practitioner, *(name and residence of person examined)* and
that he/she is of unsound mind and a proper person to be taken charge of and detained under care and
treatment, and that I have formed this opinion on the following grounds, namely :—

Statement.

1. Facts indicating unsoundness of mind observed by myself: *(state the facts)*
2. Other facts (if any) indicating unsoundness of mind communicated to me by others: *(state the information and from whom)*

And I order that
treatment.

be received in the

Mental Hospital for care and

Dated 19

Medical Officer/Medical Practitioner.

SCHEDULE 2.

Sec. 14.

INFECTIOUS DISEASES.

Anthrax.
Beriberi.
Chickenpox, including "tropical varicella".
Cholera (Asiatic).
Dengue fever.
Diphtheria (membranous croup).
Dysentery (amoebic and bacillary).
Epidemic cerebro-spinal meningitis.
Epidemic influenza.
Epidemic ulcerated sore mouth or throat ("New Guinea Mouth Disease").
German measles.
Glanders.
Hansen's Disease.
Measles.
Mumps.
Morbilloid ("Fourth Disease").
Ophthalmia neonatorum (suppurative conjunctivitis in the new born).
Paragonimiasis.
Paratyphoid fever.
Plague.
Pneumonia (epidemic).

Poliomyelitis, acute anterior (infantile paralysis).

Puerperal septicaemia.

Rabies.

Scarlet fever.

Small-pox.

Tetanus.

Trachoma.

Tuberculosis (Phthisis, including also bony tuberculosis, miliary tuberculosis).

Typhoid fever.

Typhus fever.

Whooping cough.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Sanitation and General) Regulation.

ARRANGEMENT OF SECTIONS.

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 - "cesspit"
 - "closet"
 - "depot"
 - "domestic bird"
 - "dwelling"
 - "incinerator"
 - "night-soil"
 - "night-soil depot"
 - "pan"
 - "public place"
 - "refuse"
 - "refuse bin"
 - "refuse depot"
 - "sanitary convenience"
 - "underground water tank"
 - "vessel".

2. Unoccupied buildings.
3. Application.

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4. Conveyance of refuse.
5. Keeping of animals and domestic birds.
6. Cleansing of stables, etc.
7. Keeping of offensive matter on premises.
8. Storing of manure.
9. Cleanliness of premises.
10. Rats and vermin.
11. Overcrowded dwellings.
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13. Premises unfit for human habitation.
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17. Construction of closets.
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20. Number of closets to be provided.
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27. Temporary sanitary accommodation.
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29. Night-soil depots.
30. Deposit of night-soil.
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34. Unauthorized removal of pans.
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38. Access to closets, etc.

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41. Cleaning, etc., of refuse bins.
42. Burning of refuse.
43. Placing of refuse bins for collection.
44. Emptying of refuse bins.
45. Access to refuse bins, etc.

Division 3.—General.

46. Power of entry.
47. Unlawful entry on depots.
48. Straying animals, etc.
49. Control of depots.
50. Charges for services.
51. Liability for charges.
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53. Vacant buildings.
54. Agreements for removal of night-soil, etc.

PART V.—POLLUTION OF WATER SUPPLY.

55. Interpretation of Part V.—
"polluted water supply"
"water supply".
56. Polluted water supplies.
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59. Allowing premises to be breeding places.
60. Vessels.
61. Storage tanks.
62. Ponds, etc.
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64. Water in cans.
65. Gutters, etc.
66. Cutting down, etc., of vegetation.
67. Interference with drains, etc.
68. Leaving empty tins, etc., in streets.
69. Disturbances to surface of ground.
70. Destruction, etc., of plants retaining water.
71. Inspection.

PART VII.—INCINERATORS.

72. Installation.
73. Emission of undue smoke, etc.
74. Charging and emptying incinerators.
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77. Hours of entry.
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Sanitation and General) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, unless the contrary intention appears—

- "cesspit" means any pit, whether constructed under or connected with a closet or not, that is used for the disposal of night-soil or offensive matter;
- "closet" means any structure used in connexion with the reception of night-soil;
- "depot" means night-soil depot or a refuse depot;
- "domestic bird" means any fowl, duck, geese, turkey, or guinea fowl;
- "dwelling" includes a dwelling-house, store, office, workshop, hotel or other building;
- "incinerator" means an apparatus for the destruction, by burning, of refuse, garbage and other rubbish;
- "night-soil" includes all human excrementitious or faecal matter and human urine, and all matters mixed with both or either;
- "night-soil depot" means a night-soil depot established under Section 29;
- "pan" means a pan provided by the Local Medical Authority for use in a dry-earth closet or urinal;
- "public place" means a road or other place that the public are entitled to use, and includes a place to which the public ordinarily has access whether on payment or not;
- "refuse" means any dung, offal, garbage, rubbish, dead animal or matter that is unwholesome or from which any offensive odour arises;
- "refuse bin" means a receptacle for the deposit of household refuse;
- "refuse depot" means a refuse depot established under Section 39;
- "sanitary convenience" means a water closet, earth closet, privy or other receptacle for the disposal of night-soil, and includes a urinal;
- "underground water tank" means a water tank any part of which is below the level of the surrounding ground;
- "vessel" includes a ship, boat, lighter, pontoon or other vessel, whether in use in navigation, disused or used for purposes other than navigation.

2. Unoccupied buildings.

Where there is no person in occupation of a building, the owner shall, for the purposes of this Regulation, be deemed to be the occupier.

3. Application.

Except where the contrary intention appears—

- (a) Parts II. to VI., and Sections 77 and 78 apply to all towns and to such other areas as the Head of State, acting on advice, by notice in the National Gazette, directs; and
- (b) Part VII. applies to all towns and to such other areas as the Minister, by notice in the National Gazette, directs.

PART II.—GENERAL SANITARY PROVISIONS.**4. Conveyance of refuse.**

A person who conveys any refuse, or causes any refuse to be conveyed, through, in or on a public place otherwise than—

- (a) in a vehicle or receptacle properly covered to the satisfaction of the Local Medical Authority; or
- (b) if the refuse is moist or contains any liquid—in a covered water-tight vehicle or receptacle so constructed as to prevent the escape of its contents,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

5. Keeping of animals and domestic birds.

(1) Subject to Subsection (12), a person who, without the written consent of the Local Medical Authority, keeps any animal, other than a cat or dog, or permits any such animal to be kept, on his premises within a distance of 15m from a dwelling, hospital, or school building is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(2) A person who, in a place to which this Part applies, keeps a pig is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(3) Subject to Subsection (12), a person who, without the written consent of the Local Medical Authority, keeps any horses, cattle or goats on any premises is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(4) The Local Medical Authority shall not give permission to keep any horses, cattle or goats unless a stable, cow yard, cattle shed or goat shed, as the case may be, that complies with Subsection (5) is provided to his satisfaction.

(5) Subject to Subsections (6) and (12), a person must not use any stable, cow yard, cattle shed or goat shed unless—

(a) it is—

- (i) paved or flagged with stone pitchers or flagging; or
- (ii) completely floored or covered with asphalt or other material impervious to wet; and

(b) it is so drained that no liquid or drainage will stagnate or lodge in it.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(6) The Minister may, by notice in the National Gazette, exempt a racecourse from Subsection (5) on such conditions as he thinks proper.

(7) Subject to Subsections (8) and (12), a person who, within the boundaries of a town, keeps domestic birds, or permits domestic birds to be kept, on premises occupied by him otherwise than in yards or runs—

(a) securely fenced so as to prevent the escape of birds; and

(b) having an area of not less than 10m², and where more than 10 birds are kept at any one time an additional 5m² for every five or part of five birds in excess of 10,

is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(8) The Local Medical Authority may permit a person who it is satisfied proposes to use an intensive method of keeping domestic birds to keep them in an area less than that prescribed by Subsection (7).

(9) When directed by the Local Medical Authority, the occupier of any premises where domestic birds are kept must pave the ground underneath the roosts or perches with concrete or mineral asphalt.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(10) Subject to Subsection (12), where an animal or domestic bird develops any contagious or infectious disease injurious to human beings, the person who keeps it must, when directed by the Local Medical Authority, immediately cause it to be destroyed.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(11) Subject to Subsection (12), the occupier of any premises on which any animal or domestic bird is kept or housed must cause the place of keeping or housing to be thoroughly cleansed as often as is necessary for the purpose of keeping the place in a clean and sanitary state.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(12) The Minister may, by notice in the National Gazette, exempt any area from all or any of the provisions of this section.

6. Cleansing of stables, etc.

The occupier of premises that contain a stable, horse yard, cow yard or cattle shed must—

- (a) if the stable, yard or shed is used as such, cause it to be cleansed daily; and
- (b) provide an approved box or bin for the reception of all refuse in the stable, yard or shed; and
- (c) cause the box or bin—
 - (i) to be kept covered; and
 - (ii) if used, to be emptied and cleansed twice at least in each week, or at more frequent intervals if the Local Medical Authority so requires; and
- (d) not allow flies to breed in the box or bin or allow it to become insanitary; and
- (e) cause all refuse to be disposed of—
 - (i) in accordance with this Part; and
 - (ii) in such a manner as to prevent the breeding of flies,and, if not removed immediately, to be placed in the box or bin.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

7. Keeping of offensive matter on premises.

The occupier of premises who keeps, or permits to be kept or to remain, on the premises—

- (a) any matter that is unwholesome or smells offensive; or
- (b) any matter or thing that is in such a condition as to be dangerous, injurious or prejudicial to health,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

8. Storing of manure.

The occupier of any premises may store garden manure under and subject to the conditions of a permit issued by the Local Medical Authority.

9. Cleanliness of premises.

(1) The occupier of premises must keep the premises in a clean condition and free from stagnant water or any accumulation of decomposing organic fluid or solid matter.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(2) When required in writing by the Local Medical Authority or an inspector, the occupier of premises must carry out, within the time specified in the requirement, such

cleansing operations as are specified in the requirement, to the satisfaction of the Local Medical Authority or the inspector.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(3) Where the occupier has not, at the expiration of the time specified in a requirement under Subsection (2), caused the cleansing operations to be carried out, the Local Medical Authority may carry out the operation and recover the cost from the occupier in a District Court or Local Court.

10. Rats and vermin.

The occupier of any premises where conditions favourable to the breeding and existence of rats, mice, mosquitoes or other vermin exist, must, within such time as is specified in a written order issued by the Local Medical Authority and served on him, remove such conditions as are required by the order.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

11. Overcrowded dwellings.

Where, in the opinion of the Local Medical Authority, a dwelling is so overcrowded as to be dangerous to the health of the inmates, the occupier of the dwelling shall, within such time as is specified in a written order issued by the Local Medical Authority and served on him, abate the overcrowding to the extent specified in the order.

12. Structural defects.

Where, in the opinion of the Local Medical Authority, insanitary conditions exist on premises by reason of a structural defect in the premises, the owner of the premises shall, within such time as is specified in a written order issued by the Local Medical Authority and served on him, repair the defect.

13. Premises unfit for human habitation.

(1) Where, in the opinion of the Local Medical Authority, a building used as a dwelling is in such a condition as to be dangerous to the health of the inmates, the Local Medical Authority may, by written order served on the inmates and the owner, require—

(a) the inmates to leave the building; and

(b) the owner to cease using the building as a dwelling or allowing it to be so used.

(2) A person who refuses or neglects to comply, within the time specified in the order, with an order under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months, and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

14. Deposit of refuse on public place.

(1) A person who deposits any refuse or offensive, noxious or dangerous matter or thing in or on a public place is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(2) For the purpose of this section, an employer shall be deemed to be responsible for the acts of his employee unless the employer shows that he took all reasonable and practicable steps to ensure the observance of this section by the employee.

15. Flyproofing in licensed premises.

(1) Notwithstanding Section 3, this section applies throughout the country.

(2) The Local Medical Authority may, by written notice, direct the holder of a publican's licence under the *Liquor (Licensing) Act* to cause any room or place in his licensed premises to be protected from the ingress of flies and other insects to the satisfaction of the Local Medical Authority.

(3) The holder of a publican's licence who fails to comply with a direction under Subsection (2) within three months from the date of the service of the notice is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

PART III.—SANITARY CONVENIENCES.**16. Power to direct building of closets.**

(1) The Local Medical Authority may, by written notice, direct the owner of premises to build on the premises a closet in accordance with this Part, within a period not exceeding 30 days from the date of the service of the notice.

(2) A person who fails to comply with a direction under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

17. Construction of closets.

(1) Subject to the *Building Act*, closets shall be constructed as follows :—

(a) each closet shall have—

- (i) an internal area of not less than 1.2m²; and
- (ii) a clear width of not less than 750mm; and
- (iii) a height measured from the floor to the wall-plate level of not less than 2 100mm; and

(b) the floor shall be—

- (i) finished with concrete or other impervious material approved by the Local Medical Authority; and
- (ii) suitably graded; and

- (c) the surface of the floor shall be at least 150mm above the highest point of the surface of the ground adjoining the closet; and
 - (d) there shall be a ventilation opening of not less than 0.2m², opening direct to the outside air; and
 - (e) substantial walls and doors capable of providing privacy shall be provided; and
 - (f) in a building containing a range of adjoining closets, the partitions between closets shall—
 - (i) start not more than 300mm; and
 - (ii) end not less than 1 750mm, above the floor; and
 - (g) closets for the use of both males and females shall not be constructed in a range, but ranges of closets for the separate use of each sex may adjoin if the ranges are completely separated by a dividing wall at least 100mm in thickness extending from the wall to the roof; and
 - (h) each pan closet shall be provided with a movable box seat completely covering the pan, furnished with a box lid that is insect-proof when down; and
 - (i) a pan closet shall not be erected or maintained within 6m from a building used for human habitation or the preparation of food.
- (2) The occupier of the premises on which a closet is installed must maintain it in a fit and clean condition.
- Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

18. Cesspits.

- (1) A cesspit must be constructed so that it is deep, dark and fly-proof.
- (2) A cesspit must not be constructed on premises without the written authority of the Local Medical Authority.
- (3) The Local Medical Authority may, by written notice, direct the owner or occupier of premises to fill up any cesspit within the time specified in the notice.
- (4) A cesspit must not be used when the night-soil in it reaches within 600mm of the natural surface of the adjoining ground.
- (5) Where—
 - (a) the night-soil in a cesspit reaches within 600mm of the natural surface of the adjoining ground and the cesspit is not emptied; or
 - (b) the Local Medical Authority so directs,the contents of the cesspit must be covered with not less than 50kg of lime and the lime covered with clean earth to a height of 300mm above the natural surface of the adjoining ground.

19. Provision of deodorizing material.

- (1) A closet must be provided with a suitable receptacle for, and an adequate supply of, deodorizing or muscifuge material, such as blue oil, kerosene, phenol or other suitable substance.

(2) The occupier of premises must cause sufficient deodorizing or muscifuge material to be added each day to the contents of the pan in every closet on the premises.

(3) The occupier may use dry earth, oiled sawdust, ashes or other dry deodorizing substance instead of a liquid deodorizer, but the quantities of any deodorizing substance used must be sufficient to keep the contents of the pan free from flies and offensive odours.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

20. Number of closets to be provided.

Subject to the *Building Act*, the owner of premises must provide sanitary conveniences on the premises in accordance with the following scale :—

- (a) for each dwelling house or tenement, and for each flat in a tenement—at least one closet; and
- (b) for each building used as a factory, warehouse, shop, office or other business, and for each school—separate closets for each sex at the rate of—
 - (i) one closet for every 20 (or part of 20) males; and
 - (ii) one closet for every 20 (or part of 20) females,who are ordinarily present in or about the building; and
- (c) for each hotel, boarding school, boarding house, lodging-house or other place where numbers of persons ordinarily lodge or reside—separate closets for each sex at the rate of—
 - (i) one closet for every 12 (or part of 12) males; and
 - (ii) one closet for every 12 (or part of 12) females,who ordinarily lodge or reside in the building; and
- (d) for each public hall or place of entertainment, amusement or recreation—at least one closet for male persons and one closet for female persons, and such additional closets as the Local Medical Authority orders; and
- (e) for each church, chapel or club—such number of closets as the Local Medical Authority directs.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

21. Urinals.

In addition to the closets required to be provided by Section 20, the owner of premises must provide such number of urinals on the premises as the Local Medical Authority, by written notice, directs.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

22. Lighting of closets, etc.

The occupier of any hotel, club, public hall or place of entertainment, amusement or recreation must cause all closets and urinals available for public use on the premises to be adequately lit at all times of the night during which the premises are open to the public.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

23. Notices on closets.

(1) Where, at any hotel, club, public hall or place of entertainment, amusement or recreation, separate closets are provided for each sex in accordance with this Part, a legible notice shall be erected on each closet indicating the sex for which it is provided.

(2) A person who, without lawful excuse, enters a closet on which a notice has been erected in accordance with Subsection (1) indicating that the closet is provided for the sex other than the sex of that person is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

24. Notification of certain nuisances.

Where on any premises—

- (a) a pan leaks or overflows; or
- (b) the contents of a pan are liable to escape; or
- (c) any nuisance results from a pan; or
- (d) a pan is not regularly emptied in accordance with this Part,

the occupier of the premises must give notice to the Local Medical Authority within 24 hours.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

25. Notice to abate nuisance.

On discovering the existence of a nuisance in connexion with a sanitary convenience on any premises, the Local Medical Authority shall give written notice to the occupier of the premises—

- (a) to remove or abate the nuisance; and
- (b) to purify the locality of the nuisance by cleaning, disinfection or other means,

and the occupier must comply immediately with the notice.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

26. Alterations to sanitary conveniences, etc.

Where, in the opinion of the Local Medical Authority, it is necessary in the interests of health or decency that a sanitary convenience be repaired, reconstructed or removed, the

occupier of the premises on which the sanitary convenience is situated must, on receipt of a written notice from the Local Medical Authority requiring him to do so—

- (a) immediately cease using the sanitary convenience; and
- (b) within such time as is specified in the notice—
 - (i) carry out such alterations or repairs as the Local Medical Authority specifies; or
 - (ii) remove the sanitary convenience.

27. Temporary sanitary accommodation.

A building or other work requiring the assembly of a number of employees shall not be commenced until a sanitary convenience approved by the Local Medical Authority has been provided.

28. Sanitary conveniences to be used.

A person who voids urine or excreta on the surface of the ground or in any place other than a sanitary convenience is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

PART IV.—REMOVAL AND DISPOSAL OF NIGHT-SOIL AND REFUSE.

Division 1.—Night-soil.

29. Night-soil depots.

The Minister—

- (a) may establish a night-soil depot for every town or area to which this Part applies; and
- (b) shall provide for the removal and disposal of night-soil.

30. Deposit of night-soil.

Except as is otherwise provided in this Regulation, a person who deposits night-soil on the surface of the ground or in any place other than a sanitary convenience is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

31. Removal of night-soil to depots.

(1) Except as is otherwise provided in this Regulation, on the removal of any night-soil from a sanitary convenience it shall be deposited at a night-soil depot, and shall be disposed of there as prescribed.

(2) The Local Medical Authority may authorize the deposit of night-soil in the sea.

32. Provision of pans.

The Minister shall provide every pan closet with a closet pan.

33. Unauthorized removal of night-soil.

Except as is otherwise provided in this Regulation, a person other than a person authorized by the Local Medical Authority must not remove the night-soil in any pan, cesspit or other sanitary convenience.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

34. Unauthorized removal of pans.

(1) Except as is otherwise provided in this Regulation, a person other than a person authorized by the Local Medical Authority must not remove a pan.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(2) A pan shall be removed as often as the Local Medical Authority thinks necessary.

(3) When a pan is removed, an empty and clean pan shall be substituted for it.

(4) The person removing the pan from a closet must—

(a) cover the pan with an adequate lid; and

(b) convey it, with its contents so covered, in an effectively closed vehicle provided by the Local Medical Authority, to a night-soil depot, between such hours of the day as are fixed by the Local Medical Authority.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

35. Deposit of refuse in pan.

A person who deposits refuse in a pan is guilty of an offence.

36. Disposal of night-soil at night-soil depots.

All night-soil conveyed to a night-soil depot shall be disposed of in accordance with Section 37, and all water used in washing pans shall be similarly dealt with.

37. Conducting of night-soil depots.

(1) Where any night-soil depot is used for the burial of night-soil, the Local Medical Authority and the persons employed at the depot must comply with the requirements of this section.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(2) An inspection of the night-soil depot shall be made at least once a month by the Local Medical Authority, and once in every quarter a written report on the state of the depot shall be forwarded by it to the Minister.

(3) A trench having a floor of rock or of impervious or impermeable earth shall not be used for the disposal of night-soil.

(4) The night-soil trenched into the soil shall—

(a) be in a layer not more than 150mm in depth or 600mm in width; and

(b) be immediately covered evenly with earth to a depth of not less than 300mm.

(5) A trench shall not be more than 600mm or less than 300mm in depth, or more than 600mm in width, and where possible trenches shall be 450mm in depth and 300mm in width.

(6) A strip of undisturbed earth not less than 300mm in width shall be left between each two trenches.

(7) Unless the written approval of the Minister has been previously obtained, the ground into which night-soil has been trenched shall not be used for a similar purpose a second time within two years.

(8) Grass or other forms of vegetable life shall be allowed to grow with moderate freedom on ground into which night-soil has been trenched.

(9) A border strip of land at least 6m wide around the outside of the disposal area shall be reserved from all disposal and not otherwise used without the consent of the Minister, but the strip may be used for the planting of a tree border, ornamental hedge or other approved fence.

(10) A supply of water sufficient for the cleansing of pans shall be made available.

(11) All water from the pans shall be properly disposed of—

(a) in trenches in the manner specified for the disposal of night-soil; or

(b) by sub-soil irrigation.

(12) Where water is laid on to the disposal ground from a service used for drinking or domestic purposes, the pipe serving the disposal ground shall be disconnected on the boundary by discharging into a tank of suitable capacity and elevation.

(13) After the disposal of its contents and before it again leaves the depot or disposal ground, each pan shall be immediately cleansed by—

(a) washing and scrubbing with hot water, and then submersion in boiling water for not less than five minutes; or

(b) washing and scrubbing with hot water and rinsing in clean water, and then submersion in a solution containing 1% of an approved disinfectant, such as cyllin or izol, for not less than five minutes; or

(c) washing and scrubbing with hot water and rinsing in clean water, and then subjection to steam under pressure in an apparatus approved by the Local Medical Authority.

(14) Before it is first used, the internal surface of each pan shall be properly covered with boiled tar or other approved material, and that covering shall be regularly renewed when necessary so as to protect properly the whole internal surface of the pan and to afford a smooth non-adherent surface.

38. Access to closets, etc.

For the purpose of removing night-soil, a person authorized by the Local Medical Authority may—

(a) enter premises and inspect a closet or other sanitary convenience at any time during the hours appointed by the Local Medical Authority; and

(b) do any work that is necessary.

Division 2.—Refuse.

39. Refuse depots.

The Minister—

- (a) may establish a refuse depot for every town or area to which this Part applies; and
- (b) shall provide for the removal and disposal of refuse.

40. Provision of refuse bins.

(1) The owner or occupier of premises must provide a sufficient or a specified number of water-tight bins for the reception of the refuse arising from or existing on the premises.

(2) Refuse bins—

- (a) shall be constructed of impervious or non-absorbent material and fitted with two handles for carrying and lifting and with a close-fitting fly-proof cover or lid; and
- (b) shall not have a holding capacity of more than 0.1m³, or such greater amount, not being more than the holding capacity of a 200 litre drum, as is approved by an inspector in any particular case.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

41. Cleaning, etc., of refuse bins.

The occupier of premises—

- (a) must cause all refuse bins in use on the premises to be kept continuously covered except when being filled or emptied; and
- (b) must cause the bins and their covers to be—
 - (i) kept as clean as practicable; and
 - (ii) maintained in good order and condition; and
- (c) must not allow the bins to become a nuisance.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

42. Burning of refuse¹.

(1) The occupier of premises must cause all refuse that can be readily destroyed by fire to be so destroyed daily.

(2) All refuse not destroyed by fire shall be deposited daily in refuse bins.

(3) A person must not, without the written permission of the Local Medical Authority, deposit, in a refuse bin, or permit to be deposited in a refuse bin, hot ashes, stones, earth or liquid matter.

¹ But see *Fire Service Act*, Section 21.

(4) Where refuse is of a size or kind that cannot conveniently be disposed of in accordance with Subsection (1) or (2)—

- (a) the occupier may, with the written permission of the Local Medical Authority, take the refuse to a refuse depot; or
- (b) the Local Medical Authority may, at the expense of the occupier, cause the refuse to be taken to the refuse depot.

43. Placing of refuse bins for collection.

(1) The occupier of premises must cause all refuse bins on the premises to be placed in positions convenient for collection as often, and at such times, as the collection is usually made by the Local Medical Authority.

(2) Except as otherwise provided in Subsection (3), refuse bins shall be placed—

- (a) within the boundaries of the premises and not more than 6m from an entrance opening on to a road from which the refuse collection is effected; or
- (b) in such other position as is approved by the Local Medical Authority.

(3) A person must not place a refuse bin or permit a refuse bin to be placed or to remain on a public road or thoroughfare or public place without the permission of the Local Medical Authority.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

44. Emptying of refuse bins.

Except as is otherwise provided in this Regulation, a person, other than a person authorized by the Local Medical Authority, must not—

- (a) remove the contents of a refuse bin from any premises; or
- (b) interfere with or remove a refuse bin, or the contents of a refuse bin, that is on a public road or thoroughfare or a public place.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

45. Access to refuse bins, etc.

A person authorized by the Local Medical Authority may—

- (a) enter any premises at any time during the hours appointed by the Local Medical Authority; and
- (b) do such work as is necessary for the purpose of emptying refuse bins or removing refuse.

Division 3.—General.

46. Power of entry.

An inspector may enter any premises at any time when night-soil or refuse is being removed for the purpose of supervising or directing the removal.

47. Unlawful entry on depots.

A person who, without lawful excuse—

- (a) enters on or within the precincts of a depot; or
- (b) interferes with any plant, implement or matter on or at a depot,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

48. Straying animals, etc.

(1) A person who allows an animal or domestic bird to stray on or within the boundaries of a depot is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

(2) An animal or domestic bird straying on or within the boundaries of a depot may be seized and, subject to Subsection (3), sold, destroyed or otherwise disposed of.

(3) If the owner of an animal or domestic bird seized under Subsection (2) is known, he shall be notified of the intended disposal, and may take possession of the animal or bird.

49. Control of depots.

A person depositing night-soil or refuse at a depot must deposit the night-soil or refuse in such place and in such manner as the Local Medical Authority or a person in charge of the depot directs.

Penalty: A fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

50. Charges for services.

(1) The charges for sanitation and garbage services provided by the State are the costs of providing the services, as assessed by the Minister.

(2) The charges for sanitation and garbage services provided by a Local Government Council are the costs of providing the services, as assessed by the Council.

(3) An assessment of costs under Subsection (1) or (2) may be averaged over the whole or any part of the country.

(4) The charges assessed under Subsection (1), and the areas (if any) in relation to which they are assessed, shall be notified in the National Gazette.

(5) The charges assessed by a Local Government Council, and the area (if any) in relation to which they are assessed, shall be notified by rule.

(6) The minimum charge for any service is the charge payable for one week's service.

(7) This section does not prevent a special charge being made to meet the costs of a special service provided.

51. Liability for charges.

(1) Subject to this Part, unless there is reason to the contrary the occupier of a dwelling is liable in the first instance for charges under Section 50.

(2) If the occupier defaults for one week after the service of an account, the owner of the dwelling may be called on to pay the charges.

(3) For the purposes of Subsection (1), where an employee is housed on premises supplied by his employer the employer shall be deemed, in the absence of an agreement with the employee approved by the Local Medical Authority, to be the occupier of the premises.

(4) Notwithstanding this Part, where a building the property of the State is occupied by a person other than the State, the occupier is solely liable for charges under Section 50.

52. Occupation of dwellings.

(1) An occupier must give written notice to the Local Medical Authority when a dwelling is first occupied by him.

(2) When a new dwelling is about to be occupied the intending occupier must give written notice to the Local Medical Authority of the intended occupation.

Penalty: A fine not exceeding K10.00.

53. Vacant buildings.

(1) Where a dwelling is left vacant, the former occupier and the owner are both liable for the charges for services until the occupier or the owner gives written notice to the Local Medical Authority that the dwelling is vacant.

(2) If the pans or refuse bins of an unoccupied dwelling are in fact used by anyone, the owner is liable, notwithstanding that notice of its being vacant has been given, for charges for services for the purpose of removing, emptying and cleansing the pans or receptacles, until the Local Medical Authority is satisfied that the services are no longer being used.

54. Agreements for removal of night-soil, etc.

(1) The Minister may enter into an agreement with a person for the removal of any night-soil, refuse or dead animals from private or public places.

(2) An agreement referred to in Subsection (1) may contain a condition for the forfeiture of a deposit made by the person entering into the agreement in the event of a breach of the provisions of the agreement by him.

PART V.—POLLUTION OF WATER SUPPLY.

55. Interpretation of Part V.

In this Part, unless the contrary intention appears—

“polluted water supply” means a water supply that, in the opinion of the Local Medical Authority, is or may be injurious to health;

“water supply” includes a river, spring, stream, water course, creek, swamp, waterhole, lake, pond, tank, dam or reservoir.

56. Polluted water supplies.

The Local Medical Authority may—

(a) direct that a person shall not use or permit the use of a polluted water supply; and

(b) direct that a person shall not do an act calculated to pollute a water supply; and

- (c) perform or direct the performance of such other acts as are reasonably necessary to prevent or reduce the pollution of a water supply.

57. Obstruction, etc.

(1) A person who—

- (a) refuses or fails to comply with a direction given under Section 56; or
- (b) without reasonable excuse, (proof of which is on him), hinders the Local Medical Authority in the exercise of his powers under Section 56,

is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(2) It is a defence to a charge of an offence against Subsection (1) that the person charged could not reasonably have been expected to know of a direction given or act performed or directed to be performed under Section 56.

58. Disposal of offensive matter.

A person who deposits or permits to be deposited in any place any offensive matter or thing by which a water supply is liable to be polluted is guilty of an offence.

Penalty: A fine not exceeding K100.00.

PART VI.—MOSQUITOES.

59. Allowing premises to be breeding places.

The owner or occupier of premises, and the owner, agent or master of a vessel, who allows—

- (a) the premises or vessel; or
- (b) anything placed or being on the premises or vessel,

to be, or to be likely to become, a breeding place for mosquitoes is guilty of an offence.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

60. Vessels.

The owner, agent or master of a vessel must not allow water or other liquid in which mosquitoes are likely to breed to lie or remain on, or to be stored in, the vessel, whether in bilges, tanks or other receptacles, unless—

- (a) it is free from mosquito larvae and is constantly and effectively protected against the ingress and egress of mosquitoes by the means prescribed by Section 61; or
- (b) it is effectively treated with kerosene or other oil or substance approved for the purpose by the Local Medical Authority.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

61. Storage tanks.

The owner or occupier of premises must keep every tank, cistern or receptacle (whether above or below ground) on the premises, that is used or intended to be used for

holding or storing water or other liquid in which mosquitoes are likely to breed, constantly and effectively protected against the ingress and egress of mosquitoes by means of—

- (a) brass, copper or bronze wire mesh not coarser than 18 meshes to 25mm each way; or
- (b) flap valves or other mechanical means approved by the Minister,

at every opening into the tank, cistern or receptacle.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

62. Ponds, etc.

The owner or occupier of premises must continually and effectively prevent every pond, pool, puddle, trough, drain, inlet, flush-tank, garden barrel, fountain or other place or receptacle on the premises, that habitually or occasionally contains water or other liquid in which mosquitoes are likely to breed, from acting as a breeding place for mosquitoes by—

- (a) keeping the water or other liquid constantly covered or treated with kerosene or other oil or substance approved for the purpose by the Local Medical Authority; or
- (b) keeping the water constantly stocked with fish capable of destroying mosquito larvae; or
- (c) covering all openings, and keeping them covered, with—
 - (i) brass, copper or bronze wire mesh not coarser than 18 meshes to 25mm each way; or
 - (ii) other material impenetrable by mosquitoes; or
 - (iii) flap valves or other mechanical means approved by the Minister; or
- (d) completely drawing off or emptying the water or other liquid and allowing it to dry; or
- (e) in the case of a receptacle capable of being so treated in accordance with this paragraph—thoroughly scrubbing the interior of the receptacle once at least in every seven days after emptying and before refilling.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

63. Swamps.

(1) Where on any premises there is a swamp, pool, pond, puddle or other accumulation of water or other liquid in which mosquitoes are likely to breed that, in the opinion of the Local Medical Authority, cannot be constantly and effectively prevented from being a breeding place for mosquitoes otherwise than by—

- (a) draining it or filling it in; or
- (b) draining it and filling it in,

the Local Medical Authority may give written notice to the owner or occupier of the premises—

- (c) to drain it or fill it in; or

(d) to drain it and fill it in,
to the satisfaction of the Local Medical Authority, within a time limited by the notice.

(2) The owner or occupier of the premises on which a drain is made in pursuance of a notice under Subsection (1) must—

- (a) keep the drain in good order and free from obstruction; and
- (b) when required by the Local Medical Authority, adjust or raise the level of the surface of the land adjacent to the drain to the satisfaction of the Local Medical Authority in such a way that—
 - (i) any water or other liquid on the premises flows into the drain without obstruction; and
 - (ii) water or other liquid does not remain or stand on any portion of the premises in such a way that mosquitoes are likely to breed in it.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

64. Water in cans.

(1) At least once in every seven days, the owner or occupier of premises must—

- (a) empty all water from any can, bowl, bottle, tub, bucket, pot, barrel, jug, vase, flower-pot, saucer-dish or other receptacle in use and kept on the land or premises; and
- (b) thoroughly cleanse and dry it before refilling it.

(2) The owner or occupier of premises, and the owner, agent or master of a vessel, must not allow any disused tin, bottle, can or other receptacle or any rubbish, that is holding or collecting water or other liquid in which mosquitoes are likely to breed, to remain on the premises or vessel unless he effectively prevents it from serving as a breeding place for mosquitoes.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

65. Gutters, etc.

The owner or occupier of premises must construct, maintain and repair every gutter, drain, roof, spouting, roof-gutter, downpipe or other similar structure, channel or conduit on the premises so as to effectively prevent water from remaining or standing in such a manner that mosquitoes are likely to breed in it.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

66. Cutting down, etc., of vegetation.

(1) When required by the Local Medical Authority, the owner or occupier of premises must cut down and remove any undergrowth or vegetation (other than trees) growing on the land or premises and likely to harbour mosquitoes or to obstruct a watercourse.

(2) On receipt of an order signed by the Local Medical Authority and a District Officer, the owner or occupier of premises must cut back and trim the branches of any trees growing on or projecting over the premises that—

- (a) overhang any roof, gutter, tank, drain, spouting or downpipe; or
- (b) deposit, or are likely to deposit, any leaves or debris in or on any roof, gutter, tank, drain, spouting or downpipe.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

67. Interference with drains, etc.

A person who—

- (a) interferes with, obstructs, damages or destroys a drain made by the owner or occupier of premises; or
- (b) wilfully damages, destroys or removes a screen or protective covering affixed to a tank or other receptacle,

is guilty of an offence.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

68. Leaving empty tins, etc., in streets.

A person who deposits any empty or partly empty tin, bottle or other receptacle, or causes such a receptacle to be deposited, on a street, road, foreshore or other public place is guilty of an offence.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

69. Disturbances to surface of ground.

(1) A person who, without the written permission of the Local Medical Authority, digs, turns up, displaces or otherwise disturbs the surface of any ground in such a manner as to cause a depression liable to hold water or accumulate rubbish is guilty of an offence.

(2) A person who, without the prior written permission of the Local Medical Authority, cuts turf or removes soil or other material from any public or private premises must, without delay, fill in the excavation, up to the level of the surrounding surface, with clean sound earth or other material.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

70. Destruction, etc., of plants retaining water.

(1) The Local Medical Authority may order the destruction, recess drainage or other treatment approved by the Local Medical Authority, of any plant or tree that retains water.

(2) The owner or occupier of premises who fails to comply with an order under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K50.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

71. Inspection.

The Local Medical Authority, an inspector or a person authorized in writing by the Local Medical Authority or an inspector may enter into any premises between the hours of 6 a.m. and 5 p.m., on any day except Sunday, for the purpose of inspecting the premises or giving effect to this Part.

PART VII.—INCINERATORS.

72. Installation.

(1) Subject to Subsection (2), a person must not install an incinerator unless the site and type of the incinerator are approved by the Local Medical Authority.

Penalty: A fine not exceeding K100.00.

(2) Subsection (1) does not apply to an incinerator installed—

- (a) in or for the domestic purposes of a private dwelling-house; or
- (b) exclusively for the destruction of sanitary napkins.

73. Emission of undue smoke, etc.

A person who operates an incinerator, or allows an incinerator to be operated, in such a manner that it emits into the air—

- (a) undue quantities of smoke, soot, ash or other by-products of incineration; or
- (b) unwholesome odours,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

74. Charging and emptying incinerators.

(1) The Local Medical Authority may instruct the owner or operator of an incinerator in the manner of charging or emptying the incinerator.

(2) An owner or operator who fails to comply with instructions given under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

75. Refuse, etc., for incineration.

(1) Refuse and garbage for incineration shall be covered, and kept in impervious containers, until incinerated.

(2) The ash and other products of an incinerator shall be kept in covered, impervious containers until disposed of in a manner approved by the Local Medical Authority.

76. Cleanliness of surroundings.

The owner of an incinerator must ensure that the incinerator and the area surrounding the incinerator are kept clean at all times, except during the charging or the removal of ash and other products of incineration.

Penalty: A fine not exceeding K100.00.

PART VIII.—MISCELLANEOUS.

77. Hours of entry.

The prescribed times for the purpose of Section 11(a)(ii) of the Act are between 8 a.m. and 5 p.m. on any day except Sunday.

78. Indemnity.

Nothing done or omitted to be done in good faith under this Regulation by the Minister, the Departmental Head, a Local Medical Authority, an inspector or an officer or person acting under the direction of a Local Medical Authority or an inspector subjects him to any action, penalty, liability, claim or demand.

79. Liability of the State.

The State is not liable for the payment of any charge under this Regulation in respect of premises owned by it.

80. General penalty.

A person who contravenes or fails to comply with a provision of this Regulation for which no other penalty is provided is guilty of an offence and is liable to a fine not exceeding K100.00 and in addition, in the case of a continuing offence, a fine not exceeding K10.00 for every day during which the offence continues.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Septic Tanks) Regulation.

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 - "fixture"
 - "inspector"
 - "Inspector of Health"
 - "property"
 - "recognized sewerage authority"
 - "Sewerage Engineer"
 - "Sewerage Inspector"
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Septic Tanks) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

(1) In this Regulation, unless the contrary intention appears—

“approved” means approved by the Local Medical Authority;

“aqua-privy” means a sewage liquefaction and digestion tank in which sewage enters the tank by gravity through an opening in the tank cover;

“closet” means a chemical, mechanical or incinerator closet;

“drain” means a conduit, or any part of a conduit, laid through, under or on a street, way or land, whether public or private, for the carriage from any property of sewage to a sewer or to a septic tank;

“fitting” means any apparatus, together with the necessary appurtenances, for use in connexion with a plumbing or drainage system, other than a fixture or straight piping;

“fixture” means any apparatus, together with the necessary appurtenances, that—

(a) is attached to a plumbing or drainage system; and

(b) is intended for the collection or retention of wastes or waste waters for ultimate discharge into a sewerage system,

such as a closet pan, urinal, bath, sink, basin or trough;

“inspector” means an Inspector of Health, a Sewerage Engineer or a Sewerage Inspector¹;

“Inspector of Health” means an Inspector of Health appointed under Section 8 of the Act;

“property” includes a house, building, tenement, land or premises;

“recognized sewerage authority” includes a governmental, local government, statutory or other body having authority to prescribe materials for, or to superintend, control, construct or maintain sewerage works or installations in Papua New Guinea or Australia;

“Sewerage Engineer” means a Sewerage Engineer appointed under Section 6 of the *Public Health (Sewerage) Regulation*;

“Sewerage Inspector” means a Sewerage Inspector appointed under Section 7 of the *Public Health (Sewerage) Regulation*;

“soil pipe” means a pipe conveying discharge from a water-closet, slop sink, urinal, mortuary or operating theatre to a drain;

¹ It should be noted that the term “inspector” has different meanings in different regulations under the Act.

"waste pipe" means a pipe conveying discharge (other than discharge from a water-closet, slop sink, urinal, mortuary or operating theatre) from a fixture to a drain.

(2) In this Regulation, a reference to works, apparatus, appliances, materials or other similar matter or thing shall be taken to be a reference to such works, or as the case may be, done or used in connexion with a septic tank, closet or aqua-privy.

2. Relaxation, etc., of requirements.

(1) Where the Head of State, acting on advice, is satisfied that—

(a) it is desirable that, in their application to any building or class of buildings, any of the provisions of this Regulation should be relaxed or modified in any way; and

(b) the relaxation or modification will not result in any lowering of standards of hygiene, safety or effectiveness,

the Head of State, acting on advice, may, by order, provide for the relaxation or modification, subject to such conditions as the Head of State, acting on advice, thinks proper.

(2) Section 76 of the *Interpretation Act* applies to and in relation to an order under Subsection (1) as if it were a regulation.

PART II.—CONTROL OF INSTALLATION, ETC.

3. Application for permission to install.

(1) Before commencing the installation of a septic tank, closet or aqua-privy on any property, the owner or occupier of the property must make written application to the Local Medical Authority for permission to make the installation.

Penalty: For a first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(2) An application under Subsection (1) shall be accompanied by—

(a) in the case of a septic tank or aqua-privy—

(i) complete plans and specifications of the proposed work and connexions to it; and

(ii) a block plan, to scale, of the property and of the adjoining property, public ways or public places, on which the proposed position of the septic tank or aqua-privy and all connexions to it are clearly shown; and

(iii) a statement of—

(A) the manner in which it is proposed to dispose of the effluent waters; and

(B) the number of persons residing or likely to reside on the property; or

(b) in the case of a closet—

(i) an illustration or sketch of the proposed type; and

- (ii) a block plan, to scale, of the property showing the proposed position of the closet; and
- (iii) a statement of—
 - (A) the method by which it is proposed to dispose of the contents; and
 - (B) the number of persons residing or likely to reside on the property.

(3) An application under Subsection (1) may be made on behalf of the owner or occupier by the installer acting as the agent of the owner or occupier.

4. Unauthorized installation or alteration.

A person who, without first obtaining the written permission of the Local Medical Authority—

- (a) installs a septic tank, closet or aqua-privy; or
- (b) alters an existing septic tank, closet or aqua-privy,

is guilty of an offence.

Penalty: For a first offence, a fine not exceeding K10.00

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

5. Number of persons to be served.

(1) The Local Medical Authority shall specify in its permission the maximum number of persons to be served by the septic tank, closet or aqua-privy the subject of the permission.

(2) On application to the Local Medical Authority, the maximum number of persons to be served by a septic tank, closet or aqua-privy may be increased, with or without alteration, as the Authority approves.

6. Direction to install septic tanks on licenced premises.

(1) The Local Medical Authority may, by written notice, direct—

- (a) the holder of a publican's licence, tavern licence or club licence under the *Liquor (Licensing) Act*; or
- (b) the holder of a licence under the *Restaurant (Licensing) Act* in respect of premises the subject of a restaurant licence under the *Liquor (Licensing) Act*; or
- (c) the proprietor of a place of public entertainment within the meaning of the *Places of Entertainment Act (Papua)* or a place of entertainment within the meaning of the *Places of Entertainment Regulation (T.N.G.)*,

to install on his premises a septic tank system approved by the Local Medical Authority.

7. Notice to effect repairs or remove installation.

Notwithstanding that permission has been obtained for the installation of a septic tank, closet or aqua-privy, if in the opinion of the Local Medical Authority a septic tank, closet or aqua-privy is in a condition that is prejudicial to public health, decency or convenience,

the Authority may notify the owner or occupier of the property on which the septic tank, closet or aqua-privy is situated—

- (a) to effect such repairs or alterations as it thinks necessary; or
- (b) to remove the septic tank, closet or aqua-privy,

within a time specified in the notice.

8. De-sludging and cleansing.

(1) The Local Medical Authority may notify the owner or occupier of any property on which a septic tank or aqua-privy is situated to de-sludge or otherwise cleanse it, and may—

- (a) supervise the work; or
- (b) itself undertake the work.

(2) Where, in accordance with Subsection (1)(a), the Local Medical Authority supervises the de-sludging or cleansing of a septic tank or aqua-privy, it may charge a fee of—

- (a) K2.40 per hour if the supervision is carried out by an inspector; or
- (b) K1.20 per hour if the supervision is carried out by any other person.

(3) Where, in accordance with Subsection (1)(b), the Local Medical Authority undertakes the de-sludging or cleansing of a septic tank or aqua-privy, it may charge a reasonable fee for doing so.

(4) Where the State has entered into a contract for the de-sludging or cleansing of septic tanks or aqua-privies, the Local Medical Authority may direct that the contractor de-sludge or cleanse a particular septic tank or aqua-privy.

(5) Where a septic tank or aqua-privy is ordered to be de-sludged or cleansed, the owner or occupier of the property on which it is situated is responsible for the contractor's charges.

PART III.—EXAMINATION AND TESTING.

9. Notice of commencement and completion of work.

(1) The owner or occupier of any property on which it is proposed to install a septic tank, closet or aqua-privy, or the agent of the owner or occupier, must—

- (a) give not less than 48 hours' written notice to the Local Medical Authority before commencing work on the installation; and
- (b) report when the work is ready for inspection.

(2) All work must be left uncovered and convenient for examination until inspected and approved by the Local Medical Authority.

Penalty: For a first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

10. Examination of materials, etc.

(1) If directed by the Local Medical Authority, materials, pipes, bends, junctions, fittings, fixtures and apparatus—

- (a) shall be submitted for examination or test; and
- (b) shall not be placed in position unless passed and stamped by the Local Medical Authority.

(2) An examination or test conducted under Subsection (1) shall—

- (a) be paid for by the person submitting the materials, or as the case may be; and
- (b) be carried out at such time and place as are ordered, and at such rates as are fixed, by the Local Medical Authority.

(3) This section does not prevent the Local Medical Authority from permitting the use of materials, pipes, bends, junctions, fittings, fixtures and apparatus that have been examined and stamped by any other Local Medical Authority or recognized sewerage authority.

11. Testing of drains.

(1) Every drain shall be thoroughly tested by an inspector before being approved by the Local Medical Authority, and if a drain is altered or repaired it shall be thoroughly tested by the inspector before the alterations or repairs are so approved.

(2) The inspector may apply the water, smoke or air-pressure test.

(3) The owner or occupier of the property on which the septic tank, closet or aqua-privy is situated shall furnish such tools, apparatus, labour and assistants as are necessary for any test under Subsection (2).

(4) The water test may be applied to a drainage or plumbing system in its entirety or in sections.

12. Testing of septic tanks and aqua-privies.

(1) Septic tanks and aqua-privies shall be tested by filling with clear, clean water to the level of the invert of the outlet pipe, and the water shall be left standing for 24 hours immediately before inspection.

(2) If at the end of the period referred to in Subsection (1) the level of water in the tank has dropped more than 75mm, the tank shall not be passed until it has been made waterproof.

13. Use of apparatus, etc., before testing.

A tank, drain, pipe or other apparatus must not be used, covered over or sealed up until the work has been inspected, tested and passed by an inspector and certified by him.

Penalty: For a first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

14. Defective work.

(1) Materials, pipes, bends, junctions, fittings, fixtures and tanks found to be defective shall be removed and replaced by sound ones, and all defective joints shall be made tight.

(2) Where in the opinion of the Local Medical Authority a defect found in any work within 12 months after the date of completion of the work is due to faulty workmanship or defective material, the person who executed the work must make good the defect at his own expense.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

15. Inspection of works generally¹.

An inspector or other authorized representative of the Local Medical Authority may—

- (a) inspect any drain, fixture, pipe, appliance or connexion, or any other works connected with any such works; and
- (b) for that purpose enter, at all reasonable times in the day-time, any property through or into which a drain has been laid or on which a septic tank has been installed; and
- (c) with as little damage as may be, cause the ground to be opened in any place where he thinks it necessary for the purpose.

PART IV.—CONSTRUCTION GENERALLY.

16. Materials, etc.

Materials, pipes, bends, junctions, fittings, fixtures and apparatus shall be—

- (a) sound and free from defects; and
- (b) approved by the Local Medical Authority.

17. Construction of septic tanks and aqua-privies.

(1) A septic tank or aqua-privy tank shall be constructed of—

- (a) concrete cast on the site; or
- (b) bricks laid in cement mortar and internally rendered with cement plaster; or
- (c) other approved impervious materials.

(2) Except where so ordered or approved by the Local Medical Authority, a septic tank or aqua-privy tank shall be of single-chamber design, unless the length of the tank exceeds 3 600mm in which case it shall be subdivided into a primary and a secondary chamber.

(3) Where a septic tank or aqua-privy tank is subdivided, the capacity of the secondary chamber shall be approximately one third that of the primary chamber.

(4) The entrance from the primary chamber of a septic tank or aqua-privy tank to the secondary chamber may be over a weir or through a dividing wall, but in the latter case—

- (a) the total length of openings giving access of liquids from the primary to the secondary chamber shall be at least equal to 50% of the width of the tank; and
- (b) the width of the openings shall be not less than 75mm.

(5) The design of a septic tank or aqua-privy tank shall be such that the length is not less than 2.5 times, or more than three times, that of the width, but the Local Medical

¹ See also Constitution, Section 44.

Authority may permit the use of cylindrical tanks if sufficient baffle plates are incorporated to prevent the direct flow of fresh sewage from the inlet pipe to the outlet pipe.

(6) Ingress to a septic tank shall be by means of a fibre-glass square junction or a standard earthenware, cast-iron or concrete square junction, of not less than 100mm diameter.

(7) Except in a tank fitted with a filter-bed, outlet from a septic tank or an aqua-privy tank shall be by means of a fibre-glass square junction or a standard earthenware, cast-iron or concrete square junction, so positioned that the invert of the horizontal leg is not less than 75mm vertically below the invert of the horizontal leg of the inlet square junction.

(8) In the case of an aqua-privy, the closet suite or seat (if any) shall be placed directly over the top of the tank.

18. Capacity of septic tanks and aqua-privies.

(1) The capacity of a septic tank or an aqua-privy tank, measured below the outlet level, shall be not less than the estimated 24-hours' sewage flow, plus—

(a) 900 l where a 4 l flush water closet only is connected; and

(b) 1 100 l where a 4 l flush water closet and other wastes are connected; and

(c) 1 350 l where a 9 l flush water closet is connected.

(2) For the purposes of Subsection (1), the estimated 24-hours' sewage flow shall be based on—

(a) in the case of a dwelling, boarding house, etc.—

(i) water-closet wastes only—45 l per person per day; and

(ii) combined wastes—150 l per person per day; and

(b) in the case of a factory—

(i) water-closet wastes only—40 l per person per day; and

(ii) combined wastes—70 l per person per day, unless otherwise determined by the Local Medical Authority or the Sewerage Engineer; and

(c) in the case of a day school—

(i) water-closet wastes only—30 l per person per day; and

(ii) combined wastes—45 l per person per day, unless otherwise determined by the Local Medical Authority or the Sewerage Engineer; and

(d) in the case of a hotel—

(i) water-closet wastes only—120 l per resident per day; and

(ii) combined wastes—250 l per resident per day.

19. Size of septic tanks and aqua-privies.

(1) The depth of a septic tank or an aqua-privy tank below water level shall not be less than 1 000mm.

(2) The height of a septic tank or an aqua-privy tank above the invert of the outlet to the underside of the lid shall not be less than 300mm, and the top of the lid of the tank shall project at least 75mm above the surface of the surrounding ground.

20. Filter-beds.

Filter-beds shall not be constructed except where the Local Medical Authority so directs, but where filter-beds are constructed they shall conform to the sizes and capacities laid down by the Local Medical Authority.

21. Covers for septic tanks and aqua-privy tanks.

(1) The cover of a septic tank or aqua-privy tank shall be so designed and constructed that the tank can be made gas-tight and water-tight after the cover has been removed and replaced.

(2) Subject to this section, the cover of a septic tank or an aqua-privy tank shall—

(a) be made of rebated concrete slabs each being not more than 600mm wide; and

(b) be at least 90mm thick.

(3) The cover of a fibre-glass septic tank or aqua-privy tank shall be made of fibre-glass of approved design and construction.

(4) The cover of a cylindrical septic tank or aqua-privy tank that is not made of fibre-glass and that is not more than 1 800mm in diameter may consist of two halves, each being a rebated concrete slab.

(5) The cover of a septic tank or aqua-privy tank may consist of a slab of any width if—

(a) it is cast in concrete on the site; and

(b) provision is made for a central man-hole—

(i) of sufficient size to permit access for cleaning and maintenance; and

(ii) fitted with a removable cover so designed and constructed that the tank can be made gas-tight and water-tight after the cover has been removed and replaced; and

(c) the approval of the Local Medical Authority is first obtained.

(6) Rodding holes shall be made in the cover of every septic tank or aqua-privy tank over the centre of each square junction in the tank, and each such rodding hole shall be fitted with a removable cover so designed and constructed that the tank can be made gas-tight and water-tight after the cover has been removed and replaced.

22. Kerbs around fibre-glass tanks.

(1) A kerb shall be erected around every fibre-glass septic tank or aqua-privy tank to protect the tank from damage.

(2) A kerb erected for the purpose of this section shall—

(a) be made of reinforced concrete or some other approved durable material; and

(b) be at least 200mm higher than the level of the surrounding ground, and at least 75mm thick; and

(c) be not less than 75mm or more than 150mm away from the outer edge of the cover of the septic tank or aqua-privy tank.

23. Workmanship, etc.

(1) All work shall be executed in a thorough and workmanlike manner and to the satisfaction of the Local Medical Authority.

(2) Where a septic tank, closet or aqua-privy is installed in a sewerage district declared under the *Public Health (Sewerage) Regulation*, the person installing it must hold—

- (a) a licence under the *Trade Licensing Act* as a sanitary plumber, if the work includes the installation of fixtures; or
- (b) a licence under that Act as a drainer if the installation of fixtures is not involved.

Penalty: For the first offence, a fine not exceeding K10.10.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

PART V.—STANDARDS, ETC.

24. Concrete.

(1) Unless otherwise ordered by the Local Medical Authority, concrete shall—

- (a) consist of one part Portland cement, two parts clean sharp sand and four parts hard stone, shingle or gravel not exceeding 25.4mm¹ gauge; and
- (b) be thoroughly mixed with clean water to such consistency as is ordered or approved by the Local Medical Authority.

(2) The interiors of concrete tanks and both faces of concrete baffles shall be steel-trowelled or otherwise finished to the approval of the Local Medical Authority.

25. Cement mortar.

Unless otherwise ordered by the Local Medical Authority, cement mortar shall—

- (a) consist of one part Portland cement and two parts clean, sharp sand; and
- (b) be properly mixed with an approved portion of clean water.

26. Drainage materials.

Drain pipes, bends, junctions and fittings used shall be of glazed stoneware, concrete, cast-iron or other approved material, but the Local Medical Authority may prohibit the use of any of those materials where he thinks that the circumstances or conditions are unfavourable.

27. Inspection openings.

(1) Every line of drain shall be provided with an inspection opening—

- (a) at each junction not provided with an inspection chamber; and
- (b) at each change of direction; and
- (c) at each fitting; and
- (d) at intervals of not more than 12m,

and in paved areas inspection openings shall, if thought necessary by the Local Medical Authority, be brought to the surface and furnished with approved air-tight covers.

¹ Metricated editorially. The original gauge was lin.

(2) The area of an inspection opening referred to in Subsection (1) shall not be less than the area of the cross-section of the drain at the place where the inspection opening is provided.

28. Replacement or insertion of pipes.

(1) Where it is necessary to remove a pipe to clear a stoppage or to insert a pipe or branch in an existing stoneware or concrete drain, the pipe removed shall be replaced by an inspection pipe or inspection junction of the same length, by one of the following methods :—

- (a) the top half of the socket of the new pipe and of the existing downstream pipe may be removed, but the bottom half shall be left intact and the joints surrounded by concrete; or
- (b) an approved split pipe with double collar surrounded with concrete may be used; or
- (c) a length of not less than three pipes may be removed, the centre pipe replaced by an inspection pipe and the pipes dropped back into place without springing or cutting.

(2) Junctions shall not be made in existing metal pipes unless an approved downpipe is used in each case, and pipes shall not be sprung into position.

29. Use of concrete.

Concrete shall be used—

- (a) around and under yard gully basins, the exposed surfaces being rendered with cement mortar; and
- (b) around the tops of educt vent and induct vent pipe sockets where they are exposed; and
- (c) around interceptor trap covers and the tops of disconnector traps where the surface is not paved; and
- (d) under and around bends rising vertically off oblique branches; and
- (e) around drains near tree roots and in such other places as the Local Medical Authority or an inspector directs.

30. Drainage trenches.

(1) The trench for a drain shall be dug so as to meet the inlet of the tank or of the junction provided or to be provided for the connexion, in accordance with the drainage plan.

(2) In refilling the trench, sand, gravel or other approved material shall first be deposited around the pipe and to a depth of 300mm over the barrel of the pipe, and carefully consolidated, after which the remainder of the trench shall be filled in, in layers not more than 300mm in thickness, each layer being rammed or flooded as ordered or approved by the Local Medical Authority.

(3) After the trench is filled in, the surface material shall be restored, as nearly as possible, to the same condition as that in which it was before operations were commenced, or otherwise in accordance with this Regulation and by arrangement with the owner of the property.

(4) The material from the trench shall be placed so as to cause the least possible obstruction and inconvenience to the public.

(5) A person who allows water, sand, earth or other prohibited discharge to enter the drain during the progress of the work is guilty of an offence.

Penalty: For a first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

31. Position and line of drains, etc.

(1) A drain, and a fitting or appliance connected to a drain, shall be laid and fixed where ordered by the Local Medical Authority.

(2) Where a change of direction occurs in a drain, adequate provisions shall be made for inspection and cleaning by means of—

- (a) a manhole or inspection chamber; or
- (b) an oblique junction or suitably curved pipe with an inspection opening on each adjoining pipe.

32. Oblique junctions.

Where a drain joins another drain, the junction shall be made obliquely at an angle not greater than 45° with the direction of flow of the other drain.

33. Gradients.

(1) A drain shall be laid on an even grade and, except with the permission of the Local Medical Authority, the gradient shall be not less than—

- (a) for a 100mm diameter drain—1 in 40, or 2.50%; and
- (b) for a 125mm diameter drain—1 in 50, or 2.00%; and
- (c) for a 150mm diameter drain—1 in 60, or 1.66%; and
- (d) for a 225mm diameter drain—1 in 90, or 1.11%.

(2) If permission is given for the use of flatter gradients than those prescribed by Subsection (1), the Local Medical Authority may require special provision to be made to ensure regular and efficient flushing.

(3) Except with the permission of the Local Medical Authority, a drain shall not be laid at a steeper gradient than—

- (a) for a 100mm diameter drain—1 in 10, or 10%; and
- (b) for a 125mm diameter drain—1 in 15, or 6.33%; and
- (c) for a 150mm diameter drain—1 in 20, or 5%; and
- (d) for a 225mm diameter drain—1 in 25, or 4%.

(4) If permission is given for grades steeper than those prescribed by Subsection (3), concrete anchor blocks shall be placed at intervals of not more than 9m, each block—

- (a) having a minimum width of 300mm along the pipe; and
- (b) being of such thickness that it extends at least 225mm into the virgin ground at each side of the trench.

34. Depth of drains.

(1) Unless it is bedded on and encased in concrete of not less than 75mm thickness over any part of the drain, a drain of stoneware or concrete pipe shall, subject to Subsection (3), be laid at a depth to the top of the socket of the pipe of not less than—

- (a) in a public thoroughfare or right of way, or in any other open space subject to vehicular traffic—600mm; or
- (b) in private property not subject to vehicular traffic—300mm.

(2) Unless approved measures are taken to protect the drain, a person who alters the surface over a drain so as to deprive it of the minimum depth of cover prescribed by Subsection (1) is guilty of an offence.

Penalty: For a first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(3) Where in its opinion the nature of the soil or the traffic makes it necessary, the Local Medical Authority may require the depth of cover or the thickness of concrete to be greater than that prescribed by Subsection (1).

35. Laying of drains.

(1) Pipes shall be laid to such lines and grades as are shown on the plans submitted under Section 3, or as ordered by the Local Medical Authority.

(2) Except where otherwise ordered by the Local Medical Authority—

- (a) holes shall be cut in the bottom of the pipe trench to receive the sockets of the pipe; and
- (b) the pipe shall be carefully bedded with the barrel on the solid ground.

(3) In the case of a rock-bottomed trench or where ordered by the Local Medical Authority, the pipes shall be bedded up to the horizontal diameter on not less than 50mm thickness of approved sand or other approved material, measured from the barrel of the pipe.

(4) In water-charged ground or where the foundation is bad, or where ordered by the Local Medical Authority, the drain shall be formed of—

- (a) cast-iron pipes; or
- (b) stoneware or concrete pipes—

(i) bedded on and encased in concrete in such a manner that there is—

- (A) not less than 75mm of concrete underneath the barrel of the pipe; and
- (B) not less than 75mm of concrete extending on each side beyond the largest diameter of the barrel of the pipe; and

(ii) haunched so that the top line of the concrete meets the pipe not less than 25mm above the centre line of the pipe; and

(iii) if ordered by the Local Medical Authority, supported on approved foundations of timber or other approved material as so ordered.

(5) Drops or bends in vertically-inclined drains shall have 100mm of concrete placed under and around as ordered by the Local Medical Authority.

(6) Drains shall be laid in such a manner that the spigot of one section is centred in the socket of the succeeding section, ridges due to dropping or raising the spigot shall not be permitted and all mortar on the inside of any joints shall be removed before subsequent joints are made.

36. Drainage under buildings.

(1) A drain shall be constructed so as not to pass under a building except where no other mode of construction is practicable, and if a drain is constructed to pass under a building it shall—

- (a) be laid in a direct line for the whole distance beneath the building; and
- (b) have approved means of access for rodding—
 - (i) outside the walls of the building; and
 - (ii) if ordered by the Local Medical Authority, beneath the building.

(2) Where the underside of the floor of the building is at least 1 200mm above the ground surface, then either—

- (a) earthenware or concrete pipes—
 - (i) laid on continuous concrete cradling at least 100mm thick under the barrel of the pipe with at least 300mm of cover over the pipe; or
 - (ii) completely surrounded in concrete of a minimum thickness of 100mm, shall be used; or
- (b) cast-iron pipes shall be used as ordered by the Local Medical Authority.

(3) A drain pipe carried through a wall shall have a clear space of 75mm, filled with approved mastic, left around it.

(4) A pipe brought up inside a building to connect a water-closet or slop-hopper—

- (a) if it does not exceed 1 200mm in height—may be of stoneware or concrete, surrounded in 100mm of concrete; and
- (b) in any other case—shall be of cast-iron, or if approved by the Local Medical Authority, of copper.

(5) A building or outbuilding shall not be erected over an existing drain unless provision exists to comply with this section.

37. Salt glazed ware and concrete pipes.

(1) Joints of salt glazed ware and of concrete pipes shall be filled in solidly with—

- (a) cement mortar neatly splayed off; or
- (b) other approved material.

(2) The Local Medical Authority may order or approve the use of rubber ring joints with concrete pipes.

(3) Special jointing in very wet ground or for special discharges shall be as ordered or approved by the Local Medical Authority.

38. Cast-iron pipes.

(1) Joints in cast-iron pipes shall be—

- (a) stemmed with approved gaskets; and
- (b) so filled and caulked with lead or other approved material as to make them gas-tight and water-tight.

(2) Joints between cast-iron and stoneware or concrete pipes shall be made in the same way as joints between salt glazed ware or concrete pipes.

(3) Where cement jointing is used on cast-iron pipes, and in other cases where ordered by the Local Medical Authority, the protective coating shall first be removed from the portion of the cast-iron pipe that will be in contact with the cement.

39. Trapping of inlets.

(1) An inlet to a drain, other than an inlet provided for ventilation, shall be provided with an approved trap.

(2) An inlet to a drain connecting directly with a septic tank or an aqua-privy, other than an inlet that is necessary for the apparatus of a water-closet, urinal or slop sink, shall not be constructed within a building.

40. Water seals.

Except with the approval of the Local Medical Authority, a drainage trap shall have a water seal not less than 50mm in depth.

41. Vents on main drains.

The main drain shall be ventilated at its upper end by a pipe ventilator erected vertically, and the ventilator may be a soil vent pipe.

42. Vents on branch drains.

A branch drain need not be vented if the drainage traps are within 6m of the main house drain.

43. Size of drainage vents.

(1) Unless otherwise ordered by the Local Medical Authority, a drainage vent pipe shall not be less than—

- (a) 100mm in diameter in the case of an educt vent; and
- (b) 75mm in diameter in the case of an induct vent.

(2) Unless otherwise ordered or approved by the Local Medical Authority, a drainage vent pipe shall be provided with an approved basket end, educt or induct cowl or cast-iron grid, and all induct vents shall be made proof against ingress of mosquitoes and flies.

44. Materials for drainage vents.

(1) A drainage vent pipe situated wholly outside buildings and outbuildings shall be of—

- (a) cast-iron, galvanized wrought-iron, galvanized sheet iron or other approved material above ground; and
- (b) salt glazed ware, concrete or other approved material beneath the surface of the ground.

(2) A galvanized sheet iron vent pipe shall be grooved and welded or riveted, and shall be not less than—

- (a) 0.9mm thick for a 75mm or 100mm diameter pipe; and
 - (b) 1.6mm thick for a 150mm diameter pipe,
- and the first 1 800mm above ground shall be of cast-iron or other approved material.

(3) The circumferential joints of a galvanized sheet iron vent pipe shall be riveted and soldered.

(4) Unless otherwise approved by the Local Medical Authority, a drainage vent pipe inside a building or outbuilding shall be of—

- (a) cast-iron, of soil pipe strength; or
- (b) galvanized wrought-iron.

45. Materials for vents of soil or waste pipes.

(1) Subject to Subsection (2), a vent pipe shall be of cast-iron, wrought-iron, lead, copper or brass.

(2) If it is entirely outside a building and is higher than 600mm above the level of the highest fixture served by the pipe, a vent pipe may be of grooved and welded or riveted galvanized sheet iron.

(3) A lead vent pipe for use with a water-closet, urinal or slop sink shall not be less than 2.8mm thick.

(4) External vent pipes of galvanized sheet iron shall not be less in thickness than the following :—

- (a) 40mm, 50mm and 65mm diameter pipes—0.8mm; and
- (b) 75mm and 100mm diameter pipes—1mm; and
- (c) 150mm diameter pipes—1.6mm.

(5) A galvanized sheet iron vent shall be—

- (a) coated on the inside with an approved bituminous coating; and
- (b) painted on the outside.

46. Soil vent pipes.

The upward extension from a soil pipe for ventilation shall pass in as direct a manner as possible above, and if necessary through, the roof.

47. Height of vent pipes.

(1) Unless otherwise ordered by the Local Medical Authority—

- (a) a vent pipe extending upwards from a soil or drain pipe shall be carried not less than 1 800mm higher than any door, window or other opening into a building within a distance of 9m from the vent pipe; and
- (b) every educt vent shall be carried at least 3 600mm above ground level and 1 800mm above the level of the eaves or coping.

(2) A vent pipe under the roof or eaves of a building shall be carried at least 600mm above the point of intersection with the roof.

(3) Where necessary, vents shall be carried to such additional heights as are required to effectively prevent the escape of foul air into any building within the vicinity.

(4) Where necessary, a vent pipe shall be provided with sufficient clips and stays to support it effectively.

(5) Where a flat roof is used for any purpose other than as a covering to the building, vent pipes shall be carried at least 2 400mm above roof level.

48. Use of chimneys as ventilators.

A chimney shall not be used as a ventilator to a soil or drain pipe.

49. Vents near chimneys, etc.

- (1) A vent shall be kept as far away as possible from a chimney or ventilating air shaft.
- (2) Section 47 applies where a vent terminates 1 800mm or more from a chimney opening or ventilating air shaft, but where the distance is less than 1 800mm and the vent pipe is at least 3 600mm long it shall terminate not less than 600mm below the top of the chimney or air shaft.

50. Vent pipe grades.

- (1) A vertical line of vent pipe shall—
 - (a) connect, full size, at its base with a soil or drain pipe; and
 - (b) either—
 - (i) extend in undiminished size above the roof; or
 - (ii) be connected to the soil or vent stack, as prescribed by Section 51, on a grade not less than 1 in 40.
- (2) An offset shall be at a grade not less than 45° to the horizontal.
- (3) A vent pipe shall not be used as a waste or soil pipe.

51. Combining of vents, etc.

- (1) A vent pipe may be combined or branched, or combined and branched, into a soil pipe above the level of the highest fixture.
- (2) Where an additional branch is required to a galvanized sheet iron vent pipe, a brass saddle piece, bolted and soldered to the vent, shall be used.

52. Pipe clips, etc.

- (1) There shall be at least one pipe hook or clip to each 1 800mm length of vent pipe.
- (2) Approved coated wrought-iron clips shall be provided for cast-iron pipes without lugs, and for wrought-iron pipes.
- (3) Galvanized band iron clips (40mm by 2mm thick) or approved pipe hooks shall be provided for galvanized sheet iron pipes.
- (4) For cast-iron pipes with lugs, two 65mm by 15mm coach screws or dog nails shall be provided for each pair of lugs.
- (5) Where it is necessary to fix a pipe clear of the wall, approved extension clips shall be used which, in the case of a cast-iron pipe, shall be placed tight up against the head or underside of the collar.

53. Attachment to walls.

- (1) Unless otherwise ordered by the Local Medical Authority, where a galvanized sheet iron pipe, with or without offset, is carried above the brick wall of a building or outbuilding a galvanized wrought-iron clip shall be used, leaded into the wall near the top wherever possible, and bolted against the vent pipe.
- (2) A band iron clip of a vent pipe to a brick wall shall be fastened—
 - (a) with nuts and bolts, leaded in; or
 - (b) by means of T-headed bolts passed through the brick joints and turned at right angles to the joints.

54. Supporting of vents.

A vent pipe—

- (a) the top of which is more than 3 000mm above the highest fastening to a structure; or
- (b) that has an offset above the top holdfast,

shall be stayed by at least two approved stays set at right angles to each other.

55. Venting of combined fittings.

Where two or more sanitary fittings empty into a common soil pipe or drain, and otherwise where ordered, individual anti-syphonage vent pipes shall be installed on such fittings as the Local Medical Authority approves.

56. Connexions to drains.

(1) A waste pipe shall discharge under the grating of a yard gully or into a disconnector trap.

(2) A soil pipe, including a soil pipe connected to a urinal or a slop sink, shall be connected direct to a drain.

(3) A metallic waste pipe shall not be laid in the ground, whether inside or outside a building, without the approval of the Local Medical Authority.

57. Pipes passing through roofs.

Where a vent or soil pipe passes through a roof, a suitable lead collar or flashing out of 1.6mm thick lead shall be soldered or otherwise fixed to the pipe and the roof in such a manner that the roof is perfectly water-tight.

58. Location of soil pipes.

A line of soil pipe shall be as direct as possible.

59. Materials for soil and waste pipes.

(1) Material other than cast-iron, lead, copper or brass shall not be used for a soil pipe unless approved by the Local Medical Authority or a Sewerage Engineer.

(2) Material other than wrought-iron, cast-iron, lead, brass, copper, stoneware or other ceramic ware, or in the case of acid waste other materials approved by the Local Medical Authority or a Sewerage Engineer, shall not be used for a waste pipe.

60. Lead soil pipes.

The minimum permissible thickness of lead for soil pipes is 2.8mm.

61. Galvanized steel pipes.

A galvanized steel pipe shall conform with Australian Standard Specification B105/1960¹, being medium class for sanitary plumbing and heavy class for water supply plumbing.

¹ See, now, Australian Standard Specification AS1074-1976, Steel tubes and tubulars threaded or suitable for threading with pipe threads of Whitworth form.

62. Cast-iron pipes.

(1) A cast-iron pipe shall be sound, free from holes and cracks and coated with approved bituminous composition or lined with glass enamel or other material to the approval of the Local Medical Authority.

(2) Where laid in the ground a cast-iron pipe shall conform to British Standard 1211-1958 Class B.

(3) A cast-iron pipe shall have a minimum thickness of 5mm, measured without the enamel or other lining, and its fittings shall correspond with it in weight and quality.

(4) A junction in a cast-iron pipe shall be curved, and a right-angled junction shall not be made.

63. Use of lead pipes.

A lead pipe shall not be used where it is liable to damage.

64. Supporting of lead pipes.

(1) A lead pipe shall be supported by—

- (a) cast lead tacks, wiped on to the pipe; or
- (b) other approved fastenings.

(2) The fastenings shall be arranged as nearly as possible as follows :—

<i>Type of pipe.</i>	<i>Centres.</i>
100mm vertical lead pipe	750mm.
100mm inclined lead pipe	600mm.
Less than 100mm vertical pipe	900mm.
Less than 100mm inclined pipe	675mm.

(3) The dimensions of the tacks shall be as follows :—

<i>Diameter of pipe.</i>	<i>Tacks.</i>
100mm	200mm x 6mm.
80mm	150mm x 5mm.

65. Minimum permissible gradients¹.

Except where the Local Medical Authority approves the use of flatter gradients, the minimum permissible gradient is as follows :—

<i>Diameter of pipe.</i>	<i>Minimum gradient.</i>
15mm	1 in 30, or 3.33%.
100mm	1 in 40, or 2.50%.
150mm	1 in 60, or 1.66%.

66. Sheet metal bends and offsets.

- (1) A sheet metal bend or offset for a flush or vent pipe shall be bent or pressed.
- (2) Mitred elbows shall not be used.

¹ Presumably, for soil and waste pipes. Compare *Public Health (Sewerage) Regulation*, Section 112.

67. Concealment of pipes.

Except where passing through a wall, partition or floor, a soil or main vent pipe or trap shall be reasonably accessible at all times for convenience of inspection and repair.

68. Branch fittings.

Where a soil stack is branched into a graded soil or drain pipe—

- (a) the branch fitting shall have an angle of not less than 45° to the graded pipe; and
- (b) the length of the branch of the fitting shall be such that the vertical projection of the attached stack is wholly outside the junction with the graded pipe.

69. Lead pipe.

Joints of lead pipes, and between lead pipes and brass unions, ferrules and other corrosion-resistant metallic fittings, shall be—

- (a) plumbers' wiped joints; or
- (b) made by means of a fitting approved by the Local Medical Authority for the purpose.

70. Wrought-iron pipe.

(1) The screwed ends and sockets of each size of wrought-iron or wrought-steel pipe shall be so formed, and the threads so cut, that the ends of the pipe butt against each other when screwed home in the sockets.

(2) Bends, junctions and similar fittings shall be similarly formed and screwed, so that when the pipe ends are screwed home the bore is continuously uniform and without breaks or pockets.

(3) The burr shall be neatly filed off on the inner edge of all pipe ends.

(4) Screwed joints shall be made with approved jointing material.

(5) British Standard pipe threads shall be used.

(6) Wrought-iron pipes and fittings shall be—

- (a) of approved standard weight and quality; and
- (b) galvanized or lined to the approval of the Local Medical Authority or a Sewerage Engineer.

71. Wrought-iron pipe to lead pipe.

Joints between wrought-iron and lead pipes shall be made by means of brass unions screwed to iron and wiped to lead.

72. Brass or copper pipe.

(1) A brass or copper waste pipe or inside vent pipe shall—

- (a) be a seamless solid drawn tube; and
- (b) if brass, be not less than 1.6mm thick; and
- (c) if copper, conform to Australian Standard Specification B158/1961¹,

and where ordered by the Local Medical Authority shall be protected from external injury.

¹ See, now, Australian Standard Specification AS1432-1973, Copper tubes for water, gas and sanitation.

(2) Joints of brass or copper pipes shall be made—

- (a) by means of brazing to the satisfaction of the Local Medical Authority; or
- (b) in accordance with Australian Standard Specification B36, "Compression Joints and Copper Alloy Screwed Fittings for Standard Copper Tubes"¹; or
- (c) by other approved means.

(3) All copper pipes, traps and other copper fittings used for the purposes of this Regulation shall conform to Australian Standard Specification B158/1961².

73. Lead pipe to cast-iron pipe, etc.

The connexion of lead pipe or a lead trap to cast-iron pipe shall be made by brass ferrules lined with and connected to—

- (a) the lead pipe or trap, by means of a wiped joint; and
- (b) the cast-iron pipe, by inserting the ferrule in the socket of the cast-iron pipe and making the joint in the same way as in cast-iron pipe.

74. Sheet iron pipe to cast-iron pipe.

Connexions of galvanized sheet iron pipe to cast-iron pipe shall be made with molten lead, lightly but tightly caulked into the cast-iron socket.

75. Sheet iron pipe to wrought-iron pipe, etc.

Galvanized sheet iron pipe or sheet steel pipe shall be connected to wrought-iron or steel pipe by means of—

- (a) brass unions or sleeves soldered to the sheet iron pipe and screwed to the wrought-iron pipe; or
- (b) wrought-iron sockets screwed to the wrought-iron pipe, into which the sheet iron pipe is lightly but tightly caulked with molten lead.

76. Sheet iron pipe to lead pipe.

Connexions of sheet iron pipe to lead pipe shall be made by means of—

- (a) brass sleeves wiped to the lead pipe and soldered to the sheet iron pipe; or
- (b) cast lead collars wiped to the lead pipe, into which the sheet iron pipe is caulked as ordered by the Local Medical Authority, or soldered and jacketed.

77. Lead pipe to salt glazed ware pipe.

Connexions of lead pipe to salt glazed ware pipe shall be by means of a mortar joint as prescribed by Section 37 for joining salt glazed ware pipes, but the portion of the lead pipe that is covered by the joint compound shall first be coated with an approved bituminous compound.

78. Concrete or stoneware traps to lead pipe.

The connexion of a concrete or stoneware trap to a lead pipe shall be by means of a cast lead or brass socket—

- (a) the joint being made with bitumen or other approved material; and

¹ See, now, Australian Standard Specification AS1645-1977, Copper and copper alloy compression fittings for use in water supply and hot water services.

² See, now, Australian Standard Specification AS1432-1973, Copper tubes for water, gas and sanitation.

- (b) the lead pipe being connected to the tail end of the brass or lead socket by means of a plumber's wiped joint.

79. Connexion of closet pan traps to soil or drain pipes.

- (1) Connexion of a closet pan trap to a soil or drain pipe shall be made—
 - (a) by means of a bituminous jointing material, consisting of a mixture of approved bitumen and finely graded inert mineral filler in equal proportions, filled in solidly into the socket of the soil or drain pipe and neatly splayed off; or
 - (b) by some other approved method.
- (2) In the case of a lead soil pipe, a cast lead or brass socket shall be used, connected to the lead pipe by means of a wiped joint.

80. Connexion of cistern flush pipes to closet pans.

- (1) The flush pipe from a cistern shall be connected to the water-closet pan—
 - (a) by means of a lead cap piece of lead not less than 1.6mm thick, packed with red lead or other approved material; or
 - (b) by some other approved method.
- (2) The cap piece shall be jointed—
 - (a) to galvanized sheet iron, copper, brass or drawn steel pipe by means of a soldered joint; and
 - (b) to lead flush pipe by means of a wiped or soldered joint.
- (3) The connexion of the flush pipe to the cistern shall be—
 - (a) by means of a brass union, wiped to lead pipe or soldered to sheet iron pipe; or
 - (b) by some other approved method.
- (4) Copper or brass pipe shall be connected to the cistern—
 - (a) by means of a brass ring, with nut, brazed to the pipe; or
 - (b) by some other approved method.

81. Connexion of vent pipes to closet pans.

- (1) A vent pipe shall be connected to the vent horn of the water-closet trap—
 - (a) by a lead cap piece with red lead packing; or
 - (b) by some other approved method.
- (2) The cap piece shall be jointed—
 - (a) to copper or brass pipe by means of a soldered joint; and
 - (b) to lead pipe by means of a soldered or wiped joint.

82. Provision for inspection and cleaning.

- (1) Inspection and cleaning eyes shall be provided in such positions on a soil and drain pipe as to provide access for proper inspection and cleaning of the entire length of pipe.
- (2) Subject to Subsection (3), a trap for a sanitary fixture (other than a water-closet, urinal or housemaids' slop sink) shall be provided, for cleaning purposes, with an approved screwed brass plug fixed under the waterline of the trap.

(3) The Local Medical Authority or a Sewerage Engineer may dispense with the requirements of Subsection (2) where it or he is of the opinion that the wastes from the fixture should be discharged directly into a drain or soil pipe.

83. Inspection openings on soil pipes.

Where the vertical stack of a soil pipe provides for a closet 1 200mm or more above ground level, measured from the floor level of the water closet to ground level at the foot of the stack, an inspection opening, 225mm by 100mm, having a cover fixed to a flange with non-corrodible bolts or studs, shall be provided near the foot of the stack in such position as is ordered by the Local Medical Authority.

84. Washers for inspection or cleaning openings.

Inspection or cleaning eyes on metal soil pipes shall be jointed with insertions of leather washers, or in some approved manner, so as to seal the joints effectively against the egress of gas or water.

85. Water-closets, urinals and hand basins.

(1) In this section—

"licensed" means licensed under the *Liquor (Licensing) Act*;

"resident" includes an employee of a resident employed on the property, whether or not living on the property.

(2) The owner of any property shall provide on the property water-closets, urinals and hand basins in accordance with the following scale :—

(a) subject to Paragraph (b), for each house, flat or other form of tenement—one closet; and

(b) subject to Subsection (3), for a residential building used, or intended for use, as an apartment-house, boarding-house, boarding-school, hostel, lodging-house, motel, residential club or hotel or licensed hotel—

(i) where the number of resident male persons—

(A) does not exceed 100—one closet for every 20; or

(B) exceeds 100—five closets and one additional closet for every additional 25 above 100; and

(ii) where the number of resident female persons—

(A) does not exceed 100—one closet for every 20; or

(B) exceeds 100—five closets and one additional closet for every additional 25 above 100; and

(c) in addition to the requirements of Paragraph (b) and Subsection (3), such number of separate water-closets, urinals and hand basins for the public frequenting the bars of a licensed club, hotel or motel, or other licensed premises, as are specified, generally or in a particular case, by the Local Medical Authority; and

(d) subject to Subsection (4), for an office building (including a bank, broadcasting studio or doctor's or dentist's surgery), a shop (including a cafe, restaurant, retail store, espresso bar or service station), a warehouse (including

a fire station, hangar, car park, showroom or display room), a factory or a day school—

- (i) where the number of resident male persons—
 - (A) does not exceed 100—one closet for every 25; or
 - (B) exceeds 100—four closets and one additional closet for every additional 50 above 100; and
 - (ii) where the number of resident female persons—
 - (A) does not exceed 100—one closet for every 25; or
 - (B) exceeds 100—four closets and one additional closet for every additional 50 above 100; and
 - (e) for a church—one closet for male persons and one closet for female persons; and
 - (f) for any other public building used, or intended to be used, for a recreational or other social purpose not specified in this subsection—in accordance with Schedule 1, and in addition such number of separate water-closets, urinals and hand basins for employees and performers as is ordered by the Local Medical Authority in any particular case; and
 - (g) for a building not otherwise specified in this subsection—such number of water-closets, urinals and hand basins as is ordered by the Local Medical Authority; and
 - (b) where the Local Medical Authority thinks it necessary in the interests of public health or convenience—such additional number of water-closets, urinals and hand basins as he orders, generally or in a particular case; and
 - (i) for male persons employed in the erection of buildings—such number of temporary water-closets, urinals and hand basins as is ordered by the Local Medical Authority, generally or in a particular case.
- (3) In a case to which Subsection (2)(b) applies—
- (a) there shall be at least two water-closets; and
 - (b) if the number of male persons exceeds 20, there shall be a urinal in place of every second closet.
- (4) In a case to which Subsection (2)(d) applies—
- (a) if the number of male persons exceeds 25, there shall be a urinal in place of every second closet; and
 - (b) if the number of persons does not exceed 10, there need be only one closet if—
 - (i) the door is fitted, for the purpose of privacy, with a latch of an approved type; and
 - (ii) the toilet-seat is of the "lift-up" type.
- (5) A water-closet, urinal or hand basin that is required by this section to be provided on any property shall comply with the requirements of the *Building Act*, and the regulations made under that Act, with respect to lighting, ventilation, air-locks and standards of construction.

86. Fixing of closet pans.

- (1) A closet pan on a concrete floor or a floor of tiles set in concrete shall be—
 - (a) securely bedded in concrete or cement mortar; and
 - (b) fixed with brass screws to approved lead dowels set in the floor, or by some other approved method.
- (2) Where a closet pan is fixed on a wooden floor—
 - (a) the floor shall be covered with lead or approved composition; and
 - (b) the base of the closet pan shall be secured with brass screws to a raised block covered with lead or approved composition finishing 32mm above floor level; and
 - (c) the block shall not extend beyond the base of the pan.

87. Closet pans.

- (1) A water-closet shall be furnished with a pan of non-absorbent material of such shape, capacity and construction as is approved by the Local Medical Authority.
- (2) A water-closet pan and its fittings shall be entirely open to inspection and without any enclosure.
- (3) A vent horn shall be provided on a pan even if an anti-siphonage vent is not required, but if it is not used for a vent the vent horn shall be sealed with a lead disk, bituminous filler and a lead cap piece, or by some other approved method.

88. "Asiatic" toilets.

Notwithstanding anything in this Regulation, the Local Medical Authority may approve the installation of the "Asiatic" type of closet pan in a water-closet.

89. Closet pan seats.

- (1) Where a seat is provided in a water-closet, it shall be—
 - (a) of approved size, shape, construction and material; and
 - (b) fitted with hinges and screws of non-corrosive metal.
- (2) A one-piece seat constructed of wood shall be reinforced with two or more wood or brass clips let in flush on the underside.
- (3) A multi-piece seat shall be glued and dowelled or bolted.

90. Flushing apparatus.

- (1) Approved apparatus shall be provided for the effective flushing and cleansing of the pan of a water-closet.
- (2) Subject to Subsection (3) and to Section 91, flushing apparatus for water-closet pans shall, unless otherwise approved by the Local Medical Authority, have a flushing capacity of 9 l, plus or minus not more than 10%.
- (3) Where—
 - (a) a 25mm water seal pedestal pan is installed; and
 - (b) the maximum horizontal distance between the outlet of the pedestal pan and the inlet of the septic tank does not exceed 3 000mm,

a flushing apparatus may be installed with a flushing capacity of not less than 3.4 l if the suite has been passed by the Local Medical Authority after testing it as a complete unit.

91. Flushing cisterns.

(1) A flushing cistern shall be fixed at such height as will effectively flush the pan but, unless otherwise approved, a cistern shall not be fixed at a height, measured from the top of the seat to the underside of the cistern, less than—

(a) 1 500mm, where a 32mm flush pipe is used; or

(b) 1 200mm, where a 40mm flush pipe is used,

and there shall be a space of at least 200mm between the top of the cistern and the ceiling of the closet.

(2) A low-level flushing cistern may be installed if—

(a) the flush does not exceed 14 l; and

(b) the suite has been approved by the Local Medical Authority after testing it as a complete unit.

(3) A cistern shall be fixed—

(a) on 40mm angle-iron bearers or approved iron brackets, properly supported; or

(b) if approved by the Local Medical Authority, to a cistern board not less than 300mm deep and 32mm thick, fixed to the wall in an approved manner.

(4) The iron-work of a cistern shall be painted or galvanized to approval of the Local Medical Authority, and brackets shall be secured to the wall with 6mm bolts of the required length.

(5) A low-level cistern fitted with a flush pipe less than 65mm in internal diameter shall be placed so that the bottom of the cistern is not less than 200mm above the top of the seat.

(6) The water supply pipe to a cistern shall be adequate to fill the cistern at the rate of not less than 2 l per minute when one other tap on the service is turned full on.

(7) A cistern shall have a separate stop tap, and an overflow of not less than 20mm diameter.

92. Flush pipes.

(1) A flush pipe to a closet pan shall—

(a) be of brass, copper, lead 2.4mm thick, seamless galvanized steel tube not less than 1.2mm thick, or other approved material; and

(b) have a minimum diameter of 32mm.

(2) Where the closet pan is provided with a hinged seat, the flush pipe shall be fitted with an approved buffer and buffer block.

93. Flushing apparatus other than cisterns.

(1) A flushing valve used in connexion with a flushing apparatus other than a cistern shall be—

(a) of an approved type; and

(b) provided with a fullway stopcock fixed in such a position as to be readily accessible.

(2) A flushing apparatus other than a cistern shall be fed only from a storage tank that is supplied from the main through a ballcock.

- (3) A storage tank referred to in Subsection (2) shall have a head of water—
- (a) of not less than 4 500mm, measured vertically from the top water level of the tank to the point of discharge; or
 - (b) such that the flush valve operates to the tests required by the Local Medical Authority.

94. Venting of closet pans, slop hoppers and urinals.

(1) Subject to Subsection (2), unless otherwise ordered or approved by the Local Medical Authority, a closet pan, slop hopper or urinal on an upstairs floor shall discharge into a soil vent pipe.

(2) Where there are no other fixtures connected to the soil stack, a pan may be vented by an anti-siphonage vent only and discharge into a soil pipe without extension as a vent pipe.

(3) Subject to Subsection (4), an external closet pan in which siphonage occurs, and an internal closet pan, shall be vented by an anti-siphonage vent sufficiently close to prevent siphonage and not more than 450mm from the trap.

(4) Where there is only one closet pan on the branch and the pan is not more than 1 200mm from a soil vent pipe (measured horizontally between the centre of the soil vent pipe and the centre of the pan), the anti-siphonage vent may be omitted.

95. Grouped external closets.

Where there are more than two external wall closet pans grouped on the ground floor or in the yard of any premises, the drain or soil pipe shall be separately ventilated for every group or part of a group of two pans.

96. Urinals.

(1) A urinal shall not be installed without the approval of the Local Medical Authority, and the type of construction, method of connexion and flushing shall be as so approved.

(2) The Local Medical Authority may order that urinals to a sufficient number and of an approved type be installed in such premises as it thinks proper.

(3) Where urinals are provided, the position, approaches, lighting and ventilation shall comply as nearly as possible with the provisions for water-closets, but the ventilation shall be such that at least 300cm² clear opening is provided for each stall.

97. Slop hoppers.

(1) A slop hopper shall be—

- (a) made in one piece, of approved impervious material; and
- (b) provided with approved flushing apparatus of 9 l capacity, as prescribed for water-closets.

(2) A slop hopper shall be placed, lighted and ventilated as prescribed for water-closets.

(3) A bibcock shall be placed directly over, and at least 450mm above, each slop hopper.

98. Safes.

(1) Unless the floor is constructed—

- (a) of concrete not less than 100mm thick, properly graded and drained; or

- (b) of other approved impervious material, safes of lead or other approved impervious material shall be fitted under—
 - (c) a slop hopper or water-closer; and
 - (d) a bath or washtrough where, in the opinion of the Local Medical Authority or a Sewerage Engineer, there is a danger of damage by its overflowing.
- (2) A lead safe shall be laid with sheet lead not less than 2mm thick, and where the whole floor is not covered with lead the safe shall extend 300mm beyond the side and 375mm beyond the front of the fixture.
- (3) A safe shall extend back to the wall and 75mm up it, and the roll of the safe shall be 50mm wide and 18mm high and constructed to the approval of the Local Medical Authority.
- (4) Unless otherwise approved by the Local Medical Authority, a safe—
 - (a) shall be drained by a separate 50mm diameter pipe provided at the inlet with a brass grating and at the outlet into the open air with a flap valve of brass or other approved metal; and
 - (b) shall not connect with a waste pipe, soil pipe, drain or sewer.

PART VI.—SPECIAL PROVISIONS RELATING TO AQUA-PRIVIES.

99. Installation of closet suites.

A closet suite with a flushing device of at least 1 l capacity and incorporating a sealing flap shall be installed on an aqua-privy when ordered by the Local Medical Authority.

100. Seats.

If seats are used with an aqua-privy tank, they shall be of an approved type.

101. Venting.

- (1) An aqua-privy tank shall have an educt vent of not less than 100mm diameter connected above the top water level.
- (2) The vent shall—
 - (a) comply with the provisions of this Regulation concerning vents; and
 - (b) be made proof against the entry of mosquitoes and flies.

102. Siting.

- (1) An aqua-privy suite or seat shall not be installed inside a house or other premises.
- (2) An aqua-privy cubicle shall—
 - (a) be detached from any house or premises; or
 - (b) have at least two sides on external walls and be properly ventilated with no opening to the interior of the house or premises.

103. Disposal of waste into aqua-privy tanks.

Subject to the approval of the Local Medical Authority, an aqua-privy tank used for the disposal of faecal waste may be used for the disposal of ablution and laundry wastes, but shall not be used for the disposal of kitchen wastes or wastes containing fats and grease.

PART VII.—EFFLUENT, ETC.

104. Water levels, etc.

Septic tanks and aqua-privy tanks shall be filled with water before being placed in operation, and extra water required to maintain water level or for reduction of effluent density shall be added by an approved method.

105. Disposal of effluent.

(1) Effluent from septic tanks or aqua-privy tanks shall be disposed of as ordered by the Local Medical Authority.

(2) The method of disposal may be—

- (a) by means of discharge (after any treatment that is ordered by the Local Medical Authority) into storm-water channels; or
- (b) by means of absorption trenches, absorption wells or transpirational areas; or
- (c) by retention in an impervious tank from which it can be pumped and removed.

106. Removal of contents of septic tanks.

(1) The Local Medical Authority may—

- (a) remove the contents of a septic tank or aqua-privy tank, or an impervious tank in which effluent from a septic tank or aqua-privy tank is retained; and
- (b) charge fees in accordance with Schedule 2, for the removal.

(2) The Local Medical Authority may authorize a person to empty septic tanks or aqua-privy tanks and to charge for the services.

107. Absorption trenches.

An absorption trench shall be to the length ordered by the Local Medical Authority, but shall not be less than 6m long.

PART VIII.—PENALTIES, ETC.

108. General penalty.

A person who contravenes or fails to comply with a provision of this Regulation, or a condition of a notification, direction, order, prohibition, requirement, approval or permission under this Regulation, for which no other penalty is provided is guilty of an offence.

Penalty: For a first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K2.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

109. Liability of offender for expenses of Local Medical Authority.

In addition to any penalty provided for by this Regulation, a person who is convicted of an offence against this Regulation is liable for all expenses incurred by the Local Medical Authority in consequence of the offence.

SCHEDULES.

SCHEDULE 1.

Regs., Sec. 85(2)(f).

WATER-CLOSETS, URINALS AND HAND BASINS IN PUBLIC BUILDINGS.

A. Water-closets and urinals.

Number of seats in building.	Water-closets for male persons.	Urinals.	Water-closets for female persons.
Not exceeding 200	1	1	2
Exceeding 200 but not exceeding 400	1	2	3
Exceeding 400 but not exceeding 600	2	2	4
Exceeding 600 but not exceeding 1 000	2	3	5
Exceeding 1 000—for each additional 1 000 or part of 1 000	1	1	2

B. Hand Basins.

Number of seats in building.	Hand basins for male persons.	Hand basins for female persons.
For each 500 or part of 500	1	1.

SCHEDULE 2.

Regs., Sec. 106(1)(b).

CHARGES FOR CLEANSING OF SEPTIC TANKS AND AQUA-PRIVIES.

<i>Effective Capacity of Tank.</i>	<i>Fees.</i>
	K.
Not exceeding 2 700 l	17.00
Exceeding 2 700 l but not exceeding 4 500 l	18.00
Exceeding 4 500 l but not exceeding 6 800 l	19.00
Exceeding 6 800 l	19.00 for the first 6 800 l and a rate of 0.05 per 100 l thereafter.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Sewerage) Regulation.

ARRANGEMENT OF SECTIONS.

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"anti-siphonage vent"
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"disconnecter trap"
"drain"
"educt vent"
"external closet"
"fitting"
"fixture"
"flat"
"induct vent"
"inspector"
"Inspector of Health"
"internal closet"
"property"
"public building"
"sewage"
"sewer"
"sewerage district"
"Sewerage Engineer"
"the Sewerage Engineer"
"Sewerage Inspector"
"sewerage system"
"sewered area"
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Sewerage) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, unless the contrary intention appears—

"anti-siphonage vent" means a vent pipe from an individual trap to the open air or to a main or branch vent pipe, having for its purpose the prevention of loss of water seals in the trap;

"approved" means approved by the Local Medical Authority or by the Sewerage Engineer;

"authorized agent" includes a plumber or drainer contracting to do sewerage work for an owner or occupier of any property;

"building" means a building used—

(a) as a work place, residence, place of business or amusement or place of human habitation; or

(b) for the storage of food intended for human consumption,

but does not include an outbuilding unless it is used for a purpose referred to in Paragraph (a) or (b);

"diameter", in reference to a pipe, means the nominal internal diameter of the pipe;

"disconnector trap" means a trap used—

(a) for isolating or disconnecting waste pipes from the house drain and soil pipes; and

(b) for providing inlet ventilation to the waste pipe or pipes discharging into it;

"drain" means a conduit, or any part of a conduit, laid through, under or on a street, way or land, whether public or private, for the carriage from any property of sewage to a sewer;

"educt vent" means an opening or pipe for the exit of air from a soil pipe, waste pipe or drain;

"external closet" means a closet other than an internal closet;

"fitting" means any apparatus, together with the necessary appurtenances, for use in connexion with a plumbing or drainage system, other than a fixture or straight piping;

"fixture" means any apparatus, together with the necessary appurtenances, that—

(a) is attached to a plumbing or drainage system; and

(b) is intended for the collection or retention of wastes or waste waters for ultimate discharge into a sewerage system,

such as a closet pan, urinal, bath, sink, basin or trough;

"flat" means a suite of rooms that—

(a) is used, or intended or adapted for use, as a separate habitation; and

(b) is comprised in a building containing one or more similar suites;

"induct vent" means an opening or pipe for the admission of air to a soil pipe, waste pipe or drain;

"inspector" means an Inspector of Health, a Sewerage Inspector or a supervising officer¹;

"Inspector of Health" means an Inspector of Health appointed under Section 8 of the Act;

"internal closet" means a closet that is entered from, or has an opening into, a building;

"property" includes a house, building, tenement, land or premises;

"public building" means—

(a) a theatre, cinema, concert, music or assembly hall, skating rink, arena, amphitheatre, circus building, enclosure, gallery, platform, tent or structure in, around or on which numbers of people are usually or occasionally assembled; or

(b) a church, chapel or meeting house;

"sewage" means—

(a) house wastes delivered from a sanitary receptacle; or

(b) water so soiled or polluted as to be unfit to run or flow into a storm-water channel, creek or river;

"sewer" means a pipe, conduit or underground channel other than a drain, used or intended to be used for the conveyance of sewage;

"sewerage district" means an area declared to be a sewerage district under Section 4;

"Sewerage Engineer" means a Sewerage Engineer appointed under Section 6;

"the Sewerage Engineer", in relation to a sewerage district, means the Sewerage Engineer appointed for that district;

"Sewerage Inspector" means a Sewerage Inspector appointed under Section 7;

"sewerage system" includes sewers, fittings, fixtures, appliances, plant, machinery and other sewerage works constructed or maintained by or by the authority of the Local Medical Authority or any other person or organization;

"sewered area" means an area declared to be a sewered area under Section 5;

"slop hopper" means a fixture, other than a closet pan or urinal, used for the discharge of soil or urine waters and provided with flushing apparatus;

"soil pipe" means a pipe conveying discharge from a water-closet, slop sink, urinal, mortuary or operating theatre to a drain;

¹ It should be noted that the term "inspector" has different meanings in different regulations under the Act.

"stack" means a vertical line of soil, waste, combined waste or vent piping, including its offsets (if any);

"supervising officer" means a supervising officer appointed under Section 8;

"trade waste" means the liquid refuse from a business, trade or manufacturing property, other than domestic sewage, storm water or unpolluted water;

"trap" means a fitting designed to retain a quantity of water sufficient to arrest the passage of air or gases through the fitting;

"waste pipe" means a pipe conveying discharge (other than discharge from a water-closet, slop sink, urinal, mortuary or operating theatre) from a fixture to a disconnected pipe or trap;

"water seal" means the height of the column of water in a trap to the crown weir, less the diameter of the trap at the lowest point of the dip;

"yard gully" means a drainage trap that is—

(a) used externally; and

(b) fitted with a dished top and grating.

2. Application.

This Regulation applies in and in relation to sewerage districts.

3. Relaxation, etc., of requirements.

(1) Where the Head of State, acting on advice, is satisfied that—

(a) it is desirable that, in their application to any building or class of buildings, any of the provisions of this Regulation should be relaxed or modified in any way; and

(b) the relaxation or modification will not result in any lowering of standards of hygiene, safety or effectiveness,

the Head of State, acting on advice, may, by order, provide for the relaxation or modification, subject to such conditions as the Head of State, acting on advice, thinks proper.

(2) Section 76 of the *Interpretation Act* applies to and in relation to an order under Subsection (1) as if it were a regulation.

PART II.—ADMINISTRATION.

4. Sewerage districts.

The Minister may, by notice in the National Gazette, declare an area to be a sewerage district for the purposes of this Regulation.

5. Sewered areas.

The Local Medical Authority may, by notice in the National Gazette, declare an area in a sewerage district to be a sewered area for the purposes of this Regulation.

6. Sewerage Engineers.

The Minister may appoint a person to be a Sewerage Engineer for a sewerage district.

7. Sewerage Inspectors.

The Local Medical Authority may, by notice in the National Gazette, appoint a person to be a Sewerage Inspector.

8. Supervising officers.

The Minister may appoint a person to be a supervising officer for the purposes of this Regulation.

Part III—OFFICIAL SEWERAGE PLANS.**9. Plans of sewerage systems.**

(1) The Sewerage Engineer shall prepare and maintain a plan showing the position in relation to building allotments of the sewers under his control.

(2) A plan referred to in Subsection (1) shall be available for public inspection.

10. Plans for connexions to sewerage systems.

Where, in the opinion of the Sewerage Engineer, it is practicable to connect any plumbing work, drains or sewers with the sewerage system, he may issue a plan for that purpose on payment of the fees set out in Schedule 2.

11. Plans of individual blocks of buildings.

(1) In order to facilitate the submission of plans, the Sewerage Engineer may supply, at the rate of K0.50 for each block, plans of individual blocks of buildings—

(a) showing the position of the sewer and the position of the branch to which the building drain is to be connected, marked in red; and

(b) having the depth of the branch indicated on the plan.

(2) A tracing of a group or block of buildings, with the positions and depths of the branches marked on it, may be supplied, if required, by the Sewerage Engineer on payment, at such rates as are fixed by him, of the cost of the tracing.

PART IV.—SEWERAGE GENERALLY.**12. Notice to connect to sewer.**

(1) The Local Medical Authority may, by written notice served on the owner or occupier, require the owner of any property situated within a sewered area to provide, within such time as is specified in the notice, such proper water-closet or closets, drains, fixtures and fittings, appliances, apparatus and connexions with such sewer or sewers as are specified in the notice.

(2) A person who, without reasonable excuse (proof of which is on him), fails to comply with a requirement under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(3) Where a person on whom a notice is served under Subsection (1) fails to comply with a requirement of the notice within the time specified in the notice, the Local Medical Authority may—

(a) cause the necessary works to be executed at the cost of the person; and

(b) for the purpose of executing the works, and either alone or by such agents and workmen as the Local Medical Authority thinks necessary, enter and remain on the property on which the works are to be executed.

(4) All costs and expenses incurred in and about the execution under Subsection (3) of any works is recoverable by the State from the person concerned as a debt.

13. Prohibited closers.

(1) Where the Local Medical Authority has served a notice under Section 12 on the owner or occupier of any property requiring him to provide connexions with a sewer, a privy-closet other than a water-closet approved by the Local Medical Authority must not be used on the property after a date fixed in the notice.

(2) If a privy-closet is used on any property contrary to Subsection (1), the owner or occupier on whom the notice was served is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

14. Connexions to sewerage system.

(1) Connexions of plumbing work, drains or sewers with a sewerage system must be executed in accordance with this Regulation.

(2) A person who makes any such connexion before a plan in respect of the connexions to be made has been issued under Section 10 is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00. For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

15. Drainage generally.

(1) For the purposes of this section, a block of flats in one building shall be considered as one house.

(2) The drainage of each house and building shall be separate from that of any other house or building that is not—

(a) on the same allotment; and

(b) owned by the same person,

except where, in the opinion of the Sewerage Engineer, special reasons justify draining by a combined operation.

16. Use of drains.

Subject to any exception imposed or permitted by the Sewerage Engineer, the occupier of a sewered property must discharge into the sewerage system—

(a) all faecal matter, urine, household slops and household liquid refuse from the property; and

- (b) such other polluted water from stables, washing areas, manure bins, basements, cellars and roofed yards and such trade waste, as the Sewerage Engineer authorizes or requires.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

17. Prohibited discharges into drains and sewers.

A person who throws, deposits or discharges, or causes or permits to flow or to be thrown, deposited or discharged, into a drain or sewer in a sewered area, or into any opening, pipe or receptacle connected with any such drain or sewer—

- (a) any garbage, offal, dead animal, vegetable, fruit, vegetable or fruit parings, ashes, cinders, rags, hair, oil, wool, silt, sand, gravel or refuse from a factory; or
- (b) petrol or other inflammable or explosive substance whether solid, liquid or gaseous; or
- (c) except by written permission of the Sewerage Engineer, roof, rain, surface or flood waters; or
- (d) except by written permission of the Sewerage Engineer, the contents of any night-soil cart, cesspool or privy; or
- (e) waste water, liquid, trade waste or other substance that has not been completely neutralized as to its acidity; or
- (f) trade waste that is above the temperature of 40° C, or such lower temperature as is determined by the Sewerage Engineer having regard to the special circumstances of the discharge; or
- (g) a liquid that contains such proportion of common salt or of any other mineral salt, acid or gas as, in the opinion of the Sewerage Engineer, is liable to be injurious to, or to form compounds injurious to, any part of the sewerage system or to employees engaged in the operation or maintenance of the sewerage system; or
- (h) any other matter or thing that, in the opinion of the Sewerage Engineer, is liable to be injurious to any part of the sewerage system or to employees engaged in the operation or maintenance of the sewerage system,

is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day which the offence continues after the receipt of a written notification from the Local Medical Authority.

18. Discharge of trade wastes.

- (1) This section applies in relation to the discharge of trade wastes into a sewer.
- (2) A written application for permission to discharge trade wastes from any property into a sewer shall be made to the Sewerage Engineer in the form determined by him, specifying—
 - (a) the process of manufacture from which trade wastes are to be discharged into the sewer; and
 - (b) the nature of the trade waste from every such process; and
 - (c) the estimated maximum rate of discharge of trade waste from every such process; and
 - (d) the hours of the day during which discharge of trade wastes from every such process will normally take place; and
 - (e) the estimated maximum daily discharge of the trade wastes into sewers; and
 - (f) such other information as the Sewerage Engineer requires.
- (3) Trade waste must not be discharged into the sewer unless—
 - (a) a written permit in Form 1 has been granted by the Sewerage Engineer; and
 - (b) an agreement has been executed by the applicant containing a covenant to comply with the conditions of the permit.
- (4) The Sewerage Engineer is the sole judge—
 - (a) as to the quality, quantity and rate of discharge of trade waste; and
 - (b) as to whether they comply with the conditions of the permit and of this Regulation,and his decision is final¹.
- (5) The Sewerage Engineer shall determine—
 - (a) the maximum aggregate daily quantity of trade waste that may pass from any property into a sewer; and
 - (b) the size and capacity of the drain for conveying the trade waste from the property to the sewer; and
 - (c) the hours during which the flow is permitted.
- (6) If ordered by the Sewerage Engineer, the volume of trade waste discharged must be determined by meter or by some other means of measurement approved by him.
- (7) Trade wastes must be passed through such settling, screening and neutralizing chambers and such other apparatus as is ordered or approved by the Sewerage Engineer in order to ensure that the resulting effluent complies with the requirements of the permit and of this Regulation.
- (8) All apparatus or machinery referred to in Subsection (7) shall be approved in type and general arrangement by the Sewerage Engineer, but the applicant—
 - (a) shall determine the size and capacity; and
 - (b) must obtain an effluent in compliance with the requirements of the permit and of this Regulation.

¹ But see Constitution Sections 37(11) and 155.

(9) The applicant must notify the Sewerage Engineer, in writing, of his desire to make any alterations to—

- (a) any apparatus or machinery referred to in Subsection (7); or
- (b) the quality, quantity or rate of discharge of trade waste,

and the alteration shall—

- (c) conform in all respects to the requirements of the original application; and
- (d) be approved by the Sewerage Engineer before being commenced.

(10) A notification under Subsection (9) must set out the details of the alterations proposed and the reasons for them.

(11) Where there is a change of ownership or occupancy of any property in respect of which a permit has been issued under this section, the person to whom the permit was granted must, at least 14 days before the change, notify the Sewerage Engineer, in writing, of the change.

(12) A permit issued under this section must not be assigned or transferred except with the written permission of the Sewerage Engineer.

(13) Where directed by the Sewerage Engineer, the owner or occupier of any property in respect of which a permit has been issued under this section must install to the design of the Engineer an approved chamber for the inspection, sampling and measurement of trade wastes or effluent.

(14) A chamber referred to in Subsection (13) must be readily accessible at all times to persons authorized by the Sewerage Engineer.

(15) The Sewerage Engineer, or a person authorized by him, may—

- (a) at any reasonable time enter on any property in respect of which a permit has been issued under this section; and
- (b) take samples of trade waste for analysis and otherwise; and
- (c) inspect the apparatus or machinery referred to in Subsection (7).

(16) A settling, screening or neutralizing chamber or other apparatus for the treatment of trade wastes in accordance with this section must be cleansed and maintained by the occupier of the property at his own expense and at such intervals as are thought necessary by the Sewerage Engineer to ensure the efficient operation of the chamber or apparatus.

(17) Notwithstanding any permission or approval by the Sewerage Engineer, the occupier of any property in respect of which a permit has been issued under this section is solely liable for and in respect of—

- (a) any accident, damage, loss or injury directly or indirectly arising out of or resulting from the discharge of trade waste from the property into a sewer; and
- (b) all damage, loss or injury occasioned or done to a sewer or any property belonging to the State or any person or body by reason of any such discharge failing to comply with the terms, conditions and provisions of the permit or of this Regulation.

(18) The occupier shall agree to indemnify the Sewerage Engineer and the State against all claims and demands for any damage, loss or injury referred to in Subsection 17(a) made or suffered by any person.

(19) In a case to which Subsection 17(b) applies, the occupier shall pay the cost of making good any damage, loss or injury referred to in that paragraph.

(20) Whenever the Sewerage Engineer thinks it necessary, he may exclude from any sewers all trade wastes from any property during the repairing, examination or maintenance of the sewers or the carrying out by him of any works in connexion with them.

(21) Compensation is not payable in respect of any exclusion of trade wastes from a sewer under Subsection (20).

(22) The discharge of trade wastes into a sewer is subject to any other conditions required by the Sewerage Engineer having regard to the special circumstances of the case.

(23) A person who discharges trade wastes into a sewer otherwise than in accordance with this section is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

19. Discharge of sub-soil water.

A person who discharges sub-soil water into a sewer otherwise than with the permission of, and under conditions approved by, the Sewerage Engineer is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

20. Private sewerage systems.

(1) A person who constructs or operates a sewerage system—

(a) without the prior written approval of the Minister; or

(b) otherwise than in accordance with such standards as the Minister specifies in the interests of public health and convenience,

is guilty of an offence.

(2) The Minister may, by written notice to the owner of a sewerage system, require him to make such alterations to the system as the Minister thinks necessary in the interests of public health and convenience.

(3) A person who refuses or fails to comply with a requirement under Subsection (2) is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

21. Plumbing and drainage in unsewered areas.

(1) The Sewerage Engineer may—

(a) issue permits for sanitary plumbing or drainage work to be carried out before the construction of sewers in any area; and

(b) arrange for the inspection of the work during construction.

(2) An inspection under Subsection (1) shall be paid for in advance by the owner of the property on which the work is carried out at such rates as the Sewerage Engineer determines.

(3) The Sewerage Engineer may issue a certificate of approval if he is satisfied that the work has been carried out in accordance with this Regulation.

PART V.—PERMITS AND AUTHORITIES GENERALLY.

22. Applications for approval to connect, etc.

(1) Application for approval to connect with a sewerage system or to do plumbing work connected with the connexion (including all extensions, alterations or amendments) shall be made in writing to the Sewerage Engineer by the owner of the property from which the sewage is to be carried, or by the authorized agent of the owner.

(2) The application shall—

(a) set out—

(i) the description of the site of the property; and

(ii) the name of the owner; and

(iii) the name of the person employed to do the work; and

(iv) such other information as is required by the Sewerage Engineer; and

(b) be in the form required by the Sewerage Engineer.

(3) An approval does not authorize anything not stated in the application to which approval has been given.

23. Conditions of approval.

Approval to connect with the sewerage system shall not be given unless—

(a) provision is made for all plumbing to be executed in accordance with this Regulation; and

(b) the plan has been submitted to and approved by the Sewerage Engineer; and

(c) in the case of a new building—the Sewerage Engineer has fixed the position of the branch at which the connexion is to be made; and

(d) a proper plan of the plumbing and of the drainage of the building to be connected has been submitted to, and approved in writing by, the Sewerage Engineer.

24. Form of submitted plans of plumbing.

A plan of a proposed sanitary plumbing installation submitted in accordance with Section 23 for approval shall—

(a) be neatly and accurately drawn to a scale of 1:100, with details to a scale of 1:20 if required by the Sewerage Engineer; and

(b) set out clearly—

(i) a plan of each floor, including the ground floor and basement (if any), on which fixtures are, or are proposed to be, installed, showing clearly—

(A) the nature and position of all fixtures; and

- (B) the size and arrangement of all soil, waste, combined waste and vent pipes; and
- (C) the position, size, gradient and approximate depth of all drains, fixtures being designated by the symbols set out in Schedule 2 and the various pipe lines being delineated in colours, as follows :—
 - (D) soil pipes, combined waste pipes, waste pipes—blue; and
 - (E) vents—red; and
- (ii) the intended use of each room in which a fixture is, or is proposed to be, installed and of each room from which a water-closet or urinal is entered directly; and
- (iii) sectional line diagrams showing clearly—
 - (A) each soil, waste, combined waste or vent pipe or stack, together with their sizes; and
 - (B) the positions of all fixtures connected to them; and
 - (C) where required by the Sewerage Engineer, the gradient.

25. Variation from plans.

After a plumbing or drainage plan has been approved by the Sewerage Engineer, a variation from the approved plan shall not be made except with the prior approval of the Sewerage Engineer or an officer authorized by him for the purpose.

26. Alterations to buildings.

Before any alteration or addition is made to a building or outbuilding connected to a sewer, the owner of the property, or the authorized agent of the owner, must—

- (a) give notice to the Sewerage Engineer of his intention to do so; and
- (b) provide such information in connexion with any such alteration or addition as the Local Medical Authority requires.

PART VI.—EXAMINATION AND TESTING.

27. Notice of commencement and completion of work.

- (1) An owner of any property, or the authorized agent of the owner, must—
 - (a) give not less than 48 hours' written notice to the Sewerage Engineer before commencing any work in relation to a connexion to a sewerage system; and
 - (b) report when the work is ready for inspection.
- (2) All work must be left uncovered and convenient for examination until inspected and approved by the Sewerage Engineer or an inspector.
- (3) Within seven days after the completion of any work, the person authorized to carry out the work shall file, in the office of the Sewerage Engineer, a correct statement of the work done, in the form prescribed by the Sewerage Engineer and countersigned by an inspector.

28. Inspection.

Inspection of any work shall be made within 48 hours after the receipt of notification under Section 27 that the work is ready for inspection, unless the notification is received on

a Friday or Saturday in which case the inspection shall be made within 48 hours after the start of business in the following week.

29. Examination of materials, etc.

- (1) Materials, pipes, bends, junctions, fittings, fixtures and apparatus—
 - (a) shall, if directed by the Sewerage Engineer, be submitted for examination or test; and
 - (b) shall not be placed in position until passed or stamped by the Sewerage Engineer.
- (2) An examination or test conducted under Subsection (1)(a) shall—
 - (a) be paid for by the person submitting the materials, or as the case may be; and
 - (b) be done at such time and place as are ordered, and at such rates as are fixed, by the Sewerage Engineer.

30. Testing of drains.

(1) Every drain shall be thoroughly tested by an inspector before being approved, and if a drain is altered or repaired it shall be thoroughly tested by an inspector before the alterations or repairs are so approved.

(2) The inspector may apply the water, smoke or air-pressure test.

(3) The owner of the property on which the drain is situated, or the authorized agent of the owner, shall furnish such tools, labour and assistants as are necessary for any test under Subsection (2).

(4) The special testing apparatus for the water test and the smoke test shall be supplied by the plumber, or may be hired by the plumber from the Sewerage Engineer on behalf of the State.

(5) The water test—

- (a) may be applied to any drainage and plumbing systems and their fittings in their entirety or in sections; and
- (b) shall be applied by—
 - (i) hermetically sealing all openings below the top section to be tested; and
 - (ii) then filling the system with water to the highest point of the section or, if thought necessary, to such additional height as the inspector orders; and
 - (iii) carefully examining every joint for leaks,

and the loss of water shall not exceed the amounts permitted by the Sewerage Engineer.

(6) The smoke test shall be applied by—

- (a) forcing into the system thick smoke to a pressure of 25mm of water, by means of a smoke test apparatus; and
- (b) closing all openings at which smoke appears; and
- (c) keeping up the pressure for five minutes after the last opening is closed.

(7) Before—

- (a) the fittings are connected with the plumbing of the house or building, or if so ordered after they are connected; and

(b) the soil or waste pipe is connected to the sewer, the outlet of the soil or waste pipe, and all openings into it below the top, shall be hermetically sealed and the pipe filled with water to such height as the inspector requires, and every joint carefully examined for leaks.

(8) Work already in place may be tested as and when required by the Sewerage Engineer.

31. Use of apparatus, etc., before testing.

(1) Pipes, drains or apparatus in connexion with sewerage or drainage shall not be used until the work has been—

(a) inspected, tested and passed by the Sewerage Engineer or an inspector; and

(b) certified by him on the prescribed form.

(2) Underground or enclosed work shall not be covered up or concealed until it has been inspected and passed.

(3) Every part of the work shall be made to conform with this Regulation, and is subject to the approval of the Sewerage Engineer.

PART VII.—EXECUTION OF WORKS.

32. Requirement of appropriate licence.

(1) Subject to Subsection (2), unless he holds the appropriate licence under the *Trade Licensing Act*, or is employed under the supervision of the holder of such a licence, a person must not—

(a) execute or perform any work in the nature of sanitary plumbing intended to be connected to a sewer or in a sewered area; or

(b) lay or repair a drain connected or intended to be connected to a sewer.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(2) Notwithstanding Subsection (1)(a), a person who holds the appropriate licence under the *Trade Licensing Act* may execute any water supply plumbing necessary to sanitary work.

(3) A person who knowingly engages or employs, for the actual performance of plumbing or drainage work for purposes of this Regulation, a person who—

(a) is not the holder of a licence authorizing him to perform that class of work; or

(b) is not employed under the supervision of the holder of such a licence,

is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(4) Where the licence under the *Trade Licensing Act* of a person has been suspended or cancelled, it is a good defence to a prosecution for an offence against Subsection (3) if the defendant proves that at the time of the alleged offence he was not aware of the suspension or cancellation of the licence.

33. Supervision of work.

Connexions with the drains or sewers, including plumbing connexions, shall be made under the direction of the Sewerage Engineer, an inspector, or a supervising officer.

34. Responsibility of tradesmen for work.

(1) The holder of a licence as a sanitary plumber or drainer under the *Trade Licensing Act* must ensure that all work carried out under an approval given or permit issued under this Regulation is done in accordance with this Regulation.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(2) Where, in the opinion of the Sanitary Engineer, work has been carried out by a sanitary plumber or drainer in an unsatisfactory manner, the Local Medical Authority may charge the licensee a fee to cover the cost of additional inspections resulting from his default.

(3) A person holding a licence for the purpose under the *Trade Licensing Act* who executes any works in connexion with sewerage, drainage or sanitary plumbing shall, when directed by the Sewerage Engineer, make good at his own expense any defect found within 12 months of the date of completion of the work, that in the opinion of the Sewerage Engineer is due to faulty workmanship or defective material.

PART VIII.—CONSTRUCTION GENERALLY.

35. Matters not specifically dealt with.

Any work pertaining to the provision or maintenance of sanitary plumbing or house drainage not specified in this Regulation shall be done as directed by the Sewerage Engineer.

36. Materials, etc.

Materials, pipes, bends, junctions, fittings, fixtures and apparatus shall—

(a) be of the best of their respective kinds, sound and free from defects; and

(b) comply with—

(i) such relevant Australian Standard Specifications as are accepted by the Sewerage Engineer; or

(ii) such specifications as are approved by the Sewerage Engineer.

37. Workmanship.

All work shall be executed in a thorough and workmanlike manner and to the satisfaction of the Sewerage Engineer.

38. Safety precautions.

Adequate precautions shall be adopted by persons carrying out sanitary plumbing or drainage work to prevent injury to workmen, the public or property

PART IX.—STANDARDS, ETC.

39. Concrete.

Unless otherwise ordered by the Sewerage Engineer, concrete shall—

- (a) consist of one part Portland cement, two parts clean, sharp sand and four parts hard stone, shingle or gravel not exceeding 18mm gauge; and
- (b) be thoroughly mixed with clean water to such consistency as is approved by the Sewerage Engineer.

40. Cement mortar.

Unless otherwise ordered by the Sewerage Engineer, cement mortar shall—

- (a) consist of one part Portland cement and two parts clean, sharp sand; and
- (b) be properly mixed with a proportion of clean water approved by the Sewerage Engineer.

41. Drainage materials.

Drain pipes, bends junctions and fittings used shall be of glazed stoneware, concrete, cast-iron or other material approved by the Sewerage Engineer, but the Sewerage Engineer may prohibit the use of any of those materials where he thinks that the circumstances or conditions are unfavourable.

42. Interceptor traps.

(1) An interceptor trap—

- (a) may be fixed if desired by the owner; and
- (b) shall be fixed if ordered by the Sewerage Engineer,

in the drain laid from any property to the sewer.

(2) An interceptor trap shall—

- (a) be fixed as near as practicable to the boundary of the subject property; and
- (b) where practicable, be within the boundaries of the property; and
- (c) be provided with an approved inspection cap on the sewer side of the trap; and
- (d) if so ordered by the Local Medical Authority or an inspector, be provided with an approved inspection chamber.

43. Inspection chambers.

(1) Where thought necessary by the Sewerage Engineer, drains shall join in an inspection chamber at least 900mm long by 600mm wide, fitted with a closed cover.

(2) The portions of the drains crossing the floor of the inspection chamber shall be connected in a straight line or by curved junctions in the floor of the chamber.

44. Inspection openings.

- (1) Every line of drain shall be provided with an inspection opening—
 - (a) at each junction not provided with an inspection chamber; and
 - (b) at each change of direction; and
 - (c) at each fitting; and
 - (d) at intervals of not more than 12m,

and in paved areas, inspection openings shall, if thought necessary by the Sewerage Engineer, be brought to the surface and furnished with approved air-tight covers.

- (2) The area of an inspection opening referred to in Subsection (1) shall not be less than the area of the cross-section of the drain at the place where the inspection opening is provided.

45. Gratings.

- (1) An inlet to a drain, other than an inlet from a water-closet, shall be effectively protected by approved gratings of ample area.
- (2) The aggregate area of the apertures in a grating covering a ventilation opening shall not be less than the sectional area of the pipe or drain ventilated by the grating.
- (3) An opening for ventilation shall be kept by the occupier of the land on which the drain is situated completely free from obstruction.

46. Closure of openings.

- (1) The ends of a drain not immediately connected with the plumbing fixtures, and all inspection openings, shall be securely closed with water-tight imperishable materials.
- (2) In the case of a stoneware drain, the end shall be closed with a stoneware or cast-iron disk cemented in.
- (3) In the case of a wrought-iron drain, the end shall be closed with a plug screwed on the end.
- (4) In the case of a cast-iron drain, the end shall be closed with a cast-iron plug caulked in with lead.

47. Replacement or insertion of pipes.

- (1) Where it is necessary to remove a pipe to clear a stoppage or to insert a pipe or branch in an existing stoneware or concrete drain, the pipe removed shall be replaced by an inspection pipe or an inspection junction of the same length, by one of the following methods :—
 - (a) the top half of the socket of the new pipe and of the existing downstream pipe may be removed, but the bottom half, in each case, shall be left intact and the joints surrounded by concrete; or
 - (b) an approved split pipe with double collar surrounded with concrete may be used; or
 - (c) a length of not less than three pipes may be removed, the centre pipe replaced by an inspection pipe and the pipes dropped back into place without springing or cutting.
- (2) Junctions shall not be made in existing metal pipes unless an approved downpipe is used in each case, and pipes shall not be sprung into position.

48. Use of concrete.

Concrete shall be used—

- (a) around and under yard gully basins, the exposed surfaces being rendered with cement mortar; and
- (b) around the tops of educt vent and induct vent pipe sockets where they are exposed; and
- (c) around interceptor trap covers and the tops of disconnector traps where the surface is not paved; and
- (d) under and around bends rising vertically off oblique branches and under bases of all drainage traps; and
- (e) around drains near tree roots and in such other places as the Sewerage Engineer directs.

49. Fixtures in cellars.

(1) A sink, trap, water-closer, urinal or other fixture or apparatus shall not be laid or fitted in a cellar or basement, or on a floor below ground level, unless—

- (a) the written consent of the Sewerage Engineer has been first obtained; and
- (b) the owner—
 - (i) submits such information as is required by the Sewerage Engineer; and
 - (ii) undertakes, in writing, in an approved form, to accept all liability for damage that may occur; and
 - (iii) gives to the Sewerage Engineer and the State such indemnity in reference to that liability as the Sewerage Engineer requires; and
- (c) in areas liable to flooding—no external aperture to the cellar or basement is below the highest known flood level; and
- (d) no external aperture to the cellar or basement is in such a position that storm water, roof water or surface water can enter; and
- (e) the ventilation of the cellar or basement is in accordance with this Regulation; and
- (f) such other conditions as are required by the Sewerage Engineer, having regard to the special circumstances of the case, are complied with.

(2) If on an inspection it is found that—

- (a) the light or ventilation is not in accordance with this Regulation; or
- (b) in the opinion of the Sewerage Engineer, the fixtures and their surroundings are not kept in a sanitary condition; or
- (c) the purpose for which the cellar, basement or floor below ground level was used at the time when a consent was granted under Subsection (1) has changed; or
- (d) Subsection (1) has not been complied with,

the consent under Subsection (1) may be revoked by the Sewerage Engineer.

(3) If a consent is revoked under Subsection (2), the closer, urinal or other fixture shall be disconnected from the sewers within 14 days from the date of the revocation.

50. Drainage from cellars, etc.

(1) Where a cellar, basement or floor below ground level the subject of a consent under Section 49(1)(a) is at such a level as, in the opinion of the Sewerage Engineer, may involve risk of backflow in, or defective operation of, the drain, the owner must cause the sewage from all fixtures—

- (a) to be raised by a method approved by the Sewerage Engineer to such a height as is ordered by the Local Medical Authority or an inspector; and
- (b) to be discharged into the sewer as and where so ordered.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(2) The water seal of the trap in the drain pipe leading from the cellar, basement or floor below ground level shall be constantly maintained.

51. Seepage drains.

(1) A person who discharges a seepage drain from a cellar, basement or floor below ground level into a sewer without the consent of the Sewerage Engineer is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(2) Where discharge into a sewer is approved by the Sewerage Engineer under Subsection (1), the seepage shall be—

- (a) raised by ejector siphon or other approved apparatus to such height as is ordered by the Sewerage Engineer; and
- (b) discharged into the sewer as and where so ordered.

52. Drainage from polluted areas.

(1) A stable, cow stall, market-place, receptacle for sludge water from factories, area where milk cans are washed or area on which foul or polluted waters are discharged shall be graded, paved and drained to the satisfaction of the Sewerage Engineer, and the drain shall be provided with an approved silt trap connected with the drain.

(2) In the case of a motor car washing area, triple oil interceptor traps shall be provided.

(3) A silt trap referred to in Subsection (1) shall be provided with an approved removable grating, and the silt shall be removed from the trap as soon as the silt receptacle is full.

(4) Where written notice is given by the Local Medical Authority to the owner of any property in a sewered area on which horses or cattle are kept, manure bins shall be provided for all stables, cow sheds and yards where the horses or cattle are kept.

(5) A manure bin provided under Subsection (4) shall be—

- (a) constructed of concrete or brickwork at least 225mm thick, laid in cement mortar; and
- (b) provided with a ledged, braced and hinged cover; and
- (c) rendered and made impervious throughout.

(6) Unless special permission is given by the Sewerage Engineer to the contrary, a place referred to in Subsection (1) or (2) that is to be connected to the drain shall be so roofed or raised above the adjoining ground as to prevent the entry of rain or surface water into the sewers.

(7) A person who permits rain-water conduits from adjoining roofs to discharge on to an area referred to in Subsection (1) or (2) is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

53. Drainage trenches.

(1) The trench for the drain from any property shall be dug so as to meet the end of the branch sewer, or of the junction provided or to be provided for the connexion, in accordance with the drainage plan submitted under Section 23.

(2) The face of the trench nearest the branch sewer shall be filled up with brick or rubble masonry or timbered up as and where ordered by the Local Medical Authority or an inspector.

(3) In refilling the trench, sand, gravel or other approved material shall first be deposited around the sides of the pipe and up to a depth of 300mm over the barrel of the pipe and carefully consolidated, after which the remainder of the trench shall be filled in, in layers not more than 300mm in thickness, each layer being rammed or flooded as ordered by the Local Medical Authority or an inspector or approved by the Local Medical Authority or the Sewerage Engineer.

(4) After the trench is filled in, the surface material shall be restored, as nearly as possible, to the same condition as that in which it was before operations were commenced, or otherwise in accordance with this Regulation and by arrangement with the owner of the property.

(5) The material from the trench shall be placed so as to cause the least possible obstruction and inconvenience to the public, and proper barriers and lights shall be maintained where necessary to guard against accident during the progress of the work.

(6) A person who allows water, sand, earth or other prohibited discharge to enter the sewer during the progress of the work is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

54. Position and line of drains, etc.

(1) A drain, and a fitting or appliance connected to a drain, shall be laid and fixed where ordered by the Sewerage Engineer.

(2) Where a change of direction occurs in a drain, adequate provision shall be made for inspection and cleaning by means of—

- (a) a manhole or inspection chamber; or
- (b) an oblique junction or suitably curved pipe provided with an inspection eye; or
- (c) a suitably curved pipe with an inspection opening on each immediately-adjointing pipe.

55. Oblique junctions.

Where a drain joins another drain or sewer, the junction shall be made obliquely at an angle not greater than 45° with the direction of flow of the other drain or sewer.

56. Connexion to sewer.

The disk stopper at the point of connexion to the sewer shall be carefully removed so as not to injure the socket or allow debris or other matter to get into the pipe.

57. Gradients.

(1) A drain shall be laid on an even grade and, except with the permission of the Sewerage Engineer, the gradient shall not be less than—

- (a) for a 100mm diameter drain—1 in 40, or 2.50%; and
- (b) for a 125mm diameter drain—1 in 50, or 2.00%; and
- (c) for a 150mm diameter drain—1 in 60, or 1.66%; and
- (d) for a 225mm diameter drain—1 in 90, or 1.11%.

(2) If permission is given for the use of flatter gradients than those prescribed by Subsection (1), the Sewerage Engineer may require special provision to be made to ensure regular and efficient flushing.

(3) Except with the permission of the Sewerage Engineer, a drain shall not be laid at a steeper grade than—

- (a) for a 100mm diameter drain—1 in 10, or 10%; and
- (b) for a 150mm diameter drain—1 in 15, or 6.33%; and
- (c) for a 225mm diameter drain—1 in 20, or 5%; and
- (d) for a 300mm diameter drain—1 in 25, or 4%.

(4) If approval is given for steeper grades than those prescribed by Subsection (3), concrete anchor blocks shall be placed at intervals of not more than 9m, each block—

- (a) having a minimum width of 300mm along the pipe; and
- (b) being of such thickness that there is at least 75mm above and below the pipe; and
- (c) extending at least 200mm into the virgin ground at each side of the trench.

58. Depth of drains.

(1) Unless it is bedded on and encased in concrete of not less than 80mm thickness over any part of the drain, a drain of stoneware, concrete or pitch fibre pipe shall, subject to Subsection (3), be laid at a depth to the top of the socket of the pipe of not less than—

(a) in a public thoroughfare or right of way, or in any other open space subject to vehicular traffic—600mm; or

(b) in private property not subject to vehicular traffic—300mm.

(2) Unless such measures are taken to protect the drain as the Sewerage Engineer approves, a person who alters the surface over a drain so as to deprive it of the minimum depth of cover prescribed by Subsection (1) is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(3) Where in his opinion the nature of the soil or the traffic makes it necessary, the Sewerage Engineer may require the depth of cover or the thickness of concrete to be greater than that prescribed by Subsection (1).

59. Laying of drains.

(1) Pipes shall be laid to such lines and grades as are shown on the plans submitted under Section 23 or ordered by the Local Medical Authority or an inspector.

(2) Except where otherwise ordered by the Local Medical Authority or an inspector—

(a) holes shall be cut in the bottom of the pipe trench to receive the sockets of the pipe; and

(b) the pipe shall be carefully bedded with the barrel on the solid ground.

(3) In the case of a rock-bottomed trench or where ordered by the Local Medical Authority or an inspector, the pipes shall be bedded up to the horizontal diameter on not less than 50mm thickness of approved sand or other approved material, measured from the barrel of the pipe.

(4) In water-charged ground, or where the foundation is bad, or where ordered by the Local Medical Authority or an inspector, the drain shall be formed of—

(a) cast-iron pipes; or

(b) stoneware, concrete or pitch fibre pipes—

(i) bedded on and encased in concrete in such a manner that there is—

(A) not less than 80mm of concrete underneath the barrel of the pipe; and

(B) not less than 80mm of concrete extending on each side beyond the largest diameter of the barrel of the pipe; and

(ii) haunched so that the top line of the concrete meets the pipe not less than 25mm above the top of the pipe; and

(iii) if ordered by the Local Medical Authority or an inspector—supported on approved foundations of timber or other approved material as so ordered.

(5) Drops or bends in vertically-inclined drains shall have 100mm of concrete placed under and around as ordered by the Local Medical Authority or an inspector.

(6) Where pitch fibre pipes are used for the purposes of this Regulation, they shall conform to British Standard Specification 2760-1973:A56.

60. Drains under buildings.

(1) A drain or sewer shall be constructed so as not to pass under a building except where no other mode of construction is practicable, and if a drain or sewer is constructed to pass directly under a building it shall—

(a) be laid in a direct line for the whole distance beneath the building; and

(b) have approved means of access for rodding—

(i) outside the walls of the building; and

(ii) if ordered by the Local Medical Authority or an inspector, beneath the building.

(2) Where the underside of the floor of the building is at least 1 200mm above the ground surface, then either—

(a) earthenware or concrete pipes—

(i) laid on continuous concrete cradling at least 100mm thick under the barrel of the pipe with at least 300mm of cover over the pipe; or

(ii) completely surrounded in concrete of a minimum thickness of 100mm, shall be used; or

(b) cast-iron pipes shall be used as ordered by the Local Medical Authority or an inspector.

(3) A drain pipe carried through a wall shall have a clear space of 80mm, filled with approved mastic, left around it.

(4) A pipe brought up inside a building to connect a water-closet, slop hopper or similar installation—

(a) if it does not exceed 1 200mm—may be of stoneware or concrete, surrounded in 100mm of concrete; or

(b) if it exceeds 1 200mm—shall be of cast-iron, or if approved by the Sewerage Engineer, of copper.

(5) A building or outbuilding shall not be erected over an existing house drain or sewer unless provision exists to comply with this section.

(6) Where an existing sewer main or sewer house connexion has to be altered or relocated by reason of an alteration or addition to a building, the owner of the building is liable for the whole cost of the alteration to or relocation of the main or connexion.

61. Salt glazed ware and cement and concrete pipes.

(1) Joints of salt glazed ware and of cement pipes shall be filled in solidly with—

(a) cement mortar neatly splayed off; or

(b) other approved material.

(2) After a joint is made, the interior of the joint shall be wiped clear of surplus mortar.

(3) The Sewerage Engineer may order or approve the use of rubber ring joints with concrete pipes.

(4) Special jointing in very wet ground or for special discharges shall be as ordered or approved by the Sewerage Engineer.

62. Cast-iron pipes.

(1) Joints in cast-iron pipes shall be—

- (a) stemmed with approved gaskets; and
- (b) so filled and caulked with lead or other approved material as to make them gas-tight and water-tight.

(2) Joints between cast-iron and stoneware or concrete pipes shall be made in the same way as joints between salt glazed ware or concrete pipes.

(3) Where cement jointing is used on cast-iron pipes, and in other cases where directed by an inspector, the protective coating shall first be removed from the portion of the cast-iron pipe that is in contact with the cement.

63. Trapping of inlets.

(1) An inlet to a drain, other than an inlet provided for ventilation in accordance with this Regulation, shall be provided with an approved trap.

(2) Except in the case of the combined pipe system, an inlet to a drain connecting directly with a sewer, other than an inlet that is necessary for the apparatus of a water-closet, urinal or slop sink, shall not be constructed within a building.

64. Classes of traps.

The following classes of traps shall be used as required :—

- (a) drainage traps, for intercepting gases only, which shall be of round section and self-cleansing form, but not such as to empty by momentum or suction; and
- (b) silt traps, for intercepting both gases and solids, which shall—
 - (i) have slightly tapered sides, flat bottoms and rounded angles; and
 - (ii) be provided with approved means of catching and removing solids; and
- (c) grease traps, of such form as is approved by the Local Medical Authority or the Sewerage Engineer, for solidifying and collecting grease or other semi-fluid matter liable to foul the pipes; and
- (d) acid traps or neutralizers, for neutralizing acids and acidulated water before entering the house drains; and
- (e) oil traps, for collecting all kinds of oil and preventing it from entering the house drains.

65. Water seals.

A drainage trap shall have a water seal not less than 50mm in depth.

66. Provision of yard gullies.

Unless other approved provision is made for taking household liquid refuse, a yard gully—

- (a) shall be provided in the yard of every property as near as practicable to the kitchen or back door, with a tap placed over it at a height of not less than 600mm; and
- (b) shall not be situated within a building or outbuilding.

67. Details of yard gullies.

- (1) A yard gully shall be fitted with a dished top and grating, the dished top being—
 - (a) in one piece with the trap; or
 - (b) jointed to the trap with a spigot and faucet; or
 - (c) as otherwise approved by the Local Medical Authority or the Sewerage Engineer.
- (2) The depth of the dished top to the grating shall not be less than 150mm, and the grating shall be fixed so as to be removable with reasonable facility.
- (3) The wastes shall discharge below the grating.

68. Kerbing to yard gullies and silt traps.

- (1) A yard gully basin and the top of a silt trap—
 - (a) shall be surrounded with an approved impervious kerbing of concrete or other approved material to prevent ingress of surface water to the drains; and
 - (b) if ordered by the Local Medical Authority or an inspector, the wall at the rear of the gully or silt trap—
 - (i) if of brick or stone, shall be cement-rendered to the height of the top over the gully or silt trap; and
 - (ii) if of wood, shall be provided with an approved galvanized sheet iron apron.
- (2) A rain-water pipe shall not discharge into a gully or fixture connected with the sewerage system.
- (3) A gully or pit for the disposal of road drainage, or for the disposal of storm water from a roof, yard or vacant land, shall not be connected to a sewer.

69. Sealed disconnector traps.

- (1) Where approved by the Sewerage Engineer, sealed disconnector traps may be affixed inside or outside a building or outbuilding, but breather pipes or fresh air inlets equal in area to the waste pipe or pipes discharging into the trap shall—
 - (a) be taken to such height as is ordered by the Local Medical Authority or an inspector; and
 - (b) in the case of traps inside, be led to the outside of the building or outbuilding.
- (2) The material for breather pipes shall be the same as for vent pipes.
- (3) Inspection openings to traps referred to in Subsection (1) shall be sealed to the approval of the Sewerage Engineer.

70. Provision of grease, petrol and oil traps.

Wastes from the following fixtures and areas shall first discharge into an approved apparatus for retaining objectionable matter :—

- (a) any fixture or area from which petrol, benzine or other inflammable or explosive substance, or grease, oil or greasy or oily matter, is likely to be discharged or conveyed into waste, combined waste or soil pipes or drains; and

- (b) a sink in a food-packing house, butcher's shop, lard-rendering establishment, hotel, restaurant or boarding house; and
- (c) such other fixtures, areas or apparatus as the Sewerage Engineer directs.

71. Construction of grease traps.

- (1) Grease traps shall be fixed outside buildings or outbuildings wherever practicable.
- (2) An external grease trap shall be constructed of glazed stoneware, brick in cement, concrete or other approved material to the standard approved by the Sewerage Engineer.
- (3) An internal grease trap shall—
 - (a) be constructed of copper or other approved material; and
 - (b) if ordered by the Local Medical Authority or an inspector, be fixed on a tray, and its design shall be approved by the Sewerage Engineer before work commences.
- (4) The outlet from a grease trap shall be connected to a disconnector trap.

72. Size of grease traps.

- (1) The dimensions of a grease trap shall be such as to ensure the retention of all grease entering the trap.
- (2) The minimum size and dimensions for a grease trap serving a kitchen sink or mechanical dishwasher shall be as follows :—
 - (a) the capacity below the level of the invert of the outlet shall be not less than the total capacity of the sink or dishwasher served; and
 - (b) the height from the top of the outlet of the grease trap to the vent take-off shall be not less than 100mm; and
 - (c) the difference in level between the inverts of the inlet and outlet shall be not less than 25mm.
- (3) The capacity of a sink shall be measured to the overflow level, or if there is no overflow to the top of the sink.
- (4) The capacity of a dishwasher shall be taken as that of the sump or water container.

73. Construction of petrol and oil traps.

A petrol trap or an oil trap shall be—

- (a) constructed in accordance with the Sewerage Engineer's type drawing and to the approval of the Sewerage Engineer; and
- (b) connected to a disconnector trap; and
- (c) provided with independent ventilation, the outlet of which is made flame-proof by soldering approved fine bronze mesh gauze over the opening.

74. Vents on main house drains.

- (1) The main drain of a house shall be ventilated at its upper end by a pipe ventilator erected vertically, and the ventilator may be a soil vent pipe.
- (2) If the drain is provided with an interceptor trap—
 - (a) there shall also be a ventilator connected to the interceptor trap shaft; and
 - (b) where practicable, there shall be a difference in height of not less than 2m between the tops of the vents at the upper and lower ends of the drain, respectively.

75. Vents on branch drains.

A branch drain need not be vented if the drainage traps are within 6m of the main house drain, measured along the line of pipes, including the drop (if any) from the centre line of the main drain to the centre of the outlet side of the water seal of the drainage trap.

76. Size of drainage vents.

(1) Unless otherwise ordered by the Local Medical Authority or an inspector, a drainage vent pipe shall be not less than—

- (a) 100mm in diameter in the case of an educt vent; and
- (b) 80mm in diameter in the case of an induct vent.

(2) Where more than one educt vent is provided, the vent on the longest line of drain shall be not less than 100mm in diameter and all others not less than 80mm in diameter.

(3) A drainage vent shall not be smaller in diameter than is necessary to comply with Section 95.

(4) Unless otherwise ordered by the Local Medical Authority or an inspector or approved by the Local Medical Authority or the Sewerage Engineer, a drainage vent pipe shall be provided with an approved basket end, educt or induct cowl.

77. Materials for drainage vents.

(1) A drainage vent pipe situated wholly outside buildings and outbuildings shall be of—

- (a) cast-iron, galvanized wrought-iron, galvanized sheet iron or other approved material above the surface of the ground; and
- (b) salt-glazed ware or concrete beneath the surface of the ground.

(2) A galvanized sheet iron vent pipe shall be grooved and welded, soldered or riveted, and shall be not less than—

- (a) 1mm thick for a 80mm or 100mm diameter pipe; and
- (b) 1.20mm thick for a 150mm diameter pipe,

and the first 2m above ground shall be of cast-iron or other approved material.

(3) The circumferential joints of a galvanized sheet iron bent pipe shall be riveted and soldered.

(4) Unless otherwise approved by the Local Medical Authority or the Sewerage Engineer, a drainage vent pipe inside a building or outbuilding shall be of—

- (a) cast-iron, of soil pipe strength; or
- (b) galvanized wrought-iron.

78. Materials for vents of soil or waste pipes.

(1) Subject to Subsection (2), a vent pipe shall be of cast-iron, wrought-iron, lead, copper or brass.

(2) If it is entirely outside a building or outbuilding and is higher than 600mm above the level of the highest fixture served by the pipe, a vent pipe may be of grooved and welded or riveted galvanized sheet iron.

(3) A lead vent pipe—

- (a) for use with a water-closet, urinal or slop sink—shall not be less than 2.8mm thick; and

(b) for use with other fixtures—shall not be less than 2.4mm thick.

(4) External vent pipes of galvanized sheet iron shall not be less in thickness than the following :—

- (a) 40, 50 or 65mm diameter—0.8mm; or
- (b) 80 or 100mm diameter—1mm; or
- (c) 150mm diameter—1.6mm.

(5) A galvanized sheet iron vent shall be—

- (a) coated on the inside with an approved bituminous coating; and
- (b) painted on the outside to the colour required by the owner of the land on which the vent is situated.

79. Soil vent pipes.

The upward extension from a soil pipe for ventilation shall pass in as direct a manner as possible above, and if necessary through, the roof.

80. Length of unvented waste.

(1) A waste pipe need not be ventilated unless it exceeds 3m in length on a horizontal plane or an aggregate of 6m in length on all planes, if—

- (a) the water seal of the trap is not reduced by siphonage or other cause and there is only one fixture (not being a sink connected to a grease trap) attached to the waste pipe; or
- (b) two waste fixtures are connected to one 100mm diameter back-inlet waste pipe.

(2) Anti-siphon traps shall not be used unless approved by the Sewerage Engineer and installed in a manner specified in the approval.

81. Anti-siphonage vents.

(1) Loss of the water seal in a trap shall be prevented by proper ventilation in accordance with Section 95 and, unless the Sewerage Engineer approves otherwise, such anti-siphonage vents from fixtures shall be carried up in accordance with Section 82 or joined to the branch or main vent above the level of the fixture.

(2) The vent pipe shall connect to the waste or soil pipe, on the opposite side of the water seal from the fixture, at a point not less than 80mm or more than 600mm from the crown of the trap, except in the case of a closet pan when the vent pipe shall not be more than 1 200mm from the crown of the trap.

(3) No other fixture shall be connected to the soil pipe or waste pipe at a point between the anti-siphonage vent and the trap that it serves.

82. Height of vent pipes.

(1) Unless otherwise ordered by the Local Medical Authority or an inspector—

- (a) a vent pipe extending upwards from a soil or drain pipe shall be carried not less than 2m higher than any door, window or other opening into a building within a distance of 10m from the vent pipe; and
- (b) an educt vent shall be carried at least 4m above ground level and 1m above the level of the eaves or coping.

(2) A vent pipe extending upwards from a waste pipe or disconnector trap shall be carried—

(a) not less than 1 200mm higher than any door, window or other opening into a building within 5m from the vent pipe; and

(b) at least 600mm above the level of the eaves or coping.

(3) A vent pipe under the roof or eaves of a building shall be carried at least 600mm above the point of intersection with the roof.

(4) Where necessary, a vent shall be carried to such additional height as is required to effectively prevent the escape of foul air into any building in the vicinity.

(5) Where necessary, a vent pipe shall be provided with sufficient clips or stays to support it effectively.

(6) Where a flat roof is used for any purpose other than as a covering to the building—

(a) a vent pipe from a soil pipe or house drain shall be carried at least 3m above roof level; and

(b) a vent from a waste pipe shall be carried at least 2 500mm above roof level.

83. Ground vents.

An approved ground vent may be used on a boundary trap when situated not less than 10m from any window, door or other opening into a building.

84. Use of chimneys as ventilators.

A chimney shall not be used as a ventilator to a drain, soil or waste pipe.

85. Vents near chimneys, etc.

(1) A vent shall be kept as far away as possible from a chimney or ventilating air shaft.

(2) Section 82 applies where a ventilator pipe terminates 2m or more from a chimney opening or ventilating air shaft, but where the distance is less than 2m and the vent pipe is at least 4m long it shall terminate not less than 600mm below the top of the chimney or air shaft.

86. Vent pipe grades.

(1) A vertical line of vent pipe shall—

(a) connect, full size, at its base with a soil, waste or drain pipe; and

(b) either—

(i) extend in undiminished size above the roof; or

(ii) be connected to the soil, waste or vent stack, as prescribed by Section 87(1) on a grade not less than 1 in 40.

(2) An offset shall be at a grade not less than 45° to the horizontal.

(3) A vent pipe shall not be used as a waste or soil pipe.

87. Combining of vents, etc.

(1) A vent pipe may be combined or branched into a soil or waste pipe above the level of the highest fixture, but in the case of a separate pipe system a soil vent shall be branched into a soil pipe or vent, and a waste vent into a waste pipe or vent, only.

(2) Where an additional branch is required to an existing galvanized sheet iron vent pipe, a brass saddle piece, bolted and soldered to the vent, shall be used.

88. Pipe clips, etc.

- (1) There shall be at least one pipe hook or clip to each 2m length of vent pipe.
- (2) Approved coated wrought-iron clips shall be provided for cast-iron pipes without lugs, and for wrought-iron pipes.
- (3) Galvanized band iron clips (40mm by 2mm thick) or approved pipe hooks shall be provided for galvanized sheet iron pipes.
- (4) For cast-iron pipes with lugs, two 65mm by 12mm coach screws or dog nails shall be provided for each pair of lugs.
- (5) Where it is necessary to fix a pipe clear of the wall, approved extension clips shall be used which, in the case of a cast-iron pipe, shall be placed tight up against the head or underside of the collar.

89. Attachment to walls.

- (1) Unless otherwise ordered by the Local Medical Authority or an inspector, where a galvanized sheet iron pipe, with or without offset, is carried above the brick wall of a building or outbuilding a galvanized wrought-iron clip shall be used, leaded into the wall near the top wherever possible, and bolted against the vent pipe.
- (2) A band iron clip of a vent pipe to a brick wall shall be fastened—
 - (a) with nuts and bolts, leaded in; or
 - (b) by means of T-headed bolts passed through the brick joints and turned at right angles to the joints.

90. Supporting of vents.

A vent pipe—

- (a) the top of which is more than 3 000mm above the highest fastening to a structure; or
 - (b) that has an offset above the top holdfast,
- shall be stayed by at least two approved stays set at right angles to each other.

91. Vents adjoining high buildings.

- (1) Where—
 - (a) a building is erected next to an existing building of less elevation; and
 - (b) a window of the new building is located within 10m of an existing vent stack on the lower building,the owner of the new building shall defray the cost of the alterations to the vents of the previously existing building that are necessary to comply with Section 82.
- (2) The owner of the lower or existing building shall—
 - (a) on receipt from the owner of the new or higher building of money or security sufficient for the purpose—make the necessary alterations; or
 - (b) at the election of the owner of the new or higher building—permit the making of the alterations by the owner of the new or higher building.

92. Grease trap ventilation.

- (1) Unless otherwise approved by the Local Medical Authority or the Sewerage Engineer, an internal grease trap or external grease trap that—
 - (a) is within 10m of any door, window or other opening into a building; and

(b) is not fitted with an approved air-tight cover, shall have independent provision made for inlet and outlet ventilation.

(2) A vent referred to in Subsection (1) shall be carried—

(a) not less than 2m above any window, door or other opening into a building within a distance of 10m from the vent; and

(b) at least 600mm above the eaves or coping,

or to such additional height as is necessary to effectively prevent the escape of foul air into any building in the vicinity.

(3) There shall be a difference in height of at least 2m between the tops of the inlet and outlet vents.

(4) The size of the vents shall be in accordance with the requirements for main vents in Section 95(2)—

(a) the diameter of the waste pipe being taken as that of the outlet from the grease trap; and

(b) the number of fixture units being taken as equivalent to the number represented by the sinks served by the grease trap.

93. Fixture units.

(1) In this section and in Schedule 4, one fixture unit denotes a rate of discharge equal to 30 l/min.

(2) For the purpose of determining the size of a drain, waste, soil or vent pipe, unless otherwise ordered by the Local Medical Authority or an inspector, the equivalent fixture units set out in Schedule 4 shall be adopted.

(3) For fixtures other than fixtures referred to in Schedule 4, the equivalent fixture units to be adopted shall be determined by the Sewerage Engineer.

(4) Cleaners' sinks and floor wastes that are not regularly in use during the period of maximum use of other fixtures need not be included in determining the number of fixture units to be provided for.

94. Sizes of soil, waste and drain pipes.

(1) Subject to Subsection (2), the sizes of soil, waste and combined waste pipes shall not be less than the sizes determined, on the basis of the total number of fixture units drained or likely to be drained, in accordance with Schedule 5.

(2) Notwithstanding Subsection (1)—

(a) waste, combined and soil pipes shall not be diminished in the direction of flow; and

(b) the diameter of a trap, waste, combined waste or soil pipe receiving the discharge from a fixture shall not be less than the nominal outlet diameter of the fixture, and a soil pipe shall not be less than 80mm in diameter; and

(c) more than two closet pans shall not discharge into any 80mm graded soil pipe; and

(d) where 45° fittings are used throughout for connexions to a vertical stack, the permissible maximum number of fixture units for the stack may be increased by 50%; and

(e) more than 50% of the total permissible number of fixture units for a vertical stack shall not be connected to the stack in any 2.4m length of the stack; and

- (f) soil, combined waste and waste pipes shall be as direct and free from bends as practicable, but where bends are unavoidable approved provision shall be made, if necessary, to safeguard fixtures connected immediately above or below the bends.

(3) For the purposes of this section and of Schedule 5, an offset in a vertical stack may be deemed to be vertical, if the length of the offset does not exceed 1.5m measured horizontally.

95. Sizes of vents.

(1) For the purposes of this section, the length of a vent shall be measured as follows :—

- (a) the length of a main vent shall be taken as the height of the building, in storeys, above the floor on which the lowest fixtures served by the vent are situated; and
- (b) the length of a branch vent shall be taken as the height of the building, in storeys, above the floor on which the lowest fixtures served by the vent are situated, plus an additional storey for each 3 600mm, or part of 3 600mm, in the length of the branch vent, measured horizontally from the main vent to the fixture in question.

(2) Subject to Subsection (3), the diameters of main and branch vents shall be not less than the sizes determined, in accordance with Schedule 6, from—

- (a) the diameter of the soil, waste or combined waste pipe or stack to be vented; and
- (b) the total number of fixture units served by the main vent or by the part of the branch vent under consideration; and
- (c) the length of the vent.

(3) Notwithstanding Subsection (2)—

- (a) a vent shall not be less than 32mm in diameter; and
- (b) a main or branch vent shall not have a diameter less than 50% of that of the soil, combined waste or waste pipe that it serves; and
- (c) for a 50mm and 65mm waste pipe the main or branch vent shall have a diameter of not less than 40mm; and
- (d) a branch vent need not be larger in diameter than the soil, combined waste or waste pipe that it serves.

(4) The diameter of an individual anti-siphonage vent shall not be less than the diameter determined from the diameter of the fixture trap served, in accordance with the following table :—

Diameter of fixture trap.	Minimum permissible size of anti-siphonage vent.	Diameter of fixture trap.	Minimum permissible size of anti-siphonage vent.
mm	mm	mm	mm
32	32	65	50
40	32	80	50
50	40	100	50

96. Provision of waste pipes.

Separate waste pipes shall be provided for—

- (a) dirty water from baths, sinks, lavatory basins and wash troughs, and other water containing a small proportion of soap and dirt; and
- (b) greasy water—
 - (i) from kitchen and scullery sinks or other fixtures; and
 - (ii) where grease traps are required by this Regulation or ordered by the Local Medical Authority or an inspector.

97. Provision of soil pipes.

A soil pipe shall be provided for—

- (a) soil water from a closet; and
- (b) other water containing faecal matter; and
- (c) urinal water from a slop sink or urinal; and
- (d) where ordered by the Local Medical Authority or an inspector—for discharges from an operating theatre or morgue,

and such water shall not be discharged into a waste pipe.

98. Combined pipe systems.

The Sewerage Engineer may, if he thinks fit, approve the adoption of the combined pipe system for plumbing installations, subject—

- (a) to an interceptor trap or a boundary trap being provided in the house drain complete with induct vent on the drain side of the trap in all buildings with ground-floor fittings; and
- (b) to such other conditions as he thinks necessary in a particular case.

99. Connexions to drains.

(1) A waste pipe shall discharge under the grating of a yard gully or into a disconnector trap.

(2) A soil pipe, including a soil pipe connected to a urinal or a slop sink, shall be connected direct to a drain.

(3) A metallic waste pipe shall not be laid in the ground, whether inside or outside a building, without the approval of the Sewerage Engineer.

100. Flashings, etc.

(1) Unless otherwise ordered by the Local Medical Authority or an inspector—

- (a) a trough, sink or other fixture that is placed less than 80mm; and
- (b) a bath that is placed less than 150mm,

from a wall (other than a wall provided with wall skirtings as part of the fixture) shall be flashed with—

- (c) 1.6mm thick lead; or
- (d) 0.6mm thick copper, bronze, brass, nickel-silver or monel metal; or
- (e) other approved material,

except that galvanized sheet iron may be used for a fixture other than a sink.

(2) Flashing referred to in Subsection (1) shall be—

- (a) turned up the wall at least 100mm; or
- (b) tucked 25mm into a joint and cemented water-tight,

except where the wall is tiled when the flashing shall be carried up at least 6mm behind the tiles.

(3) A bath or other fixture having a turned-up flange, for use against a tiled wall instead of sheet metal flashing, shall be properly supported to prevent settlement, and the flange shall lap at least 6mm behind the tiles.

(4) In a case to which Subsection (3) applies—

- (a) the tiles shall be brought hard down on to the surface of the fixture; and
- (b) wall surfaces adjacent to all fittings shall be impervious to water.

(5) A flashing shall—

- (a) be properly secured and made water-tight; and
- (b) be bedded in red or white lead for a width of not less than 25mm along the edge nearer the fixture.

101. Fixtures, etc., against walls.

(1) Unless otherwise ordered or approved by the Sewerage Engineer—

- (a) a sink, tub or similar fixture situated in premises, other than a private house, where food for human consumption is prepared, manufactured or stored for sale; and
- (b) a draining board, slab or plate used in connexion with any such fixture,

shall not abut against a wall.

(2) A sink, tub or other fixture, and a draining board, slab or plate, referred to in Subsection (1) shall have or leave a clear space of not less than 75mm between the fixture and a wall surface or obstruction.

102. Internal cocks.

A cock delivering water shall not be fixed internally unless—

- (a) a sink, lavatory, basin or other approved fixture; or
- (b) a properly drained impervious floor,

is provided underneath.

103. Pipes passing through roofs.

Where a vent, waste or soil pipe passes through a roof, a suitable lead collar or flashing out of 1.6mm thick lead shall be soldered or otherwise fixed to the pipe and the roof in such a manner that the roof is perfectly water-tight.

104. Location of soil and waste pipes.

A line of soil or waste pipe shall be as direct as possible.

105. Materials for soil and waste pipes.

- (1) Material other than cast-iron, lead, copper or brass shall not be used for a soil pipe.
- (2) Material other than wrought-iron, cast-iron, lead, brass, copper, stoneware or other ceramic ware, or in the case of acid wastes other materials approved by the Sewerage Engineer, shall not be used for a waste pipe.

106. Lead soil and waste pipes.

The minimum permissible thickness of lead for soil pipes is 2.8mm, and for waste pipes 2.4mm.

107. Galvanized steel pipes.

Notwithstanding anything in this Regulation, galvanized steel pipe conforming with Australian Standard Specification B.105/1960¹ being medium class for sanitary plumbing and heavy class for water supply plumbing, may be used instead of wrought-iron pipe.

108. Cast-iron pipes.

(1) A cast-iron pipe shall be sound, free from holes and cracks, and coated with approved bituminous composition or lined with glass enamel or other material to the approval of the Sewerage Engineer.

(2) Where laid in the ground, a cast-iron pipe and its fittings shall conform to British Standard Specification 1211/1958 Class B.

(3) A cast-iron pipe for use in situations other than those referred to in Subsections (1) and (2) shall have a minimum thickness of 5mm, measured without the enamel or other lining, and its fittings shall correspond with it in weight and quality.

(4) A junction in a pipe referred to in Subsection (3) shall be curved, and a right-angled junction shall not be made.

109. Copper and brass pipes.

(1) A copper or brass waste pipe or inside vent pipe shall be a seamless solid drawn tube and—

(a) if made of brass—shall be not less than 1.6mm thick; or

(b) if made of copper—shall conform to Australian Standard Specification B.158/1961²,

and shall, where ordered, by the Local Medical Authority or an inspector, be protected from external injury.

(2) A sheet copper vent pipe for use on outside work only shall be not less than 0.6mm thick, made with grooved seams.

110. Use of lead pipes.

A lead pipe shall not be used where it is liable to damage.

111. Supporting of lead pipes.

(1) A lead pipe shall be supported by—

(a) cast lead tacks wiped on to the pipe; or

(b) other approved fastenings.

(2) The fastenings shall be arranged as nearly as possible as follows :—

<i>Type of pipe.</i>	<i>Centres.</i>
100mm vertical lead pipe	750mm
100mm inclined lead pipe	600mm

¹ See, now, Australian Standard Specification AS1074-1976, Steel tubes and tubulars threaded or suitable for threading with pipe threads of Whitworth form.

² See, now, Australian Standard Specification AS1589-1973, Copper and copper bound alloy fittings for use in sanitary plumbing installations.

<i>Type of pipe.</i>	<i>Centres.</i>
Less than 100mm vertical pipe	900mm
Less than 100mm inclined pipe	675mm

(3) The dimensions of the tacks shall be as follows :—

<i>Diameter of pipe.</i>	<i>Tacks.</i>
100mm	200mm x 6mm
80mm	150mm x 5mm
50mm	100mm x 3mm
40mm	75mm x 3mm.

112. Minimum permissible gradients for soil and waste pipes.

Except where the Sewerage Engineer approves the use of flatter gradients, the minimum gradient to be adopted for soil and waste pipes is—

<i>Diameter of pipe.</i>	<i>Minimum gradient.</i>
32mm	1 in 12.5, or 8.00%
40mm	1 in 15, or 6.76%
50mm	1 in 20, or 5.00%
80mm	1 in 30, or 3.33%
100mm	1 in 40, or 2.50%
150mm	1 in 60, or 1.66%.

113. Junctions.

Where a waste or soil stack is branched into a graded waste, soil or drain pipe—

- (a) the branch fitting shall have an angle of not less than 45° to the graded pipe; and
- (b) the length of the branch of the fitting shall be such that the vertical projection of the attached stack is wholly outside the area of the junction with the graded pipe.

114. Sealing of pipes.

(1) When a fixture is demolished, the soil, waste, vent and water supply pipes to the fixture shall be removed, or if they are allowed by the Sewerage Engineer to remain the ends of the pipes shall be sealed with water-tight imperishable materials.

(2) Wrought-iron pipe may be sealed with a screwed plug, cast-iron pipe may have a cast-iron plug caulked in with lead, lead pipe may have the end securely closed with a wiped joint, and stoneware pipe may have a stoneware disk cemented in.

115. Sheet metal bends and offsets.

- (1) A sheet metal bend or offset for a flush or vent pipe shall be bent or pressed.
- (2) Mitred elbows shall not be used.

116. Concealment of pipes, etc.

(1) Except where passing through a wall, partition or floor, a soil, waste or main vent pipe or trap shall be reasonably accessible at all times for convenience of inspection and repair.

(2) In a hospital or a similar institution, a soil, waste or main vent pipe shall, where practicable—

(a) be fixed on the outside of an external wall or in a pipe duct having a minimum width of 600mm and a minimum area of 1m² (measured clear of all pipes or other obstructions); and

(b) be so arranged as to facilitate inspection and maintenance at all times,

and the pipe duct shall be provided with access doors so placed as to permit ready inspection of every straight line of pipe.

(3) If a soil, waste or main vent pipe in a building other than a hospital or a similar institution is concealed within a pipe duct or a recess in a wall, the pipe duct or recess shall—

(a) be provided with approved means of access and have a minimum width of not less than 600mm and a minimum area of 1m² (measured clear of all pipes or other obstructions); or

(b) have at least one of its sides—

(i) constructed of woodwork, brickwork in lime mortar, terra-cotta or gypsum blocks, plaster on expanded metal lathing or other approved material, so constructed and fixed as to be capable of being removed independently of, and without damage to, any other part of the structure; and

(ii) provided with inspection openings placed so as to allow ready inspection and maintenance of every straight line of pipe.

(4) A branch or anti-siphonage vent pipe may be—

(a) concealed in a hollow wall; or

(b) built in lime mortar in a wall-chase,

if it is made of—

(c) cast-iron, wrought-iron or steel; or

(d) brass, being not less than 2.5mm thick when screwed fittings are used; or

(e) brass, being not less than 1.6mm thick when—

(i) compression fittings are used, with fittings to correspond; or

(ii) joints are brazed; or

(f) copper conforming to Australian Standard Specification B.158/1961¹.

(5) Unless approved by the Sewerage Engineer, a junction shall not be built into a wall.

(6) An inspection or access opening to a concealed pipe shall—

(a) be finished throughout with smooth surfaces; and

(b) be of such size and shape as to permit the entrance of cleaning tools, as required, to the pipe.

¹ See, now, Australian Standard Specification AS1589-1973, Copper and copper bound alloy fittings for use in sanitary plumbing installations.

(7) For the purposes of this section, a straight line of soil, waste or main vent pipe shall be taken to include any offset or deviation from the straight line of—

- (a) not more than 45°; and
- (b) not more than 900mm in length.

117. Concealed standing wastes.

A person must not have concealed standing wastes on any property.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

118. Painting.

Painting of any portion of the plumbing work shall not be carried out until the work has been inspected and approved.

119. Stoneware, cement, concrete and cast-iron pipe.

Joints of stoneware, cement, concrete or cast-iron pipes shall conform with Section 61 or 62 as the case requires.

120. Lead pipe.

Joints of lead pipes, and between lead pipes and brass unions, ferrules and other corrosion-resistant metallic fittings, shall be—

- (a) plumbers' wiped joints; or
- (b) made by fittings approved by the Local Medical Authority or the Sewerage Engineer for the purpose.

121. Wrought-iron pipe.

(1) The screwed ends and sockets of each size of wrought-iron or wrought-steel pipe shall be so formed, and the threads so cut, that the ends of the pipe butt against each other when screwed home in the sockets.

(2) Bends, junctions and similar fittings shall be similarly formed and screwed, so that when the pipe ends are screwed home the bore is continuously uniform and without breaks or pockets.

- (3) The burr shall be neatly filed off on the inner edge of all pipe ends.
- (4) Screwed joints shall be made with approved jointing material.
- (5) British Standard pipe threads shall be used.

122. Wrought-iron pipe to lead pipe.

Joints between wrought-iron and lead pipes shall be made by brass unions screwed to iron and wiped to lead.

123. Brass or copper pipe.

Joints of brass or copper pipes shall be made—

- (a) by brazing to the satisfaction of the Sewerage Engineer; or

- (b) in accordance with the Australian Standard Specification B.36, "Compression Joints and Copper Alloy Screwed Fittings for Standard Copper Tubes"¹; or
- (c) by other approved means.

124. Lead pipe to cast-iron pipe, etc.

The connexion of lead pipe or a lead trap to cast-iron pipe shall be made by brass ferrules lined with and connected to—

- (a) the lead pipe or trap, by means of a wiped joint; and
- (b) the cast-iron pipe, by inserting the ferrule in the socket of the cast-iron pipe and making the joint in the same way as in cast-iron pipe.

125. Sheet iron pipe to cast-iron pipe.

Connexions of galvanized sheet iron pipe to cast-iron pipe shall be made with molten lead, lightly but tightly caulked into the cast-iron socket.

126. Sheet iron pipe to wrought-iron pipe, etc.

Galvanized sheet iron pipe or sheet steel pipe shall be connected to wrought-iron or steel pipe by means of—

- (a) brass unions or sleeves soldered to the sheet iron pipe and screwed to the wrought-iron pipe; or
- (b) wrought-iron sockets screwed to the wrought-iron pipe, into which the sheet iron pipe is lightly but tightly caulked with molten lead.

127. Sheet iron pipe to lead pipe.

Connexions of sheet iron pipe to lead pipe shall be made by—

- (a) brass sleeves wiped to the lead pipe and soldered to the sheet iron pipe; or
- (b) cast lead collars wiped to the lead pipe, into which the sheet iron pipe is caulked as ordered by the Local Medical Authority or an inspector, or soldered and jacketed.

128. Lead pipe to salt glazed ware pipe.

Connexions of lead pipe to salt glazed ware pipe shall be made by means of a mortar joint as prescribed by Section 61 for joining salt glazed ware pipes, but the portion of the lead pipe that is covered by the joint compound shall first be coated with an approved bituminous compound.

129. Concrete or stoneware traps to lead pipe.

The connexion of a concrete or stoneware trap to a lead pipe shall be by means of a cast lead or brass socket—

- (a) the joint being made with bitumen or other approved material; and
- (b) the lead pipe being connected to the tail end of the brass or lead socket by a plumber's wiped joint.

¹ See, now, Australian Standard Specification AS1645-1977, Copper and copper alloy compression fittings for use in water supply and hot water services.

130. Connexion of closet pan traps to soil or drain pipes.

- (1) Connexion of a closet pan trap to a soil or drain pipe shall be made—
 - (a) by means of a bituminous jointing material, consisting of a mixture of approved bitumen and finely graded inert mineral filler in equal proportions, filled in solidly into the socket of the soil or drain pipe and neatly splayed off;
or
 - (b) by some other approved method.
- (2) In the case of a lead soil pipe, a cast lead or brass socket shall be used, connected to the lead pipe by means of a wiped joint.

131. Connexion of cistern flush pipes to closet pans.

- (1) The flush pipe from a cistern shall be connected to the water-closet pan—
 - (a) by means of a lead cap piece of lead not less than 1.6mm thick, packed with red lead or other approved material; or
 - (b) by some other approved method.
- (2) The cap piece shall be jointed—
 - (a) to galvanized sheet iron, copper, brass or drawn steel pipe by means of a soldered joint; and
 - (b) to lead flush pipe by means of a wiped or soldered joint.
- (3) The connexion of the flush pipe to the cistern shall be—
 - (a) by means of a brass union, wiped to lead pipe or soldered to sheet iron pipe;
or
 - (b) by some other approved method.
- (4) Copper or brass pipe shall be connected to the cistern—
 - (a) by means of a brass ring, with nut, brazed to the pipe; or
 - (b) by some other approved method.

132. Connexion of vent pipes to closet pans.

- (1) A vent pipe shall be connected to the vent horn of the water-closet trap—
 - (a) by a lead cap piece with red lead packing; or
 - (b) by some other approved method.
- (2) The cap piece shall be jointed—
 - (a) to copper or brass pipe by means of a soldered joint; and
 - (b) to lead pipe by means of a soldered or wiped joint.

133. Connexion of outlet fittings to fixtures.

- (1) Connexions between outlet fittings and baths, sinks, basins and other fixtures—
 - (a) shall be made with locknuts when the fixtures are constructed of cast-iron, plate iron, ceramic ware or concrete; and
 - (b) may be soldered when the fixtures are made of sheet metal lighter than 0.9mm thick.
- (2) The outlet fitting shall be connected to the waste pipe by means of a union.

134. Connexion of waste pipes to troughs.

(1) Connexions of waste pipes to wash troughs shall be made in accordance with this section.

(2) Cement troughs, unless otherwise approved by the Local Medical Authority or the Sewerage Engineer, shall have cast-in outlets.

(3) Sheet metal troughs shall be connected to the waste pipes as prescribed by Section 133.

(4) For wooden troughs lead, copper or brass waste pipes shall—

(a) be connected as prescribed by Section 133; or

(b) have flanges connected to the waste pipes and fastened to the undersides of the troughs with copper tacks,

after which the waste pipe shall be turned over inside the trough and the plug casting—

(c) bedded over it with red lead putty; and

(d) screwed to the trough with brass wood-screws.

(5) Where wrought-iron or other screwed pipes are used, the plug shall be connected to the trough by means of a locknut instead of a flange.

135. Trapping of fixtures.

(1) A fixture shall be effectively trapped, unless otherwise permitted in writing by the Sewerage Engineer.

(2) Separate traps shall be provided for each fixture, except that lavatory basins or sinks may be connected in pairs if—

(a) they are situated in detached outbuildings, open verandahs or sanitary blocks well ventilated to the satisfaction of the Sewerage Engineer; and

(b) the length of the waste pipe between the two fixtures does not exceed 900mm.

136. Position of traps.

A trap provided for a fixture shall—

(a) be placed as near the fixture as possible; and

(b) not be more than 600mm from its fixture, except—

(i) as provided by Section 135; or

(ii) with the special permission of the Sewerage Engineer.

137. Materials for traps.

(1) A trap for a fixture other than a water-closet, slop sink or urinal shall be of copper, brass or drawn lead.

(2) Traps receiving chemical wastes shall be of ceramic ware or stoneware.

138. Depth of water seal.

A trap provided for a fixture shall have a water seal of not less than 50mm.

139. Form of trap.

(1) The P form of trap shall be used in preference to the S form where in the opinion of the Sewerage Engineer it is equally suitable for the situation.

(2) Re-sealing traps may be installed—

- (a) with the approval of the Sewerage Engineer; and
- (b) in a manner specified in the approval.

140. Lead traps.

A lead trap shall be of the applicable weight specified in Section 106 for a lead pipe of the same class.

141. Gratings.

In corrodible outlets, gratings of approved design and material in accordance with Australian Standard Specification B.38, "Metal Alloy Sanitary Fittings"¹ shall be provided for all urinals, slop sinks and fixtures discharging into waste pipes, but if there is no Australian Standard Specification for a fixture the grating shall be as approved by the Sewerage Engineer.

142. Provision for inspection and cleaning.

(1) Inspection and cleaning eyes shall be provided in such positions on a soil and waste pipe as to provide access for proper inspection and cleaning of the entire length of pipe.

(2) A trap for a sanitary fixture (other than a water-closet or slop sink) shall be provided, for cleaning purposes, with an approved screwed brass plug fixed under the water-line of the trap.

143. Inspection openings on soil pipes.

Where the vertical stack of a soil pipe provides for a closet 1 200mm or more above ground level, measured from the floor level of the water-closet to ground level at the foot of the stack, an inspection opening, 225mm by 100mm, having a cover fixed to a flange with non-corrodible bolts or studs, shall be provided near the foot of the stack in such position as is ordered by the Local Medical Authority or an inspector.

144. Washers for inspection and cleaning openings.

Inspection or cleaning eyes on metal soil or waste pipes shall be jointed with insertions of leather washers, or in such other approved manner as to seal the joints effectively against the egress of gas or water.

145. Water-closets, urinals and hand basins.

(1) In this section—

"licensed" means licensed under the *Liquor (Licensing) Act*;

"resident" includes an employee of a resident employed on the property, whether or not living on the property.

(2) The owner of any property shall provide on the property water-closets, urinals and hand basins in accordance with the following scale :—

- (a) subject to Paragraph (b), for each house, flat or other form of tenement—one closet; and

¹ See, now, Australian Standard Specification AS1589-1973, Copper and copper bound alloy fittings for use in sanitary plumbing installations.

- (b) subject to Subsection (3), for a residential building used, or intended for use, as an apartment-house, boarding-house, boarding-school, hostel, lodging-house, motel, residential club or hotel or licensed hotel—
 - (i) where the number of resident male persons—
 - (A) does not exceed 100—one closet for every 20; or
 - (B) exceeds 100—five closets and one additional closet for every additional 25 above 100; and
 - (ii) where the number of resident female persons—
 - (A) does not exceed 100—one closet for every 20; or
 - (B) exceeds 100—five closets and one additional closet for every additional 25 above 100; and
- (c) in addition to the requirements of Paragraph (b) and Subsection (3), such number of separate water-closets, urinals and hand basins for the public frequenting the bars of a licensed club, hotel or motel, or other licensed premises, as is thought necessary by the Local Medical Authority, in the interests of public health and convenience, generally or in a particular case; and
- (d) subject to Subsection (4), for an office building (including a bank, broadcasting studio or doctor's or dentist's surgery), a shop (including a cafe, restaurant, retail store, espresso bar or service station), a warehouse (including a fire station, hangar, car park, show-room or display room), a factory or a day school—
 - (i) where the number of male persons—
 - (A) does not exceed 100—one closet for every 25; or
 - (B) exceeds 100—four closets and one additional closet for every additional 50 above 100; and
 - (ii) where the number of female persons—
 - (A) does not exceed 100—one closet for every 25; or
 - (B) exceeds 100—four closets and one additional closet for every additional 50 above 100; and
- (e) for a church—one closet for male persons and one closet for female persons; and
- (f) for any other public building used, or intended to be used, for a recreational or other social purpose not specified in this subsection—in accordance with Schedule 7, and in addition such number of separate water-closets, urinals and hand basins for employees and performers as is thought necessary by the Local Medical Authority, in the interests of public health and convenience, in any particular case; and
- (g) for a building not otherwise specified in this subsection—such number of water-closets, urinals and hand basins as is thought necessary by the Local Medical Authority, in the interests of public health or convenience, generally or in a particular case; and
- (h) where the Local Medical Authority thinks it necessary in the interests of public health or convenience—such additional number of water-closets, urinals and hand basins as is ordered by the Local Medical Authority, generally or in a particular case; and

- (i) for male persons employed in the erection of buildings—such number of temporary water-closets, urinals and hand basins as is ordered by the Local Medical Authority, generally or in a particular case.
- (3) In a case to which Subsection (2)(b) applies—
 - (a) there shall be at least two water-closets; and
 - (b) if the number of male persons exceeds 20, there shall be a urinal in the place of every second closet.
- (4) In a case to which Subsection (2)(d) applies—
 - (a) if the number of male persons exceeds 25, there shall be a urinal in place of every second closet; and
 - (b) if the number of persons does not exceed 10, there need be only one closet if—
 - (i) the door is fitted, for the purpose of privacy, with a latch of an approved type; and
 - (ii) the toilet-seat is of the "lift-up" type.
- (5) A water-closet, urinal or hand basin that is required by this section to be provided on any property shall comply with the requirements of the *Building Act*, and the regulations made under that Act, with respect to lighting, ventilation, airlocks and standards of construction.

146. Fixing of closet pans.

- (1) A closet pan on a concrete floor or floor of tiles set in concrete shall be—
 - (a) securely bedded in concrete or cement mortar; and
 - (b) fixed with brass screws to approved lead dowels set in the floor, or by some other approved method.
- (2) Where a closet pan is fixed on a wooden floor—
 - (a) the floor shall be covered with lead or approved composition; and
 - (b) the base of the pan shall be secured with brass screws to a raised block covered with lead or composition finishing 32mm above floor level; and
 - (c) the block shall not extend beyond the base of the pan.

147. Closet pans.

- (1) A water-closet shall be furnished with a pan of non-absorbent material of such shape, capacity and construction as is approved by the Sewerage Engineer.
- (2) A water-closet pan and its fittings shall be entirely open to inspection and without any enclosure.
- (3) A vent horn shall be provided on a pan even if an anti-siphonage vent is not required, but if it is not used for a vent the vent horn shall be sealed with a lead disk, bituminous filler and a lead cap piece, or by some other approved method.

148. "Asiatic" toilets.

Notwithstanding this Regulation, the Sewerage Engineer may approve the installation of the "Asiatic" type of closet pan in a water-closet.

149. Closet pan seats.

- (1) Where a seat is provided in a water-closet, it shall be—
 - (a) of approved size, shape, construction and material; and
 - (b) fitted with hinges and screws of non-corrosive metal.
- (2) A one-piece seat constructed of wood shall be reinforced with two or more wood or brass slips let in flush on the underside.
- (3) A multi-piece seat shall be glued and dowelled or bolted.

150. Flushing apparatus.

- (1) Approved apparatus shall be provided for—
 - (a) the effective application of water to the pan of the water-closet; and
 - (b) the efficient flushing and cleansing of the pan; and
 - (c) the effective removal of any solid or liquid matter deposited in the pan.
- (2) Subject to Section 151, the flushing apparatus shall have a flushing capacity of 9 l, plus or minus not more than 10%.

151. Flushing cisterns.

(1) A flushing cistern shall be fixed at such height as will effectively flush the pan, but, unless otherwise approved by the Sewerage Engineer, a cistern shall not be fixed at a height, measured from the top of the seat to the underside of the cistern, less than—

- (a) 1 500mm, where a 32mm flush pipe is used; or
- (b) 1 200mm, where a 40mm flush pipe is used,

and there shall be a space of at least 225mm between the top of the cistern and the ceiling of the closet.

- (2) A low-level flushing cistern may be installed if—
 - (a) the flush does not exceed 14 l; and
 - (b) the suite has been passed by the Sewerage Engineer after testing it as a complete unit.
- (3) A cistern shall be fixed—
 - (a) on 40mm angle-iron bearers or approved iron brackets properly supported;
or
 - (b) if approved by the Sewerage Engineer, to a cistern board not less than 300mm deep and 32mm thick, fixed to the wall in an approved manner.
- (4) The iron-work of a cistern shall be painted or galvanized to the approval of the Local Medical Authority or the Sewerage Engineer, and brackets shall be secured to the wall with 6mm bolts of the required length.
- (5) A low-level cistern fitted with a flush pipe less than 65mm in internal diameter shall be placed so that the bottom of the cistern is not less than 200mm above the top of the pan.
- (6) The water supply pipe to a cistern shall be adequate to fill the cistern at the rate of not less than 2 l/min. when one other tap on the service is turned full on.
- (7) A cistern shall have a separate stop tap, and an overflow of 18mm internal diameter.

152. Flush pipes.

- (1) A flush pipe to a closet pan shall—
 - (a) be of brass, copper, lead 2.4mm thick, seamless galvanized steel tube not less than 1.2mm thick or other approved material; and
 - (b) have a minimum diameter of 32mm.
- (2) Where the closet pan is provided with a hinged seat, the flush pipe shall be fitted with an approved buffer and buffer block.

153. Flushing apparatus other than cisterns.

- (1) A flushing valve used in connexion with a flushing apparatus other than a cistern shall be—
 - (a) of a type tested and approved by the Sewerage Engineer; and
 - (b) provided with a fullway stop-cock fixed in such a position as to be readily accessible.
- (2) A flushing apparatus other than a cistern shall be fed only from a storage tank that is supplied from the main through a ball-cock.

154. Storage tanks.

- (1) Where ordered by the Sewerage Engineer, internal water-closets shall be provided with storage tanks capable of holding the equivalent of two flushes of water for each occupant of the building, with a minimum of 20 flushes per closet for all buildings except private residences, which shall have a minimum capacity of 10 flushes.
- (2) Unless otherwise approved by the Sewerage Engineer, the storage tanks shall be placed—
 - (a) in the water-closet apartment; or
 - (b) on the roof, over a flat or gutter; or
 - (c) subject to Subsection (3), in an accessible place between the ceiling and the roof.
- (3) In a case referred to in Subsection (2)(c), a safe of galvanized iron, lead or other approved impervious material, with at least 40mm overflow, shall be fixed under the storage tank.
- (4) A storage tank shall be provided with an approved cover.
- (5) The head of water measured vertically from the top water level of the storage tank to the level of the point of discharge into a cistern shall not be less than 2m, but in the case of discharge into a flush valve the head shall be such that the flush valve operates to the tests required by the Sewerage Engineer.
- (6) The water supply pipes from storage tanks to cisterns shall be not less than the following sizes :—

1-2 cisterns	20mm diameter
3-6 cisterns	25mm diameter
7-25 cisterns	40mm diameter
26-50 cisterns	50mm diameter.
- (7) Where the head of water from the storage tank to the flushing cistern is less than 6m, a low pressure ball valve shall be installed.

(8) The water supply pipes from storage tanks to the flush valves shall not be less than the sizes as determined from—

- (a) the available head of water measured vertically in storeys from the level of the first flush valve served by the portion of supply pipe under consideration to the normal water level of the storage tank; and
- (b) the total number of flush valves served by the portion of the supply pipe under consideration,

in accordance with Schedule 8.

(9) Where the capacity of a tank exceeds 250 l, it shall be fitted with a fullway valve on the main outlet.

(10) Where ordered by the Sewerage Engineer, storage tanks in accordance with this section shall be provided for all external water-closets at hospitals, asylums and similar institutions.

155. Venting of closet pans, slop hoppers and urinals.

(1) Subject to Subsection (2), unless otherwise ordered or approved by the Sewerage Engineer a closet pan, slop hopper or urinal on an upstairs floor shall discharge into a soil vent pipe.

(2) Where there are no other fixtures connected to the soil stack, a pan may be ventilated by an anti-siphonage vent only, as prescribed by Sections 81 and 95, and discharge into a soil pipe without extension as a vent pipe.

(3) Subject to Subsection (4), an external closet pan in which siphonage occurs, and an internal closet pan shall be ventilated by an anti-siphonage vent, as prescribed by Section 95, sufficiently close to prevent siphonage and not more than 450mm from the trap.

(4) Where there is only one closet pan on the branch and the pan is not more than 1 200mm from a soil vent pipe (measured horizontally between the centre of the soil vent pipe and the centre of the pan), the anti-siphonage vent may be omitted.

156. Grouped external closets.

Where there are more than three external wall closet pans grouped on the ground floor or in the yard of any premises—

- (a) the drain or soil pipe shall be separately ventilated for every group or part of a group of three pans; and
- (b) the size of the vent shall be as prescribed by Section 95.

157. Construction of urinals.

(1) Unless otherwise approved by the Sewerage Engineer, round-backed stall-type urinals of approved impervious material and approved construction shall be used for internal urinals.

(2) Soil pipes shall be—

- (a) of glazed earthenware, glass enamelled or coated cast-iron, lead, or other approved material; and
- (b) kept as short and free from bends as possible; and
- (c) provided with inspection openings as ordered by the Local Medical Authority or an inspector.

- (3) Urinals shall be provided—
 - (a) with approved flushing apparatus; and
 - (b) with a hose tap in a suitable position for hosing down.
- (4) The floor in front of a urinal shall be—
 - (a) covered with approved impervious material for a width of not less than—
 - (i) 600mm; or
 - (ii) if it is raised above floor level of the urinal apartment—450mm; and
 - (b) graded to drain to the urinal.
- (5) For the purposes of this section, the following materials are impervious :—
 - (a) for urinals—glazed fire-clay or stainless steel; and
 - (b) for floors in front of urinals—
 - (i) glazed tiles set in cement mortar, composed of equal parts of cement and sand; or
 - (ii) concrete 150mm thick rendered with 12mm thick cement mortar, slate or marble.

158. External urinals.

- (1) With the approval of the Sewerage Engineer, external urinals shall be constructed in an approved position of approved slabs of slate or other impervious material and channels.
- (2) All fastenings shall be brass and channels, where let into the floor, shall be of glazed earthenware 125mm wide of semi-circular section and graded with an even fall to the outlet of 1:20.
- (3) An outlet shall be provided for each 3m or part of 3m of channel.
- (4) The floor in front of the urinal shall be raised and constructed as prescribed in Section 157, and subject to this section the urinal shall comply with that section.

159. Flushing apparatus for urinals.

Unless an automatic flushing cistern is approved in writing by the Sewerage Engineer, a hand-operated cistern or other approved hand-operated apparatus shall be installed for a urinal.

160. Flushing cisterns.

- (1) The discharge from a cistern installed for a urinal shall, unless otherwise approved by the Sewerage Engineer, be equal to 4 l for—
 - (a) each urinal stall; or
 - (b) every 600mm width of slab-back urinal,but a cistern of a capacity of more than 14 l shall not be used.
- (2) Unless otherwise approved by the Sewerage Engineer, the height of a cistern shall be at least 2m from the floor to the bottom of the cistern with a clear space of at least 225mm above the top of the cistern, for access to the ball-cock.
- (3) A urinal-flushing cistern shall be provided with a suitable cover and a separate stop tap.

161. Flush pipes.

(1) Flush pipes for urinals shall have a minimum diameter of 32mm, except that flush pipes for automatic flushing cisterns generally shall not exceed—

- (a) for a 4 l cistern—20mm internal diameter; and
- (b) for a 9 l cistern—25mm internal diameter; and
- (c) for a 14 l cistern—32mm internal diameter.

(2) For a 20mm flush pipe one spreader only may be used, for a 25mm flush pipe two spreaders and for a 32mm flush pipe three spreaders may be used.

(3) Saddle or bridle pieces shall be of approved diameter where they are necessary, and pipe clips, bolts and screws used in fixing shall be of brass or copper.

(4) Where slab urinals are permitted, the distance between spreaders shall not exceed 600mm.

(5) Sparge pipes shall be perforated by drilling, and the perforations shall be—

- (a) 3mm in diameter and spaced at 40mm centre; or
- (b) as approved by the Sewerage Engineer.

162. Flush valves for urinals.

Where flush valves are approved by the Sewerage Engineer, every urinal flush valve shall be supplied from a storage tank, as prescribed by Section 154.

163. Slop hoppers.

(1) A slop hopper shall be—

- (a) made in one piece of approved impervious material; and
- (b) provided with approved flushing apparatus of 9 l capacity as prescribed for water-closets.

(2) A slop hopper shall be placed and ventilated as prescribed for water-closets by Section 155.

(3) A bibcock shall be fixed directly over, and at least 450mm above, each slop hopper.

164. Wash troughs.

(1) A wash trough shall be—

- (a) of approved pattern and material; and
- (b) securely fixed and graded to the outlet pipe; and
- (c) fitted with a brass strainer sunk to the level of the bottom of the trough.

(2) Unless otherwise approved by the Sewerage Engineer, a water tap shall be constructed over each trough.

(3) Unless otherwise approved in writing by the Sewerage Engineer, a wash trough—

- (a) shall be properly mounted on approved concrete or brick-in-cement pedestals; and
- (b) if mounted within 150mm of a wall, shall be bolted with galvanized hook bolts at least 10mm diameter to the wall.

165. Troughs abutting against brick wash-coppers.

Where the end of a wash trough abuts against the brickwork of a wash-copper, the space between the end of the trough and the brickwork shall be bridged with approved waterproof material and made watertight.

166. Standing overflow wastes.

Standing overflow wastes shall not be used in connexion with a sink, bath, lavatory basin or shower compartment.

167. Fixing of sinks, etc.

(1) A sink or approved combined sink and draining board shall be effectively supported, and the traps and waste pipes shall be left readily accessible for inspection and cleaning.

(2) A draining board may be of wood, stainless steel or other approved metal or composition.

(3) A wooden draining board attached to a sink—

- (a) shall be constructed of suitable timber not less than 32mm thick after being properly fluted and graded into the sink; and
- (b) shall be bedded on top of the sink with white lead putty; and
- (c) shall not be stopped after fixing.

168. Galvanized sheet iron baths.

The bottom of a galvanized sheet iron bath shall be effectively supported on legs, and the bath shall not be enclosed.

169. Bath traps.

Unless otherwise approved by the Sewerage Engineer, a bath trap fixed on the outside of a wall shall not be more than 900mm from the outlet of the bath.

170. Baths without flashing.

Where a pedestal bath is fixed and it is not desired to flash it, it shall be fixed at least 150mm clear of walls.

171. Shower compartments.

(1) The floor of a shower compartment shall be—

- (a) graded to an approved 50mm diameter trapped outlet; and
- (b) constructed of—

- (i) not less than 100mm of concrete, trowelled smooth or covered with tiles set in cement mortar; or
- (ii) timber covered with—
 - (A) enamelled cast-iron; or
 - (B) approved impervious non-corrosive sheet metal; or
 - (C) other approved material,turned up at the edges and flashed as prescribed by Section 100; or
- (iii) other approved impervious materials.

- (2) The level of the grating on the outlet shall be—
 - (a) at least 50mm below the level of the floor outside and adjoining the shower compartment; or
 - (b) where a kerb is provided, 50mm below the level of the kerb.
- (3) The walls of a shower compartment shall be—
 - (a) finished with cement mortar rendered to a smooth surface; or
 - (b) covered with tiles set in cement mortar; or
 - (c) lined with approved non-corrosive material.

172. Showers over baths.

A shower shall not be fixed over a bath unless—

- (a) the walls within a radius of 900mm of the shower are of an impervious nature and the floor is constructed of approved impervious material graded to a floor waste; or
- (b) the bath is provided with an approved shower shield attachment.

173. Venting of lavatory basins.

Where ordered by the Sewerage Engineer, a lavatory basin waste shall be provided with an anti-siphonage vent.

174. Venting of sinks discharging into grease traps.

A kitchen sink discharging into a grease trap shall be vented irrespective of the length of the waste.

175. Lavatory basins and sinks.

- (1) A basin or sink shall be of an approved type, inspected and passed by the Sewerage Engineer.
- (2) If a basin or sink is provided with an overflow, it shall be of the weir type.
- (3) A basin bracket shall be bolted to the wall in an approved manner.

176. Tip-up basins.

Tip-up lavatory basins shall not be used.

177. Ground floor showers.

Where a shower only is provided in a bathroom on a ground floor, a 100mm stoneware or concrete trap fitted with a brass grating shall be used for the drainage of the floor.

178. Safes.

- (1) Unless the floor is constructed—

- (a) of concrete not less than 100mm thick; or
 - (b) of other approved impervious material,

graded as ordered by the Local Medical Authority or an inspector, safes of lead or other approved impervious material shall be fitted under—

- (c) a slop hopper or water-closet; and
 - (d) a bath or wash trough where, in the opinion of the Sewerage Engineer, there is a danger of damage or nuisance by its overflowing.

(2) A lead safe shall be laid with sheet lead not less than 2mm thick, and where the whole floor is not covered with lead the safe shall extend—

- (a) for a pan or slop sink—300mm beyond the side and 375mm beyond the front of the fixture; and
- (b) for a bath or wash trough—300mm beyond the end and 600mm beyond the front of the fixture.

(3) A safe shall extend back to the wall and 75mm up it, and the roll of the safe shall be 50mm wide and 18mm high and constructed to the approval of the Local Medical Authority or the Sewerage Engineer.

(4) Unless otherwise approved by the Sewerage Engineer, a safe—

- (a) shall be drained by a separate 50mm diameter pipe provided at the inlet with a brass grating and at the outlet into the open air with a flap valve of brass or other approved metal; and
- (b) shall not connect with a waste pipe, soil pipe, drain or sewer.

179. Cistern overflows.

(1) A cistern supplied with water shall have an overflow pipe of adequate size, discharging in a position where it does not cause damage but acts as a warning pipe.

(2) On a ground floor where a cistern is fixed over an impervious floor graded to drain outside the room, the overflow may discharge on to the floor if damage is not likely to arise from the discharge.

(3) Overflows may discharge into the open air above ground floor level only where the discharge will not cause any inconvenience or nuisance, and in all other cases the pipes shall be brought to the ground surface or be arranged to discharge where they will not prove a source of annoyance or inconvenience.

PART X.—EXISTING WORKS AND DEFECTIVE WORKS GENERALLY.

180. Regrading of existing floors under fixtures.

Where, in the opinion of the Sewerage Engineer, it is necessary, an existing floor under a fixture shall be regraded, and a proper waste pipe and, if ordered by the Local Medical Authority or an inspector, a flap valve fixed.

181. Existing fixtures, fittings, etc.

(1) An existing fixture, fitting or appliance not in accordance with this Regulation that—

- (a) the owner desires to retain unaltered and undisturbed; and
- (b) in the opinion of the Sewerage Engineer, will be inoffensive,

may, on the written request of the owner, remain until the Sewerage Engineer orders otherwise.

(2) Existing fixtures, fittings and appliances that, in the opinion of the Sewerage Engineer, are offensive shall be removed at once.

182. Defective works, etc., generally.

(1) Materials, pipes, bends, junctions, fittings, fixtures and apparatus found on inspection under this Regulation to be defective shall be removed and replaced by sound ones, and all defective joints shall be made tight.

(2) A drain, soil, waste or vent fitting or fixture that—

(a) is laid, used or constructed otherwise than as prescribed by this Regulation;
or

(b) in the opinion of the Sewerage Engineer is, or has become, defective,
must, on written notice from the Local Medical Authority or the Sewerage Engineer to—

(c) the owner or occupier of the property; or

(d) in the case of joint drainage—the owners or occupiers of the several
properties,

be removed, altered or repaired by the owner or occupier—

(e) as required by the Local Medical Authority or the Sewerage Engineer, as the
case may be; and

(f) within the time fixed in the notice; and

(g) to the satisfaction and approval of the Sewerage Engineer.

183. Responsibility of owner or occupier for defective work, etc.

(1) An owner or occupier who fails to comply with a notice given to him under Section
182(2) is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence
continues after the receipt of a written notification from the Local Medical
Authority.

(2) In a case to which Subsection (1) applies, the Local Medical Authority or the
Sewerage Engineer may, if he thinks fit—

(a) remove, alter or repair the defective fitting, fixture or apparatus; and

(b) charge the owner or occupier of the property with the cost incurred and
proceed for recovery in the manner provided for by Section 201.

PART XI.—RIGHT OF ENTRY, ETC.¹

184. Inspection of private premises.

The Sewerage Engineer, an inspector or any other authorized representative of the
Local Medical Authority may inspect a drain, fixture, fitting, pipe, appliance, connexion or
other works connected with any such thing, and, for the purpose of inspection, he may at
all reasonable times in the day-time—

(a) enter on any property to, through or into which a drain or sewer has been
laid; and

(b) cause the ground to be opened wherever he thinks it necessary for the
purpose,

doing as little damage as may be.

185. Entry for purposes of survey, etc.

For the purposes of survey, design, house drainage or sewer reticulation, the Sewerage
Engineer, an inspector or any other authorized representative of the Local Medical

¹ See, also, Constitution, Sections 44, 53.

Authority may, at all times during normal working hours, enter privately owned lands, buildings or dwellings for the purpose of surveying, inspection of fittings and setting out of the works.

186. Entry for construction.

(1) After 30 days from the publication in the National Gazette of a notice under Section 4 declaring a sewerage district, the Sewerage Engineer, or a person authorized by the Sewerage Engineer for the purpose, may enter on private land within the sewerage district for the purpose of constructing a sewer and its appurtenances.

(2) Before commencing operations on any land, the Sewerage Engineer shall give written notice, personally or by post to the last-known address of the owner, that he proposes to commence operations on the land.

(3) The owner and occupier of the land on which sewerage operations are or are proposed to be commenced must give all assistance reasonably required by the Sewerage Engineer in providing necessary access of plant and materials during the progress of the works.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

(4) The Sewerage Engineer shall use all reasonable care and take reasonable precautions to reinstate the surface to compare with its condition before the commencement of operations.

187. Manholes in private property.

(1) The Sewerage Engineer may construct a manhole or manholes in privately owned land without liability for loss of value to the owner or occupier.

(2) A manhole shall finish 75mm above the surrounding ground, and the Sewerage Engineer may cause a section of the ground to be levelled for an area of 1.5m² at such a manhole.

(3) The owner or occupier shall not—

(a) alter, or cause or permit to be altered, the level of the ground levelled under Subsection (2); or

(b) regrade the ground to drain to the area,

without the prior approval of the Sewerage Engineer.

(4) Where an owner or occupier desires to alter the level of any ground levelled under Subsection (2), he shall approach the Sewerage Engineer and pay for any alteration in the level of the manhole cover required by the Sewerage Engineer.

(5) A building shall not be erected over a manhole, and a manhole shall not be enclosed in any yard or pen used for retaining birds or animals, without the prior written approval of the Sewerage Engineer.

PART XII.—RATES AND RATING^{1 2}

188. Interpretation of Part XII.

In this Part—

“owner”, in a case where a person is in occupation of land on which there is a building the property of the State or of the Government of Australia by virtue of an agreement with the State or the Government of Australia, means that person;

“sewerage rate” means a sewerage rate fixed under Section 189.

189. Fixing of sewerage rate.

(1) The Minister may, by notice in the National Gazette, fix a sewerage rate for a sewered area for the 12 months commencing on 1 July in each year.

(2) A rate fixed under Subsection (1) is due and payable 14 days after publication of the relevant notice under that subsection.

(3) Where a sewerage rate has not been fixed under Subsection (1) for a period of 12 months, the rate last fixed (if any) is the sewerage rate for that period.

(4) The sewerage rate fixed under Subsection (1) may be—

- (a) a flat charge to be paid in respect of each allotment of land in the area; or
- (b) a special charge to be paid in respect of a property or class of property in the area; or
- (c) a charge not exceeding K0.10 for each K2.00 of the unimproved value of each allotment of land in the area.

190. Rateable land.

(1) Subject to this Part, sewerage rates may be levied in respect of both occupied and vacant land that is or could be connected to a sewer.

(2) All land in a sewered area (including State land) is rateable except—

- (a) commons, public parks and public reserves not held under lease or licence; and
- (b) cemeteries; and
- (c) the sites of public hospitals, benevolent institutions and buildings used exclusively for charitable purposes; and
- (d) the sites of churches and other buildings used exclusively for public worship; and
- (e) State land that is unoccupied and not leased; and
- (f) land held by the Government of Australia, whether occupied or not; and
- (g) customary land; and
- (h) native reserves.

191. Minimum rates.

The minimum amount payable in respect of sewerage rates on any land is K2.00 per annum.

¹ As to this Part generally, see, also, Constitution, Subdivision VIII.1.A and Section 53.

² As at the effective date, the references throughout Part XII to the Minister were to the Minister for Finance.

192. Payment of rates.

(1) An amount of sewerage rates due may be paid in a lump sum or by such instalments and on such terms and conditions as are agreed on between the Minister and the person from whom the amount is due.

(2) An amount of sewerage rates due may be recovered by the State as a debt.

(3) The Head of State, acting on advice, may in his absolute discretion, reduce or waive payment of any amount of sewerage rates.

193. Liability for rates.

(1) The owner of any rateable land is liable for sewerage rates payable in respect of the land unless it is otherwise provided by arrangement with the Minister.

(2) Sewerage rates constitute a first charge on the land.

(3) Where land is rateable for a portion only of a rate year, the amount of the rates payable in respect of that portion is such amount as bears the same proportion to the amount of rates payable for the whole year as the portion of the year during which the land is rateable bears to a period of 12 months.

(4) In Subsection (3), "rate year" means a period of 12 months referred to in Section 189.

194. Rate notices.

Immediately after a sewerage rate has been struck, the Minister shall—

(a) cause written particulars—

(i) of the rate payable in respect of the allotment; and

(ii) of the time allowed for payment and the consequences of failing to pay within that time,

to be delivered or sent by post to each occupier or owner who is liable to pay the rate; or

(b) where there is no occupier of any land and the owner's address is unknown—

(i) post the particulars referred to in Paragraph (a) in some conspicuous place on the allotment; and

(ii) publish them in a newspaper circulating in the area.

195. Appeals.

(1) Within one month of receipt of a rate notice under Section 194, a person may appeal to the nearest District Court against the amount of the rates in respect of his land.

(2) An appeal under Subsection (1) shall not be entertained unless seven days' written notice has been given to the Minister.

(3) The District Court—

(a) shall hear and determine the objection; and

(b) may amend the amount of the rate.

(4) The decision of a District Court on an appeal under this section is final¹.

¹ But see Constitution, Section 155.

196. Penalty for non-payment.

When an amount of sewerage rates due and payable remains unpaid, a penalty at the rate of 5% per annum shall be added to the amount from the time when it became due and payable until payment is received.

197. Levy and distress.

(1) Where any amount of sewerage rates, and any amount of penalty under Section 196, are not paid at the end of six months after the date on which the rates first became payable, the Minister may cause a notice to be published in the National Gazette or in a newspaper circulating in the country specifying the land, the owner and the amount of rates and penalty due.

(2) If the rates and penalty are not paid, or a satisfactory arrangement regarding payment is not entered into with the Minister, within 30 days of publication of a notice under Subsection (1)—

- (a) the amount of the rates and penalty; and
- (b) the costs and expenses of the distress and sale,

may be recovered by distress and sale of any goods and chattels belonging to the person liable to pay the rates that are found on the land in respect of which the rates are due.

(3) The Minister may issue a warrant for the purpose of a distress and sale under Subsection (2).

(4) The proceeds of the sale of any goods and chattels distrained under this section shall be applied in payment of—

- (a) the costs and expenses of the distress and sale; and
- (b) the amount of the rates and the penalty,

and the balance (if any) shall be paid to the owner of the goods.

(5) For the purposes of Subsection (4), the costs and expenses of the distress and sale shall not exceed—

- (a) for each warrant—K0.25; and
- (b) for any man in possession—K2.00 for each day or part of a day during which he is in possession; and
- (c) for inventory, commission on sale and delivery of goods—5% of the proceeds of the sale.

198. List of overdue rates.

Where the sewerage rates due in respect of any rateable land have been in arrear for a period of one year, the Minister may—

- (a) give notice by registered letter addressed to the owner at his last-known place of abode that the rates are in arrear; and
- (b) at any time after giving the notice, publish in the National Gazette a notice setting out the land in respect of which the rates are in arrear.

199. Power to take possession of unoccupied land.

(1) If the amount of sewerage rates and penalty (if any) due in relation to any unoccupied land are not paid within the period of 30 days after publication of a notice under Section 198(b) in relation to the rates, the Minister may—

- (a) take possession of the land; and

(b) hold it against any person; and

(c) lease it from time to time for any term not exceeding five years.

(2) After taking possession under Subsection (1), the Minister shall cause to be kept accounts of—

(a) the rents and other money derived by the State in respect of the land, and the expenses of and incidental to the leasing of it and the collection of the rent and other money; and

(b) the rates and penalty and other sums owing to the State in respect of the land.

(3) The rents and money received under this section shall be applied in defraying the expenses necessarily incurred by the Minister in—

(a) executing the lease; and

(b) collecting the rents; and

(c) payment of the rates and penalty,

and the balance (if any) belongs to the person who would have been entitled to receive the rents and profits if the Minister had not taken possession.

(4) Within 10 years after the Minister has taken possession of any land under this section, a person who, but for this section, would be entitled to the possession of the land may—

(a) inspect the accounts kept under Subsection (2); and

(b) require the Minister to put him in possession, on payment of the balance due (if any),

and the Minister shall comply with the requirement and pay to the claimant, without delay, any balance in his favour.

(5) Unless—

(a) a person claims the land under Subsection (4); or

(b) the land is sooner sold under Section 200,

the land or the proceeds of sale of any land of which possession is taken under this section, and all the rents and money in respect of the land, become the property of the State, at the expiration of the period of 10 years referred to in Subsection (4).

200. Sale of rateable land.

(1) When an amount of sewerage rates due in relation to any land is not paid within the period of one year after the publication of a notice under Section 198(b) in relation to the land, the Minister may apply to the National Court for an order for sale of all or any part of the land.

(2) On the hearing of an application under Subsection (1), the National Court may order the sale of the land in such manner as the Court directs.

(3) The proceeds of a sale under Subsection (2) shall be used to defray the costs incurred in the sale and the rates and penalty due to the State, and any credit balance shall be held in trust for the owner of the land.

(4) Notwithstanding an order under Subsection (2) for sale, if before the land is sold the owner pays the rates and penalty (if any) due, together with the costs and expenses incurred up to the time of payment, the order shall be deemed to be rescinded so far as regards the land in respect of which the rates, penalty, costs and expenses are so paid.

201. Recovery of rates.

(1) Where any amount of sewerage rates are unpaid after a period of six months from the date of posting the relevant notice under Section 194, a further final notice shall be posted setting out the rates, and warning in heavy type that failure to liquidate the debt within 14 days will result in legal action for recovery of the rates.

(2) After the expiration of a period of 30 days from the final notice, the Minister may sue for, and recover from the owner or any person liable, the amount of the rates, together with the penalty (if any), in any court of competent jurisdiction.

202. Continuing liability of owner.

When an owner of rateable land sells or otherwise disposes of the land, he shall give notice of the change of ownership to the Minister, and until such notice is given he is liable for any sewerage rates and penalty in respect of the land as if he were still the owner.

203. Joint owners.

Joint owners of any land are jointly and severally liable for the whole amount of any sewerage rates and penalty due in respect of the land, but as between themselves each is liable only for his share.

204. Refunds and remissions.

The Minister may—

- (a) refund any amount of sewerage rates or penalty overpaid; and
- (b) remit any penalty imposed by Section 196 in any case where, in his opinion, the imposition of the particular penalty would be inequitable in the circumstances.

PART XIII.—MISCELLANEOUS.**205. Responsibility for cleansing of drains.**

The occupier of any land is responsible for cleansing the drain connected to the Local Medical Authority's sewer, and for keeping it clean, and in the case of a drain that is used as a common drain by more than one occupier of land the cost of cleansing it and keeping it clean shall be borne equally by each of them.

206. General penalty.

A person who contravenes or fails to comply with any provision of this Regulation for which no other penalty is provided is guilty of an offence.

Penalty: For the first offence, a fine not exceeding K10.00.

For a subsequent offence, a fine not exceeding K 20.00.

In addition, a fine not exceeding K1.00 for each day during which the offence continues after the receipt of a written notification from the Local Medical Authority.

207. Liability of offender for expenses of local medical authority.

In addition to any fine provided for by this Regulation, a person who is convicted of an offence against this Regulation is liable for all expenses incurred by the Local Medical Authority in consequence of the offence.

Public Health

Ch. No. 226

SCHEDULES.

SCHEDULE 1.

PAPUA NEW GUINEA.

Public Health Act.

Reg., Sec. 18(3).

Form 1.

PERMIT TO DISCHARGE TRADE WASTE INTO SEWER.

, of , is permitted, subject to the *Public Health (Sewerage) Regulation*, to discharge trade waste from (*describe process of manufacture*) carried on by him (or it) at (*describe premises*) into the sewer at (*location of sewer*) by (*location of drain through which trade waste conveyed*).

This permit is issued subject to the following special conditions:—

This permit remains in force until 19 .

Dated 19 .

Sewerage Engineer.

SCHEDULE 2.

Reg., Sec. 10.

FEES FOR PLANS FOR CONNEXIONS TO SEWERAGE SYSTEMS.

K

- | | |
|---|------|
| 1. Plan of drainage for building where not more than one water-closet or urinal is provided | 2.00 |
| for every additional water-closet or urinal | 1.00 |
| 2. Plan of any amendment of original plan referred to in Item 1 | 1.00 |
| 3. Plan of sewerage connexion | 1.00 |
| 4. Survey of levels where required for the purposes of a plan referred to in Item 1, 2 or 3 | 2.00 |

SCHEDULE 3.

Reg., Sec. 24(b)(i).

SYMBOLS TO BE USED IN PLANS OF PLUMBING.

- B.T.—Boundary trap.
C.I.P.—Cast-iron pipe.
D.T.—Disconnector trap.
E.V.—Educt vent.
G.D.T.—Gully disconnector trap.
G.E.W.P.—Glazed earthenware pipe.
G.I.T.—Gully interceptor trap.
G.T.—Gully trap.

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G.W.I.P.—Galvanized wrought-iron pipe.

I.C.—Inspection chamber.

I.O.—Inspection opening.

M.H.—Manhole.

S.D.P.—Stoneware drain pipe.

S.I.V.P.—Soil induct vent pipe.

S.T.—Silt trap.

S.V.P.—Soil vent pipe.

T.I.T.—Triple interceptor trap.

Internal fittings, such as showers, baths, closets, basins, sinks, troughs, urinals, etc., should be indicated by numerals or drawings and an explanatory key provided.

SCHEDULE 4.

Reg., Sec. 93.

TABLE OF EQUIVALENT FIXTURE UNITS.

Fixture.	Nominal outlet diameter.	Fixture units.
One lavatory basin	mm 32	1
For each lavatory basin over 20 served by the pipe		0.5 for each basin
One kitchen sink (up to 150mm depth to overflow)	50	3
One bath (with or without overhead shower)	40	4
	50	6
One wash trough set with common trap	50	5
One urinal or group of urinals drained to a common trap	50	3
One slop sink	80	4
One shower compartment	50	3
One water-closet	100	6
Group of fixtures contained in one apartment—		
Bath and lavatory basin		6
Bath, lavatory basin and shower		6
Bath, lavatory basin, shower and water-closet		6

SCHEDULE 5.

Reg., Sec. 94.

SIZES OF SOIL, WASTE AND DRAIN PIPES.

Diameter of pipe.	Grade not less than—				
	Minimum permissible grade.	1 in 40 (corres- ponding to 88.5° fittings).	1 in 12 (corres- ponding to 85° fittings).	1 in 4 (corres- ponding to 75° fittings).	Vertical stacks.
mm					
32	1		1	1	1
40	6		6	8	9
50	9		12	17	24
65	14		20	28	36
80	20		30	40	50
100	100	100	150	210	260
150	420	490	820	1 150	1 400.

SCHEDULE 6.

Reg., Sec. 95(2).

DIAMETERS OF VENTS.

Diameter of soil, combined waste or waste pipe.	Total no. of fixture units, calculated in accordance Section 93.	Total length of vent in storeys—									
		1	2	3	4	5	6	7	8	9	10 and over.
mm		(Diameter of vent in mm).									
40	Not more than 8	32	32	32	40	40					
	Exceeding 8 but not exceeding 14	32	32	40							
50	Not more than 12	40	40	40	40	50	50	50			
	Exceeding 12 but not exceeding 18	40	40	40	50	50	50	50			
	Exceeding 18 but not exceeding 36	40	40	40	50	50	50	50			
65	Not more than 6	40	40	40	40	40	50	50	65	65	65
	Exceeding 6 but not exceeding 12	40	40	40	40	50	50	50	65	65	65
	Exceeding 12 but not exceeding 24	40	40	40	40	50	50	65	65	65	65
	Exceeding 24 but not exceeding 36	40	40	40	50	50	50	65	65	65	65
	Exceeding 36 but not exceeding 54	40	40	40	50	50	65	65	65	65	65
80	Not more than 12	40	40	50	50	50	50	50	50	50	65
	Exceeding 12 but not exceeding 18	40	50	50	50	50	65	65	65	65	65
	Exceeding 18 but not exceeding 24	50	50	50	65	65	65	65	65	65	65
	Exceeding 24 but not exceeding 30	50	50	50	65	65	65	65	65	65	80
	Exceeding 30 but not exceeding 42	50	50	65	65	65	65	65	80	80	80
	Exceeding 42 but not exceeding 60	50	50	65	65	65	65	80	80	80	80
	Exceeding 60 but not exceeding 75	50	65	65	65	65	80	80	80	80	80
100	Not more than 12	50	50	50	65	65	65	65	65	65	65
	Exceeding 12 but not exceeding 24	50	65	65	65	65	65	65	65	80	80
	Exceeding 24 but not exceeding 36	50	65	65	65	65	65	65	80	80	80
	Exceeding 36 but not exceeding 48	65	65	65	65	65	80	80	80	80	80
	Exceeding 48 but not exceeding 72	65	65	65	65	80	80	80	80	80	80
	Exceeding 72 but not exceeding 120	65	65	65	80	80	80	80	80	80	80
	Exceeding 120 but not exceeding 180	65	65	80	80	80	80	80	80	80	80
	Exceeding 180 but not exceeding 300	65	80	80	80	80	80	80	100	100	100
	Exceeding 300 but not exceeding 390	80	80	80	80	80	100	100	100	100	100
150	Not more than 600	100	100	100	100	125	125	125	125	125	125
	Exceeding 600 but not exceeding 1 300	100	125	125	125	125	125	125	125	150	150
	Exceeding 1 300 but not exceeding 2 100	100	125	125	125	125	150	150	150	150	150

SCHEDULE 7.

Reg., Sec. 145(2)(f).

WATER-CLOSETS, URINALS AND HAND BASINS IN PUBLIC BUILDINGS.

1.—Water-closets and Urinals.

No. of seats in building.	No. of water-closets—		No. of urinals.
	For males.	For females.	
Not exceeding 200	1	2	1
Exceeding 200 but not exceeding 400	1	3	2
Exceeding 400 but not exceeding 600	2	4	2
Exceeding 600 but not exceeding 1 000	2	5	3
For every 1 000 (or part of 1 000) in excess of 1 000	1	2	1

2.—Hand Basins.

No. of seats in building.	Hand basins for males.	Hand basins for females.
For every 500 (or part of 500)	1	1

SCHEDULE 8.

Reg., Sec. 154(8).

SIZES OF WATER SUPPLY PIPES.

Available head in storeys.	Diameter of portion of supply pipe under consideration.	Maximum permissible number of flush valves served by portion of supply pipe under consideration.	
		Galvanized wrought-iron pipe.	Copper or brass pipe.
1	mm		
	40	1	2
	50	10	15
	65	30	50
2 or 3	80	100	150
	40	2	3
	50	15	30
	65	50	150
	80	100	150.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Underground Water Tanks) Regulation.

ARRANGEMENT OF SECTIONS.

1. Interpretation—
 "underground water tank".
2. Use of tanks.
3. Floors.
4. Walls.
5. Tops.
6. Manholes.
7. Inlets.
8. Pumps.
9. Siting.
10. Washing out.
11. Inspection.
12. Use of top of tank as floor, etc.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Underground Water Tanks) Regulation.

MADE under the *Public Health Act*.

1. Interpretation.

In this Regulation, unless the contrary intention appears, "underground water tank" means a water tank any part of which is below the level of the surrounding ground.

2. Use of tanks.

Except with the prior written approval of the Minister, a person must not use an underground water tank except in accordance with this Regulation.

Penalty: A fine not exceeding K40.00 and in addition, in the case of a continuing offence, a fine not exceeding K4.00 for every day during which the offence continues.

3. Floors.

The floor of an underground water tank shall be of concrete at least 150mm thick, with impervious rendering finished to a smooth surface by a steel trowel.

4. Walls.

(1) The walls of an underground water tank shall be of concrete or brick, constructed in accordance with this section.

(2) Unreinforced concrete walls shall be—

(a) in the case of a tank of a capacity not exceeding 25 000 l—not less than 150mm in thickness; and

(b) in the case of a tank of a capacity exceeding 25 000 l—not less than 200mm in thickness.

(3) Reinforced concrete walls shall be—

(a) in the case of a tank of a capacity not exceeding 25 000 l—not less than 115mm in thickness; and

(b) in the case of a tank of a capacity exceeding 25 000 l—not less than 150mm in thickness.

(4) Brick walls shall be—

(a) in the case of a tank of a capacity not exceeding 25 000 l—not less than 225mm in thickness; and

(b) in the case of a tank of a capacity exceeding 25 000 l—not less than 350mm in thickness.

(5) All brickwork shall be properly laid and bonded in mortar to the satisfaction of the Local Medical Authority.

(6) The top of each wall shall be at least 150mm above the level of the surrounding ground.

(7) The inside of walls shall be imperviously rendered and finished to a smooth surface by a steel trowel.

5. Tops.

The top of an underground water tank shall be of reinforced concrete of sufficient strength to support a pressure of 20kPa, and if it is cast in slabs the edges of the slabs shall be bevelled or rebated to make a water-tight seal.

6. Manholes.

- (1) A manhole shall be installed in the top of an underground water tank.
- (2) The manhole shall be constructed of cast iron or reinforced concrete as prescribed for the top of tanks.
- (3) A manhole shall—
 - (a) be fitted with a close-fitting lid, capable of being sealed; and
 - (b) project at least 225mm above the top of the tank; and
 - (c) be provided, to the satisfaction of the Local Medical Authority, with overflow-ventilation holes in each side, completely protected by bronze fly-wire and with the bottoms of the holes not less than 50mm above the top of the tank.

7. Inlets.

The inlet into an underground water tank shall be cast through, and shall project at least 100mm above, the top of the tank.

8. Pumps.

Where a pump is fitted to an underground water tank, the discharge pipe shall be so arranged, to the satisfaction of the Local Medical Authority, that water cannot fall on to the manhole or enter the overflow-ventilation holes.

9. Siting.

An underground water tank shall not be sited within 9m of a pit latrine, aqua privy, chemical closet or septic tank.

10. Washing out.

Before being used, the interior of an underground water tank shall be thoroughly washed out, to the satisfaction of the Local Medical Authority, with a 20:1 000 000 solution of chlorinated lime in water.

11. Inspection.

An underground water tank shall not be used until it has been inspected and approved by the Local Medical Authority.

12. Use of top of tank as floor, etc.

The top of a tank shall not be used as a floor, or for the storage of any goods or things, unless—

- (a) it has been totally covered, to the satisfaction of the Local Medical Authority, with concrete mortar rendering not less than 10mm in thickness, laid at the one time; or
- (b) it has been cast in one piece, and has been finished to a smooth surface by a steel trowel.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Infectious Diseases) Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—INFECTIOUS DISEASES GENERALLY.

1. Report of infectious disease.
2. Fees.
3. Treatment at subsidized public hospitals.
4. Reports by medical practitioners.
5. Report of failure to continue treatment.
6. Warning to patients.

PART II.—VENEREAL DISEASES.

7. Restriction of treatment.
8. Treatment of persons suffering from venereal disease.
9. Notice of change of medical practitioner.
10. Certificate of cure, etc.
11. Duty of parents and guardians.
12. Special warrant.
13. Return of cases.
14. General penalty.

SCHEDULE.

- FORM 1.—Report of Infectious Disease.
- FORM 2.—Notification of Person Suffering from Venereal Disease.
- FORM 3.—Notification of Failure to Continue Treatment.
- FORM 4.—Warning Notice to Patients.
- FORM 5.—Notice of Change of Medical Practitioner.
- FORM 6.—Notice to Commissioner of Change of Medical Practitioner.
- FORM 7.—Certificate of Cure/Certificate of Freedom from Liability to Infect.
- FORM 8.—Notification to Commissioner of Certificate of Cure/Certificate of Freedom from Liability to Infect.
- FORM 9.—Report by Parent or Guardian or Person in Charge of Child.
- FORM 10.—Directions to Parent or Guardian.
- FORM 11.—Special Warrant.
- FORM 12.—Return of Cases of Venereal Disease Treated and Cured During Year Ended 19

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Infectious Diseases) Regulation.

MADE under the *Public Health Act*.

PART I.—INFECTIOUS DISEASES GENERALLY.

1. Report of infectious disease.

A report under Section 16, 17, 18 or 19 of the Act shall be in Form 1.

2. Fees.

Where an arrangement is made by the Minister under Section 50(1) of the Act for the examination or treatment by medical practitioners of persons suffering from venereal diseases, the remuneration to the medical practitioners is—

(a) for an examination—K1.00; and

(b) for treatment—

(i) for the first attendance on each patient—K0.70; and

(ii) for each subsequent attendance—K0.50.

3. Treatment at subsidized public hospitals.

At the request of a medical practitioner, the committee of a subsidized hospital may receive any person certified by the medical practitioner to be suffering from a venereal disease into its institution, as an outpatient or inpatient, for examination and treatment free of charge.

4. Reports by medical practitioners.

(1) For the purposes of Section 52(1) of the Act, the prescribed form is Form 2, and the period within which it shall be given is seven days.

(2) The fees payable to a medical practitioner for notices sent or given to the Commissioner under Section 52(1) of the Act are—

(a) for each case that occurs in his private practice—K0.25; or

(b) for each case that occurs in his practice as medical officer of a hospital, if he is not in receipt of any remuneration as an officer of the hospital—K0.10.

5. Report of failure to continue treatment.

For the purposes of Section 52(3) of the Act, the prescribed form is Form 3.

6. Warning to patients.

For the purposes of Section 53(1)(a) of the Act, the prescribed form is Form 4.

PART II.—VENEREAL DISEASES.

7. Restriction of treatment.

(1) A pharmacist who sells or supplies drugs or medicines for the treatment of venereal disease to any person, otherwise than on the prescription of a medical practitioner, is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(2) The following drugs shall not be sold or supplied by a pharmacist except where prescribed by a medical practitioner :—

- (a) a patent or proprietary medicine that is specifically recommended for the cure, alleviation or treatment of a venereal disease; or
- (b) a synthetic organic arsenic compound; or
- (c) a synthetic organic silver compound; or
- (d) grey oil or a mercurial emulsion specifically prepared for the cure, alleviation or treatment of a venereal disease; or
- (e) hydrargyrum *cum creta* (or its admixtures), biniodide of mercury, tannate of mercury or cyanide of mercury, in pill or tablet form; or
- (f) sandalwood oil or its derivatives, or copaiba or its derivatives, in the form of emulsions or capsules; or
- (g) methylene blue in the form of pills, tablets or capsules; or
- (h) any medicated bougie; or
- (i) gonococcus vaccines, serums or gonorrhoeal phylactogen.

8. Treatment of persons suffering from venereal disease.

(1) A person who is suffering from syphilis shall attend for the prescribed treatment at least once every two weeks during the continuance of primary or secondary symptoms, and afterwards not less than once every four weeks.

(2) A person who is suffering from gonorrhoea shall attend for the prescribed treatment at least once every seven days during the continuance of acute symptoms, and afterwards once every 14 days.

(3) A person who is suffering from soft chancre shall attend for the prescribed treatment at least once every seven days.

(4) A person who is suffering from gonorrhoeal ophthalmia shall attend for the prescribed treatment every day during the acute stage, and afterwards once every seven days.

(5) A person who is suffering from venereal granuloma or venereal warts shall attend for the prescribed treatment once every seven days.

(6) A person who is suffering from gleet shall attend for the prescribed treatment once every 14 days.

9. Notice of change of medical practitioner.

For the purposes of Section 58 of the Act, where a person suffering from a venereal disease, who has consulted and placed himself under treatment by a medical practitioner, has consulted and placed himself under the treatment of another medical practitioner and

informed him of the name and last-known address of the medical practitioner by whom he was previously treated—

- (a) the second medical practitioner shall immediately notify the previous medical practitioner in Form 5; and
- (b) the previous medical practitioner shall immediately notify the Commissioner in Form 6.

10. Certificate of cure, etc.

- (1) In this section—

“certificate of cure” means a certificate under Section 59 of the Act that a person is cured of, or is free from, venereal disease;

“certificate of freedom from liability to infect” means a certificate under Section 59 of the Act that a person has ceased to be liable to convey infection by venereal disease.

- (2) A certificate of cure or of freedom from liability to infect shall be in Form 7.

(3) In the case of syphilis, a certificate of cure or, subject to Subsection (4), of freedom from liability to infect shall not be given unless—

- (a) two years have elapsed from the first appearance of the primary manifestation; and
- (b) the patient has undergone treatment for a period of at least 12 months to the satisfaction of the medical practitioner in attendance; and
- (c) after a period of at least three months has elapsed since the completion of the last course of treatment, there has been no manifestation of syphilis; and
- (d) a specimen of the patient's blood—
 - (i) taken at least 48 hours after an injection of Salvarsan, or an efficient substitute, has given a negative Wasserman's reaction when examined by a medical practitioner; or
 - (ii) where it is clinically inexpedient to use Salvarsan or its substitutes—has given a negative Wasserman's reaction on two occasions, separated by at least two months.

- (4) A certificate of freedom from liability to infect may be given—

- (a) if—
 - (i) one year has elapsed from the first appearance of the primary manifestation; and
 - (ii) the other conditions prescribed by Subsection (3) have been satisfied; or
- (b) if two years have elapsed with satisfactory intermittent treatment, even though the Wasserman's reaction remains positive.

(5) In the case of gonorrhoea, a certificate of cure or of freedom from liability to infect shall not be given unless—

- (a) all signs of inflammation have been absent for at least one month; and
- (b) microscopic urinary examination by a medical practitioner for the purpose has failed to detect the presence of Gram-negative diplococci resembling gonococci.

(6) An examination for the purposes of Subsection (5)(b) shall include at least two specimens taken at intervals of at least one week.

(7) In the case of soft chancre, a certificate of cure or of freedom from liability to infect shall not be given until the lesions have entirely healed.

(8) A medical practitioner who has issued a certificate of cure or of freedom from liability to infect shall immediately notify the Commissioner in Form 8.

11. Duty of parents and guardians.

(1) A report for the purposes of Section 60(3) of the Act shall be in Form 9.

(2) Directions for the purposes of Section 61 of the Act shall be given in Form 10.

(3) A parent, guardian or other person who refuses or neglects to carry out a direction under Section 61 of the Act is guilty of an offence.

Penalty for an offence against this subsection: A fine not exceeding K20.00.

12. Special warrant.

The special warrant under Section 70 of the Act shall be in Form 11.

13. Return of cases.

Each medical practitioner shall forward to the Commissioner on or before 31 January in each year a return in Form 12 of the number of cases of venereal disease—

(a) treated by him; and

(b) cured,

during the preceding calendar year.

Penalty: A fine not exceeding K40.00.

14. General penalty.

A person who commits an offence against this Regulation for which no specific penalty is provided is liable to a fine not exceeding K40.00.

Public Health

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SCHEDULE.

PAPUA NEW GUINEA.

Public Health Act.

Act, Secs. 16,17,18,19.

Form 1.

Reg., Sec. 1.

REPORT OF INFECTIOUS DISEASE.

To the Local Medical Authority,

Name of patient:

Age:

Sex:

Married or Single:

Address: *(name of town, village, plantation, mission station or other address; the fullest information to be given)*

Disease:

Comments: *(particulars relating to the date of onset of the disease, the possible or probable source of the disease, the condition of the patient and the measures taken to prevent spread of the infection).*

Dated

19

(Signature of person making report.)

(Degrees, titles, etc.)

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 52(1).

Form 2.

Reg., Sec. 4(1).

NOTIFICATION OF PERSON SUFFERING FROM VENEREAL DISEASE.

To the Commissioner,

The following particulars relate to a person attended or treated by me, who is suffering from venereal disease:—

Identification No.:

Nature of disease:

(The venereal diseases named in the Act are gonorrhoea, gleet, gonorrhoeal ophthalmia, syphilis, soft chancre, venereal warts and venereal granuloma.)

Date of first consultation:

Probable date of infection:

Age:

Country of birth:

Sex:

Occupation:

Married or single:

Has patient been treated by any other medical practitioner for same complaint? If so, state when, and give name and address of doctor:

Has patient been previously notified by you? If so, state date:

Source of infection *(locality only)*:

Remarks:

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In accordance with Section 53 of the Act, I have given the patient the warning notices and documents prescribed.

Dated 19 .

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 52(3).

Form 3.

Reg., Sec. 5.

NOTIFICATION OF FAILURE TO CONTINUE TREATMENT.

To the Commissioner,

In accordance with Section 52(3) of the *Public Health Act*, I notify that (insert name and address of patient), suffering from (insert in detail nature of disease), whose identification number in my records is (insert number taken from butt of Notification Register) has failed to consult me within the period prescribed by Section 8 of the *Public Health (Infectious Diseases) Regulation*, and that I have not received notice within the 10 days following the expiration of that period from any other medical practitioner that the patient is under treatment.

Dated 19 .

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 53(1)(a).

Form 4.

Reg. Sec. 6.

WARNING NOTICE TO PATIENTS.

To

You are suffering from a venereal disease. Venereal diseases are contagious. If you knowingly communicate the disease to any other person or do or permit to be done any act likely to lead to the communication of the disease to others, you are liable under the *Public Health Act* to a fine not exceeding K200.00 or imprisonment for a term not exceeding 12 months, or both.

You are warned not to marry before you are medically certified as cured under the Act. If you do, you are liable under the Act to a fine not exceeding K1 000.00 or imprisonment for a term not exceeding five years, or both.

Dated 19 .

(Signature of Medical Practitioner.)

Public Health

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PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 58(2).

Form 5.

Reg., Sec. 9(a).

NOTICE OF CHANGE OF MEDICAL PRACTITIONER.

In accordance with Section 58(2) of the *Public Health Act*, I have to inform you that (*name of patient*), who states that he has previously been under treatment by you for venereal disease, has placed himself under my care. My identification number for this patient is

Dated 19 .

(*Signature of Medical Practitioner.*)

(*Address.*)

PAPUA NEW GUINEA.

Public Health Act.

Reg., Sec. 9(b).

Form 6.

NOTICE TO COMMISSIONER OF CHANGE OF MEDICAL PRACTITIONER.

To the Commissioner,

In accordance with Section 9(b) of the *Public Health (Infectious Diseases) Regulation*, I notify that a patient previously under my treatment for venereal disease, and whose identification number in my records is , has now placed himself under the care of Dr. , whose identification number for that patient is

Dated 19 .

(*Signature of Medical Practitioner.*)

(*Address.*)

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 59.

Form 7.

Reg., Sec. 10(2).

CERTIFICATE OF CURE/CERTIFICATE OF FREEDOM FROM LIABILITY TO INFECT.

The person described below has been subjected to all necessary examinations in order to ascertain whether he is free from or cured of venereal disease, and in accordance with the result of those examinations

I certify that, in my opinion, he is cured of/free from* the disease or is no longer liable to convey infection*.

Name in full:

Address:

Age: . Sex:

Nature of disease:

Date of last examination:

This certificate applies to the above-named person only on the date of last examination.

Dated 19 .

(*Signature of Medical Practitioner.*)

(*Address.*)

*Strike out whichever is inapplicable.

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PAPUA NEW GUINEA.

CHAPTER NO. .

Public Health Act.

Act, Sec. 59.

Form 8.

Reg., Sec. 10(8).

NOTIFICATION TO COMMISSIONER OF CERTIFICATE OF CURE/CERTIFICATE OF FREEDOM FROM LIABILITY TO INFECT.

I notify you that I have this day issued a Certificate of Cure (or a Certificate of Freedom from Liability to Infect) to a person whose identification number in my records is _____, who was suffering from (state nature of disease from which patient was suffering) and who has been under my care for treatment.

Dated 19 .

(Signature of Medical Practitioner.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 60(3).

Form 9.

Reg., Sec. 11(1).

REPORT BY PARENT OR GUARDIAN OR PERSON IN CHARGE OF CHILD.

The Commissioner,

In accordance with Section 60(3) of the *Public Health Act*, I have to report that (full name), aged _____ years and _____ months, of whom I am the (father, mother, guardian or person in charge), is suffering from a venereal disease, and has failed to comply with the law in regard to (particulars as to failure to comply).

Dated 19 .

(Signature of Parent, etc.)

(Address.)

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 61.

Form 10.

Reg., Sec. 11(2).

DIRECTIONS TO PARENT OR GUARDIAN.

(Name of child), of whom you are the parent or guardian, is suffering from a venereal disease. You are warned that every person in charge of a child suffering from venereal disease must—

- (a) provide a separate bed for the child; and
- (b) provide separate towels and other toilet requisites; and
- (c) wash the child in a separate bath; and
- (d) disinfect all soiled clothing by boiling or other effective means; and
- (e) prevent the child from coming into contact with other children; and
- (f) carry out the directions and instructions of the medical attendant.

If you fail to comply with these directions, you will be liable to a fine not exceeding K20.00.

Dated 19 .

(Signature of Medical Practitioner.)

Public Health

Ch. No. 226

PAPUA NEW GUINEA.

Public Health Act.

Act, Sec. 70.

Form 11.

Reg., Sec. 12.

SPECIAL WARRANT.

To _____, a member of the Police Force and to all other members of that Force.

WHEREAS _____ the Commissioner appointed under Part V. of the *Public Health Act* has this day made complaint on oath before me that he has reason to believe, and does believe, that—

- (a) (articles, medicines, instruments or appliances) that is to say, _____, are in the (house, office, shop, room or other place), situated at _____; and
- (b) the (articles, medicines, instruments or appliances) are capable of being used for the alleviation or cure of venereal disease; and
- (c) the (house, office, shop, room or other place) is not the house, office, shop, room or surgery of a medical practitioner or of a pharmacist; and
- (d) the (articles, medicines, instruments or appliances) are kept, held or exhibited in the (house, office, shop, room or other place) for the purpose of (sale or unlawful use).

You are therefore authorized—

- (a) to enter and search the (house, office, shop, room or other place); and
- (b) if necessary to obtain assistance and use force, by breaking open doors or otherwise, in order to effect entrance; and
- (c) to seize and bring before any magistrate or Judge, the (articles, medicines, instruments or appliances) and all articles, medicines, instruments or appliances found in the (house, office, shop, room or other place) that are capable of being used for the alleviation or cure of any venereal disease.

Given under my hand and seal at _____

on _____

19 _____

Judge (or Magistrate.)

PAPUA NEW GUINEA.

Public Health Act.

Reg., Sec. 13.

Form 12.

**RETURN OF CASES OF VENEREAL DISEASE TREATED AND CURED DURING YEAR
ENDED _____ 19 _____**

Nature of venereal disease.	No. of cases treated.	No. of cases cured.	Remarks.
Gonorrhoea			
Gonorrhoeal ophthalmia			
Gleer			
Syphilis			
(all forms)	of genital origin		
	of extra-genital origin		
	of doubtful origin		
	of congenital origin		
Soft chancre			
Venereal warts			
Venereal granules			

Dated _____

19 _____

(Signature of Medical Practitioner.)

(Address.)

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Mental Disorders) Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 "Hospital Orders"
 "the Medical Superintendent"
 "staff member".

PART II.—THE MEDICAL SUPERINTENDENT.

2. Appointment of Medical Superintendents.
3. Responsibilities of Medical Superintendents.
4. Reports.
5. Hospital Orders.
6. Delegation.

PART III.—STAFF.

7. Appointment of staff.
8. Knowledge of Act, etc.
9. General responsibilities of staff members.
10. Duties of medical staff members.
11. Duties of Senior Mental Nurses.
12. Duties of Mental Nurses and Aides.
13. Entry into female wards.

PART IV.—RESTRAINT AND SECLUSION OF PATIENTS.

14. Authority to impose restraint or seclusion.
15. Limitations on restraint and seclusion generally.
16. Special limitations on restraint.

PART V.—MISCELLANEOUS.

17. Visitors to patients.
18. Unauthorized entry into mental hospitals.
19. Forms.
20. General penalty.

SCHEDULE.

FORM 1.—Transfer Order.

FORM 2.—Magistrate's Order of Discharge.

FORM 3.—Certificate of Proficiency in the Administration of
Electro-convulsive Treatment.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Mental Disorders) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, unless the contrary intention appears—

"Hospital Orders" means Hospital Orders made or issued under Section 5;

"the Medical Superintendent", in relation to a mental hospital, does not include a Deputy Medical Superintendent or an Assistant Medical Superintendent;

"staff member" means a person (other than the Medical Superintendent) appointed under Section 7 for a mental hospital, and in relation to a particular mental hospital means such a person appointed for that hospital.

PART II.—THE MEDICAL SUPERINTENDENT.

2. Appointment of Medical Superintendents.

The Minister may, by writing under his hand, appoint a Medical Officer or Medical Assistant to be the Medical Superintendent of a mental hospital.

3. Responsibilities of Medical Superintendents.

The Medical Superintendent is responsible for—

- (a) the proper care and custody of patients in the mental hospital; and
- (b) the general administration and interior economy of the mental hospital; and
- (c) the proper and efficient performance by staff members of their duties.

4. Reports.

(1) The Medical Superintendent shall report immediately to the Departmental Head any matter affecting—

- (a) the efficiency of a staff member; or
- (b) the administration of the mental hospital; or
- (c) a patient in the mental hospital,

that in his opinion should be brought to the attention of the Departmental Head.

(2) The Medical Superintendent shall comply with any requests of the Departmental Head for reports, at such intervals and on such matters as are specified by the Departmental Head.

5. Hospital Orders.

(1) The Medical Superintendent may, by writing under his hand, issue Hospital Orders, not inconsistent with the Act and this Regulation, in respect of the care and custody of the patients or the administration of the mental hospital.

(2) A copy of Hospital Orders issued under Subsection (1) shall be forwarded to the Departmental Head who, by writing under his hand addressed to the Medical Superintendent, may annul them or any portion of them.

6. Delegation.

The Medical Superintendent may, by writing under his hand, delegate to a Deputy Medical Superintendent or an Assistant Medical Superintendent all or any of his powers and functions under this Regulation (except this power of delegation) in relation to the mental hospital for which he is appointed.

PART III.—STAFF.

7. Appointment of staff.

(1) The Minister may, by writing under his hand, appoint a Medical Officer or Medical Assistant to be—

- (a) a Deputy Medical Superintendent; or
- (b) an Assistant Medical Superintendent,

of a mental hospital.

(2) The Medical Superintendent may, by writing under his hand, appoint a Medical Officer or Medical Assistant to be a Medical Officer or Medical Assistant, as the case may be, for a mental hospital.

(3) The Medical Superintendent may, by writing under his hand, appoint a qualified person who is a Medical Assistant, to be—

- (a) a Senior Mental Nurse; or
- (b) a Mental Nurse,

for a mental hospital.

(4) The Medical Superintendent may, by writing under his hand, appoint a person to be an Aide in a mental hospital.

8. Knowledge of Act, etc.

Each staff member shall be conversant with and observe—

- (a) the Act; and
- (b) this Regulation; and
- (c) the Hospital Orders in force in relation to the mental hospital.

9. General responsibilities of staff members.

A staff member is responsible for the care and safe custody of patients committed to his charge.

10. Duties of medical staff members.

A Deputy Medical Superintendent, Assistant Medical Superintendent, Medical Officer or Medical Assistant appointed under Section 7 shall carry out such duties as are assigned to him by the Medical Superintendent.

11. Duties of Senior Mental Nurses.

(1) A Senior Mental Nurse shall carry out such duties as are assigned to him by the Medical Superintendent, and, in particular, is responsible for—

- (a) the nursing care and safe custody of the patients; and
- (b) the efficient performance of their duties by Mental Nurses and Aides.

(2) In addition to such periodical reports as the Medical Superintendent requires, a Senior Mental Nurse shall inform the Medical Superintendent immediately of—

- (a) the absconding, attempted absconding or threatened absconding of a patient; or
- (b) the suicide, attempted suicide or threatened suicide of a patient; or
- (c) any untoward incident that he thinks should be brought to the notice of the Medical Superintendent.

12. Duties of Mental Nurses and Aides.

(1) A Mental Nurse or Aide shall carry out such duties as are assigned to him by a Senior Mental Nurse.

(2) A Mental Nurse or Aide who is exercising the direct care, custody or supervision of a patient shall not relinquish the care, custody or supervision of him to a person other than a staff member.

13. Entry into female wards.

A male staff member must not enter a part of the mental hospital set aside for female patients except in the course of his duties.

Penalty: A fine not exceeding K200.00.

PART IV.—RESTRAINT AND SECLUSION OF PATIENTS.

14. Authority to impose restraint or seclusion.

(1) Subject to this Part, the Medical Superintendent may direct—

- (a) the mechanical means of restraint that may be applied to a patient; or
- (b) the method of application of them; or
- (c) the circumstances in which a patient may be placed in seclusion.

(2) A patient shall not be placed under mechanical restraint or in seclusion otherwise than in accordance with directions given under Subsection (1).

Penalty: A fine not exceeding K200.00.

15. Limitations on restraint and seclusion generally.

(1) A patient shall not be mechanically restrained or placed in seclusion—

- (a) for a purpose other than the protection of himself or other persons; or
- (b) as a punishment.

(2) A mechanical restraint shall not be applied to a patient in a manner that causes, or is likely to cause, needless pain or discomfort to a patient.

Penalty: A fine not exceeding K200.00.

16. Special limitations on restraint.

(1) A patient shall be mechanically restrained only on the instructions of the Medical Superintendent or a Medical Officer.

(2) This section does not prevent the temporary mechanical restraint, by a staff member, of a patient who is an immediate danger to himself or other persons.

(3) Where mechanical restraint is imposed on a patient, it shall be reported immediately to the Medical Superintendent.

PART V.—MISCELLANEOUS.

17. Visitors to patients.

(1) The Medical Superintendent may permit a person to visit a patient subject to such conditions as the Medical Superintendent thinks proper.

(2) While he is in the mental hospital, a person who is permitted to visit a patient under Subsection (1) must comply promptly with any directions given to him by the Medical Superintendent or a staff member.

Penalty: A fine not exceeding K200.00.

(3) A person who fails to comply with a direction or condition given or made under this section may be removed immediately from the mental hospital.

(4) This section does not apply to a Visitor appointed under Section 84 of the Act.

18. Unauthorized entry into mental hospitals.

A person who, without lawful excuse (proof of which is on him), enters or is in a mental hospital without the written permission of the Medical Superintendent, or of a staff member authorized for the purpose by the Medical Superintendent, is guilty of an offence.

Penalty: A fine not exceeding K200.00.

19. Forms.

(1) An order under Section 115(1) of the Act for the removal of a patient from one mental hospital to another shall be in Form 1.

(2) An order under Section 122 of the Act for the discharge of a patient shall be in Form 2.

(3) A certificate, under Section 125 of the Act, of proficiency in the administration of electro-convulsive treatment shall be in Form 3.

20. General penalty.

A person who contravenes or fails to comply with—

(a) a provision of this Regulation; or

(b) an order, direction or notice made or given under this Regulation,

is guilty of an offence, and where no other penalty is provided is liable to a fine not exceeding K200.00.

Public Health

Ch. No. 226

SCHEDULE.

PAPUA NEW GUINEA.
Public Health Act.

Act, Sec. 115(1).
Reg., Sec. 19(1).

Form 1.

TRANSFER ORDER.

To the Medical Superintendent of the _____ Mental Hospital; and to

WHEREAS I have ordered that _____, who is detained as a patient in
Mental Hospital, be removed from that Mental Hospital and transferred to _____ Mental
Hospital:

Now I require you, the Medical Superintendent of the _____ Mental Hospital, to
deliver up the patient to _____ at _____

AND I require you, _____, to bring the patient, or cause him to be brought, to the
Mental Hospital and to deliver him to the officer-in-charge of the
Mental Hospital.

Dated _____, 19 ____.

Minister.

PAPUA NEW GUINEA.
Public Health Act.

Act, Sec. 122.
Reg., Sec. 19(2).

Form 2.

MAGISTRATE'S ORDER OF DISCHARGE.

WHEREAS _____, a relative (or friend) of _____, a patient detained in
the _____ Mental Hospital, has applied to me to have the patient delivered over to his care
and custody:

AND WHEREAS I have consulted _____, the Visitors (or a Visitor, being a Medical
Officer):

AND WHEREAS _____ has undertaken in writing to my satisfaction that (name of
patient) will be properly taken care of and will be prevented from doing injury to himself or others:

NOW THEREFORE, I order that (name of patient) be discharged from the
Mental Hospital.

Dated _____, 19 ____.

Magistrate.

PAPUA NEW GUINEA.
Public Health Act.

Act, Sec. 125.
Reg., Sec. 19(3).

Form 3.

**CERTIFICATE OF PROFICIENCY IN ADMINISTRATION OF ELECTRO-CONVULSIVE
TREATMENT.**

This is to certify that _____, of _____, is proficient in the administration
of electro-convulsive treatment.

Dated _____, 19 ____.

Minister.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Barbers' Shops) Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 - "barber"
 - "barber's shop"
 - "disinfecting solution"
 - "hair-cutting wrapper"
 - "licence".

PART II.—LICENSING OF BARBERS' SHOPS.

2. Requirement of licence.
3. Grant and renewal of licences.
4. Duration of licences.
5. Revocation of licences.

PART III.—STANDARDS AND REQUIREMENTS OF BARBERS' SHOPS.

6. Disinfecting solution.
7. Sterilization of implements.
8. Brushes.
9. Shaving.
10. Hair dryers, etc.
11. Powder.
12. Disinfection of hands.
13. Treatment of cuts, etc.
14. Hair dressings, etc.
15. Sponges.
16. Razor strops.
17. Steaming towels.
18. Hair-cutting wrappers.
19. Head-rest covers.
20. Clothing of barbers.
21. Sweeping, etc., of premises.
22. Disposal of towels, etc.
23. Receptacles for refuse.
24. Cleanliness of premises, etc.
25. Surfaces in barber's shops.
26. Basins and hot water.
27. Skin diseases.
28. Sterilization of instruments.
29. Smoking, etc., by barbers.
30. Spitting.

PART IV.—MISCELLANEOUS.

- 31. Inspection of premises.
- 32. Display of Regulation and licence.
- 33. Duty of licensee.

SCHEDULE.

FORM 1.—Application for Barber's Shop Licence/Renewal of Barber's Shop Licence.

FORM 2.—Barber's Shop Licence/Renewal of Barber's Shop Licence.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Barbers' Shops) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, unless the contrary intention appears—

"barber" includes hairdresser;

"barber's shop" means premises or a part of premises used solely or principally for the conduct of the business of a barber;

"disinfecting solution" means a disinfecting solution equal in strength to a 5% solution of carbolic acid;

"hair-cutting wrapper" means a protective wrapper placed over the clothes of a customer to protect him from hair clippings;

"licence" means a licence under Section 3.

PART II.—LICENSING OF BARBERS' SHOPS.

2. Requirement of licence.

A person other than a licensee in respect of the premises or place who uses any premises or place as a barber's shop is guilty of an offence.

Penalty: A fine not exceeding K100.00 and in addition a fine not exceeding K10.00 for every day during which the offence continues.

3. Grant and renewal of licences.

(1) On a certificate of an inspector or a Local Medical Authority that any premises or place conforms with the standard and requirements prescribed by this Regulation for barbers' shops, the Minister may grant or refuse to grant a licence or renewal of a licence to a person to use the premises or place as a barber's shop.

(2) An application for a licence or renewal of a licence shall—

(a) be in Form 1; and

(b) be made to the Minister; and

(c) be accompanied by a fee of K4.00 or, where the licence is issued after 1 January and before 30 June in any year, K2.00.

(3) A licence and a renewal of a licence shall be in Form 2.

4. Duration of licences.

(1) A licence takes effect from the date of issue and expires on the next 30 June.

(2) A licensee who desires to obtain a renewal of his licence, shall, before the date of expiry of the licence, make application to the Minister for a renewal of the licence.

(3) A renewal of a licence takes effect on and from the expiry of the original licence and expires on the next 30 June, and may be renewed from time to time.

5. Revocation of licences.

(1) An inspector may serve written notice on a licensee requiring that he conform, in the manner and within the period specified in the notice, with the standards and requirements prescribed by this Regulation for barbers' shops and for the conduct of a barber's business.

(2) Notwithstanding Section 4, where a licensee does not observe and comply with a notice served by an inspector under Subsection (1) within the time specified in the notice, the Minister may revoke the licence.

PART III.—STANDARDS AND REQUIREMENTS OF BARBERS' SHOPS.**6. Disinfecting solution.**

A licensee must at all times keep, or cause to be kept, in any barber's shop owned or occupied by him a vessel containing at least 4 l of a disinfecting solution.

Penalty: A fine not exceeding K40.00.

7. Sterilization of implements.

A barber must disinfect, before and after use, all razors, scissors, clippers, curlers, hair pins, combs and other instruments and appliances used in the barber's shop, by—

- (a) immersion in a disinfecting solution; or
- (b) where practicable, holding in a flame.

Penalty: A fine not exceeding K40.00.

8. Brushes.

(1) A barber must, after each use—

- (a) immerse any hair brushes in use in the barber's shop in a disinfecting solution, and then rinse the brushes in clean water; and
- (b) cleanse in very hot water and immerse in a disinfecting solution all shaving brushes used in the barber's shop.

(2) A barber who uses a rotary or machine brush, or permits any such brush to be used, on a customer is guilty of an offence.

Penalty: A fine not exceeding K40.00.

9. Shaving.

To produce a lather for shaving, a barber must—

- (a) allow boiling water to run over the shaving brush; and
- (b) either—
 - (i) sprinkle an antiseptic soap powder on the brush; or
 - (ii) apply shaving cream from a squeeze tube to the brush.

Penalty: A fine not exceeding K40.00.

10. Hair dryers, etc.

A barber must, after each use, cleanse a machine used on a customer by wiping it over thoroughly with a clean cloth that has been wrung in a disinfecting solution.

Penalty: A fine not exceeding K40.00.

11. Powder.

A barber must apply powder to a customer only by means of—

- (a) a blower; or
- (b) unused, clean, absorbent cotton; or
- (c) a clean brush.

Penalty: A fine not exceeding K40.00.

12. Disinfection of hands.

Before passing from one customer to another, a barber must—

- (a) thoroughly wash his hands with a disinfecting soap; and
- (b) thoroughly scrub his nails with a nail brush.

Penalty: A fine not exceeding K40.00.

13. Treatment of cuts, etc.

(1) A barber must not use any substance other than calcined alum applied on a pad of clean cotton wool to stop bleeding by, or to treat an abrasion on, a customer.

(2) A barber must, immediately after use, destroy a pad of cotton wool used as required by Subsection (1).

Penalty: A fine not exceeding K40.00.

14. Hair dressings, etc.

A barber must not remove from a container, in order to place it on the hair or face of a customer—

- (a) any shaving soap or shaving cream; or
- (b) any hair-dressing cream or liquid; or
- (c) any other substance,

in such a way that any portion of the barber's body or clothing comes into contact with any soap, cream, liquid or substance remaining in the container for use in connexion with another customer.

Penalty: A fine not exceeding K40.00.

15. Sponges.

A barber who uses a sponge on a customer, or permits a sponge to be used on a customer, in a barber's shop is guilty of an offence.

Penalty: A fine not exceeding K40.00.

16. Razor strops.

A barber must, before and after sharpening a razor on a razor strop, sterilize the razor by immersion in a disinfecting solution.

Penalty: A fine not exceeding K40.00.

17. Steaming towels.

Where a steaming towel is used, a barber must use a clean towel for each customer.

Penalty: A fine not exceeding K40.00.

18. Hair-cutting wrappers.

A barber—

- (a) must place a clean towel, clean absorbent wool or clean absorbent toilet tissue around the neck of each customer so as to prevent hair clippings from falling inside the customer's clothing; and
- (b) must not place the hair-cutting wrapper on the customer in such a way that it comes into contact with any part of the customer's body above the towel, wool or tissue.

Penalty: A fine not exceeding K40.00.

19. Head-rest covers.

A barber must place a fresh piece of paper or clean linen on the back of the chair, or on the head-rest, for each customer.

Penalty: A fine not exceeding K40.00.

20. Clothing of barbers.

In a barber's shop, a barber—

- (a) must wear a clean outer garment made of a washable white material; and
- (b) must not wear sleeves reaching further than the middle of the forearm.

Penalty: A fine not exceeding K40.00.

21. Sweeping, etc., of premises.

(1) A barber must sprinkle with water and sweep the floor of the barber's shop, or cause it to be sprinkled with water and swept, at least once daily.

(2) A barber must, immediately after cutting the hair of a customer—

- (a) sweep together hair clippings that have fallen on the floor, or cause them to be swept together; and
- (b) place them, or cause them to be placed, in an impervious receptacle with a tight-fitting cover.

Penalty: A fine not exceeding K40.00.

22. Disposal of towels, etc.

A barber—

- (a) must place all used towels and linen, or cause them to be placed, in a receptacle with a tight-fitting cover; and
- (b) must not use on a customer a towel or linen that has been previously used, or permit any such towel or linen to be so used, unless it has been thoroughly cleansed by washing.

Penalty: A fine not exceeding K40.00.

23. Receptacles for refuse.

A licensee must keep in a barber's shop owned or occupied by him—

- (a) such number of impervious receptacles with tight-fitting covers for hair-clippings and other trade refuse; and

- (b) such number of receptacles with tight fitting covers for soiled towels and linen,

as an inspector thinks necessary.

Penalty: A fine not exceeding K40.00.

24. Cleanliness of premises, etc.

A licensee must keep—

- (a) the barber's shop owned or occupied by him; and
- (b) the fittings and equipment of the shop,

in a thoroughly clean condition at all times.

Penalty: A fine not exceeding K40.00.

25. Surfaces in barber's shops.

All surfaces in a barber's shop on which instruments or appliances are placed must—

- (a) be completely covered by polyvinyl plastic or other impervious material approved by an inspector for the purpose, the material being turned down around all edges for a distance of not less than 25mm; and
- (b) be washed clean at least once each day.

Penalty: A fine not exceeding K40.00

26. Basins and hot water.

A licensee must—

- (a) equip the barber's shop owned or occupied by him with at least—
 - (i) one wash-basin; or
 - (ii) if there are more than two chairs in the shop—one wash basin to every two chairs,the basin being provided with a properly trapped waste pipe and an adequate supply of water; and
- (b) provide the barber's shop owned or occupied by him with a continuous supply of hot water to the satisfaction of an inspector.

Penalty: A fine not exceeding K40.00.

27. Skin diseases.

(1) A person who fails to notify the barber, before taking his place in the chair of a barber's shop, of—

- (a) any contagious disease; or
- (b) any eruption of the skin of the face, neck or head,

from which he is suffering is guilty of an offence.

(2) A barber who works as a barber and a licensee who causes or permits a barber in his employ to work as a barber, while suffering from a contagious or infectious disease or skin complaint, is guilty of an offence.

Penalty: A fine not exceeding K40.00.

28. Sterilization of instruments.

A barber must immediately immerse in a disinfecting solution for a period of not less than five minutes any instruments used on a person who is obviously, or whom he knows to be, suffering from skin disease of the face or head.

Penalty: A fine not exceeding K40.00.

29. Smoking, etc., by barbers.

A barber who smokes, chews tobacco or chews betel nut while attending to a customer is guilty of an offence.

Penalty: A fine not exceeding K40.00.

30. Spitting.

A person who spits on the floor of a barber's shop is guilty of an offence.

Penalty: A fine not exceeding K40.00.

PART IV.—MISCELLANEOUS.**31. Inspection of premises¹.**

(1) An inspector may, at all reasonable times—

(a) enter and inspect a barber's shop; and

(b) inspect, or remove for the purpose of examination, any brush, comb, razor, clippers, curlers, hair-pins or other instrument or appliance or a towel, article or thing that he suspects, on reasonable grounds, of being—

(i) contaminated with a contagious or infectious disease; or

(ii) otherwise harmful to health.

(2) Where an inspector removes an article or thing under Subsection (1), he shall—

(a) give a written receipt for the article or thing to the barber or licensee; and

(b) return the article or thing to the licensee within a period of three days, if it is found to be free of contamination or not harmful to health.

(3) Where an article or thing removed under Subsection (1) is found to be contaminated or harmful to health, an inspector may disinfect or, if necessary, destroy the article or thing at the expense of the owner.

32. Display of regulation and licence.

A licensee must display copies of this Regulation, and of the licence, in a conspicuous position in a barber's shop owned or occupied by him, or cause copies to be so displayed.

Penalty: A fine not exceeding K40.00.

33. Duty of licensee.

A licensee must ensure to the best of his ability that no offence against this Regulation is committed in his barber's shop.

Penalty: A fine not exceeding K40.00.

¹ But see Constitution, Sections 44 and 53.

Public Health

Ch. No. 226

SCHEDULE.

PAPUA NEW GUINEA.

Public Health Act.

Reg., Sec. 3(2).

Form 1.

APPLICATION FOR BARBER'S SHOP LICENCE/RENEWAL OF BARBER'S SHOP LICENCE.

Name (*in full*) of applicant:

Place of residence:

Address of premises to be licensed:

Floor space of premises:

Number of barbers to be employed:

Number of chairs:

Number of wash basins:

Hot water supply:

Is it intended to cater for ladies or gentlemen, or both?

If ladies are catered for—

(a) number of hair dryers:

(b) number of waving or other machines:

Dated 19 .

(*Signature of Applicant.*)

I certify that the premises described in this application conform/do not conform* with the standards and requirements prescribed for barbers' shops.

Local Medical Authority/Inspector.*

Dated 19 .

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Public Health Act.

Reg., Sec. 3(3).

Form 2.

BARBER'S SHOP LICENCE/RENEWAL OF BARBER'S SHOP LICENCE.

, of , is licensed to use premises situated at
as a Barber's Shop.

This licence expires on 30 June 19 .

Dated 19 .

Minister.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Dairy Farms) Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 "dairy farm"
 "licence"
 "storage room".

PART II.—LICENSING OF DAIRY FARMS.

2. Requirement of licence.
3. Application for licence.
4. Grant of licence.
5. Cancellation of licence.
6. Appeals.

PART III.—STANDARDS AND REQUIREMENTS OF DAIRY FARMS.

7. Standards of construction, etc.
8. Washing, etc., of utensils.
9. Washing of hands, etc.
10. Keeping of animals clear of sheds, etc.
11. Removal of manure, etc.
12. Storage room adjoining milking shed.
13. Freedom of cows from disease.

PART IV.—MISCELLANEOUS.

14. Inspection.

SCHEDULE.

FORM 1.—Application for Dairy Licence.

FORM 2.—Dairy Licence.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Dairy Farms) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, unless the contrary intention appears—

"dairy farm" means premises used or proposed to be used for or in connexion with the production of milk for sale for human consumption;

"licence" means a licence under Section 4;

"storage room" means a room for the storage of milk and utensils used in connexion with milk at a dairy farm.

PART II.—LICENSING OF DAIRY FARMS.

2. Requirement of licence.

A person other than a licensee in respect of the dairy farm who carries on business as a dairyman at, or uses or occupies, a dairy farm is guilty of an offence.

Penalty: A fine not exceeding K40.00 and in addition a fine not exceeding K4.00 for every day during which the offence continues.

3. Application for licence.

A person desiring to obtain a licence may make written application in Form 1 to the Departmental Head.

4. Grant of licence.

(1) Subject to Section 7, the Departmental Head may grant a licence for the use of any premises as a dairy farm.

(2) A licence shall be in Form 2.

(3) The fee for a licence is K2.00.

(4) A licence remains in force for one year from the date of issue.

5. Cancellation of licence.

The Departmental Head may cancel a licence where—

(a) the holder of the licence has been guilty of, or has permitted the commission of, an offence, in relation to the dairy farm the subject of the licence, against this Regulation or any other regulations made under the Act; or

(b) the conditions prescribed by Section 7 or 12 have not been or are no longer complied with.

6. Appeals.

(1) A person whose licence has been cancelled, or whose application for a licence has been refused, may appeal to the Minister whose decision is final¹.

(2) Pending the finalization of an appeal under Subsection (1) the applicant must not, unless the Departmental Head decides otherwise in a special case, carry on business in, or occupy, the dairy farm the subject of the appeal.

Penalty: A fine not exceeding K40.00 and in addition, in the case of a continuing offence, K4.00 for every day during which the offence continues.

PART III.—STANDARDS AND REQUIREMENTS OF DAIRY FARMS.**7. Standards of construction, etc.**

A licence shall not be granted in respect of any premises unless the Departmental Head is satisfied that—

- (a) the milking shed has an impervious floor graded to a drain that—
 - (i) is central or on one side; and
 - (ii) will carry all floor washings to a silt pit and then to a safe method of disposal; and
- (b) the roof and walls, structural timbers, bails and other portions of the milking shed are of material that is—
 - (i) impervious; or
 - (ii) capable of being—
 - (A) washed down frequently; and
 - (B) painted, enamelled or lime-washed at regular intervals; and
- (c) an adequate supply of water sufficient for the cleansing of the shed and other cleansing purposes is available at all times; and
- (d) an adequate supply of clean, wholesome water is provided for the washing of hands and of teats and udders; and
- (e) the bail yard and—
 - (i) the race from the rear of the bails for the egress of cows that have been milked; or
 - (ii) where no such race is provided—the holding yard for the egress of cows that have been milked (if that holding yard is contiguous to the rear of the bails),
are surfaced with concrete or asphalt; and
- (f) the surfaces referred to in Paragraph (e) are so graded that all water falling on them is diverted away from the milking shed and, if it is situated within the confines of the milking shed, the storage shed; and
- (g) no feed store opens directly into the milking shed; and
- (h) where a feed store forms part of the same premises as the milking shed—an impervious wall reaching from floor to ceiling is erected between the feed store and the shed; and

¹ See, Constitution, Section 155.

- (i) apparatus of a nature satisfactory to the Departmental Head is provided for the washing and scalding, or washing and steaming, of all utensils used in milking, separating, storing or carrying milk; and
- (j) a storage room is provided, constructed—
 - (i) with an impervious floor so graded that any water falling on it drains off the floor; and
 - (ii) with impervious walls and ceiling capable of being washed down, painted or lime-washed; and
 - (iii) with all openings protected by fly-wire gauze; and
 - (iv) in such a way that the wall of the storage room nearest to the milking shed is separated from the wall of the milking shed nearest to the storage room by a passageway that—
 - (A) when used as utensil-washing place—is of a minimum width of 2 400mm; and
 - (B) in any other case—is of a minimum width of 1 800mm; and
- (k) all racks and shelves for utensils are easily removable and are capable of easy and frequent washing; and
- (l) where refrigerators powered otherwise than by electricity are used for storing milk, the power unit is—
 - (i) housed outside the storage room; or
 - (ii) so housed or shielded that no fumes or noxious matter can escape into the storage room during the operation or handling of the power unit; and
- (m) nothing but milk and milk utensils (including separators) are housed in the storage room; and
- (n) no milking shed or storage room is within 30m of a cess-pit, earth closet, manure bin, compost heap or other possible source of flies; and
- (o) the milking shed and the storage room are not part of a dwelling, and no part of the milking shed or storage room is used or to be used as a dwelling; and
- (p) the milking shed and storage room are completely surrounded by a fence or fences that are situated a minimum distance of 10m from the extremities of the floor or floors of the milking shed and storage room; and
- (q) where a milking machine or power-operated separator is used, the motive power, if it is not electric, is housed outside the milking shed and storage room; and
- (r) a suitable provision is made for the storage of manure by means of—
 - (i) a bin constructed of impervious material with a tightly fitting lid; or
 - (ii) a manure heap that—
 - (A) is situated a minimum distance of 50m from the extremities of the milking shed and milk storage room; and
 - (B) has an impervious floor provided on all sides with a water-filled spoon drain or other effective trap for fly larvae; and
 - (C) is fenced off by a fence that is animal-proof; and
- (s) the feed storage shed and the storage room are rodent-proof.

8. Washing, etc., of utensils.

A dairyman, or the user or occupier of a dairy farm, who fails to ensure that all utensils used in milking, separating, storing or carrying milk are—

- (a) washed and scalded; or
- (b) washed and steamed; or
- (c) treated in an approved manner,

immediately after use is guilty of an offence.

Penalty: A fine not exceeding K40.00.

9. Washing of hands, etc.

A dairyman, or the user or occupier of a dairy farm, who fails to ensure that no animal is milked before—

- (a) the hands of the milker; and
- (b) the teats and udders of the animal,

are thoroughly washed is guilty of an offence.

Penalty: A fine not exceeding K40.00.

10. Keeping of animals clear of sheds, etc.

(1) Subject to Subsection (2), a dairyman or the user or occupier of a dairy farm, who fails to ensure that no animal is permitted to approach within 10m of the extremities of the floor or floors of the milking shed and storage room except during milking times is guilty of an offence.

Penalty: A fine not exceeding K40.00.

(2) The presence of an animal under the control of a responsible person within 10m of the extremities of the floor or floors of the milking shed and storage room for purposes of or incidental to work being done in or about the milking shed or storage room is not an offence against Subsection (1).

11. Removal of manure, etc.

(1) A dairyman, or the user or occupier of a dairy farm, shall ensure that after each milking all manure—

- (a) is gathered up from the floor of the milking shed and the area surrounding it; and
- (b) is deposited in the manure bin or the manure heap provided in accordance with Section 7(r).

(2) The manure bin shall be emptied or the manure heap cleared away, as the case may be, at least once in each week.

12. Storage room adjoining milking shed.

Where milking machines are used, the storage room may adjoin the milking shed if—

- (a) the storage room fulfils the other constructional requirements of this Regulation; and
- (b) the only opening in the impervious wall between the storage room and the milking shed is not larger than is necessary to permit the passage of the milk-delivery pipe.

13. Freedom of cows from disease.

A dairyman, or the user or occupier of a dairy farm, who fails to ensure that all cattle in the dairy herd—

(a) have given a negative result within the past 12 months to a tuberculin test administered by a veterinary officer in the employ of the State; and

(b) are otherwise free from disease,

is guilty of an offence.

Penalty: A fine not exceeding K40.00 for each animal in respect of which the offence is committed, and in addition, a fine not exceeding K4.00 for each such animal during every day for which the offence continues.

PART IV—MISCELLANEOUS.**Inspection¹.**

(1) For the purposes of this Regulation, the Departmental Head, an inspector or an officer authorized by the Departmental Head, may at all reasonable times—

(a) enter and inspect the premises of a dairy farm; and

(b) inspect any animal on a dairy farm, or submit any such animal to an examination or test.

(2) A person who in any way directly or indirectly hinders or obstructs a person in the exercise of his powers under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K40.00.

SCHEDULE.**PAPUA NEW GUINEA.****Public Health Act.**

Reg., Sec. 3.

Form 1.

APPLICATION FOR DAIRY LICENCE.

I, _____, of _____, apply for a licence under the *Public Health (Dairy Farms) Regulation* in respect of premises situated at _____

Number or proposed number of dairy animals: _____

Have the cattle or any of them been tuberculin-tested? _____

If so, dates, results and full details: _____

Have you previously held or applied for a licence? _____

If so, date and full details: _____

Dated _____ 19 _____

(Signature of Applicant.)

Approved/Not approved*.

Licence No. _____

Dated _____ 19 _____

Departmental Head.

*Strike out whichever is inapplicable.

¹ But see Constitution, Section 44.

Ch. No. 226

Public Health

PAPUA NEW GUINEA.

Public Health Act.

Reg., Sec. 4 (1).

Form 2.

DAIRY LICENCE.

Licence No.

Subject to the *Public Health Act*, _____, of _____, is licensed to conduct
a dairy farm on the premises (*description of premises*).

Date of expiry of licence:

Dated _____ 19 _____

Departmental Head.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Paint) Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 "paint"
 "soluble lead".

PART II.—LEAD IN PAINT.

2. Method of testing proportion of soluble lead.
3. Lead paint on exteriors.
4. Lead paint on roofs.
5. Removal of paint, etc.

PART III.—PAINT GENERALLY.

6. Labelling, etc., of paint.
7. Use of inferior paint.

PART IV.—MISCELLANEOUS.

8. Inspection, etc.
9. General penalty.

SCHEDULE. —Method of Testing Proportion of Soluble Lead.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Paint) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, unless the contrary intention appears—

"paint" includes any substance that is—

(a) used, or intended to be used, for application as a colouring or protective coating to any surface (including oil paint, water paint, enamel and distemper); or

(b) used in the composition of any paint;

"soluble lead" means the lead compound that is dissolved when paint is treated as prescribed by Section 2 and the Schedule.

PART II.—LEAD IN PAINT.

2. Method of testing proportion of soluble lead.

The method of testing the proportion of soluble lead compound in a paint or paint material is as prescribed in the Schedule.

3. Lead paint on exteriors.

(1) A person who uses or puts any paint containing more than 5% of soluble lead on—

(a) a wall, palisade, post, floor, rail, door, gate or blind of a verandah of a house or other building; or

(b) any steps, baluster, handrail or lattice of a house or other building; or

(c) a fence or gate; or

(d) any other exterior part of a house, hall, school or other building, to which part children under the age of 14 years have easy access,

is guilty of an offence.

(2) In a prosecution for an offence against Subsection (1), the burden of proof that children under the age of 14 years have no access to any exterior part of a building referred to in Subsection (1)(d) is on the defendant.

4. Lead paint on roofs.

A person who uses or puts paint containing any lead on the roof of a house or other building is guilty of an offence.

5. Removal of paint, etc.

(1) Where it is proved to the satisfaction of the Minister that a surface of a house or other building, or of a fence or gate, or any part of the surface of a house or other building, or of a fence or gate, has paint on it containing more than 5% of soluble lead, he may, by

written notice to the owner of the premises, require that any such painted surface be cleaned down and the paint removed within the time stated in the notice.

(2) A person who fails to comply with a notice under Subsection (1) within the time stated in the notice is guilty of an offence.

Penalty: A fine not exceeding K100.00.

PART III.—PAINT GENERALLY.

6. Labelling, etc., of paint.

(1) Subject to Subsection (3), a label shall be supplied on or attached to every package of paint packed or enclosed for sale, indicating—

- (a) the trade name or description; and
- (b) the net weight, or true measure or volume, of the contents of the package; and
- (c) the name and address of the vendor or maker of the contents; and
- (d) a statement of the ingredients and their percentage proportions in the paint, written in bold-faced sans-serif capital letters of not less than eight points face measurement in the following form:—

"This paint consists of (or the contents of this package consist of) (insert the name or names of ingredients and the quantity or percentage proportion of each contained in the paint)".

(2) A person who sells paint in a package without a label required by Subsection (1) on or attached to the package is guilty of an offence.

(3) For the purposes of Subsection (1) and (2), paint shall not be deemed to be falsely described or labelled if the actual weight, or true measure or volume, of any constituent of the liquid does not vary by more than 10% from the weight, measure or volume of the proportion of the constituent declared to be present.

7. Use of inferior paint.

(1) Where a person undertakes or contracts with another person to paint any premises owned or occupied by the other person, he must not use in the mixing or application of the paint any barytes or whiting or other deleterious substance or ingredient of inferior quality without the knowledge and consent of the other person.

(2) A person who contravenes Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

PART IV.—MISCELLANEOUS.

8. Inspection, etc¹.

For the purposes of this Regulation, an officer authorized for the purpose by the Minister may—

- (a) enter any premises or place and inspect—
 - (i) any house, hall, school or other building, or any part of a house, hall, school or other building, referred to in Section 3 or 4; or
 - (ii) any other surface; and

¹ But see Constitution, Sections 44 and 53.

- (b) remove for examination or analysis a sample or samples of any paint adhering to—
 - (i) the house, hall, school or other building, or the part of a house, hall, school or other building referred to in Paragraph (a); or
 - (ii) any other surface; and
- (c) may remove for examination or analysis a sample or samples of any paint that is being used by any person on any premises for painting—
 - (i) any of the exterior surfaces of any house, hall, school or other building referred to in Paragraph (a); or
 - (ii) any other surface referred to in Section 3 or 4.

9. General penalty.

A person who is guilty of an offence against any provision of this Regulation for which no other penalty is expressly provided is liable—

- (a) for a first offence—to a fine not exceeding K40.00; and
- (b) for a second offence in respect of the same provision—to a fine of not less than K20.00 and not exceeding K100.00; and
- (c) for a subsequent offence in respect of the same provision—to a fine of not less than K60.00 and not exceeding K200.00.

SCHEDULE.

Reg., Sec. 2.

METHOD OF TESTING PROPORTION OF SOLUBLE LEAD.

If the paint or wash is mixed with water, turpentine, oil, varnish, size or other adhesive or waterproofing substance, it shall first of all be freed as far as possible from the vehicle or adhesive or waterproofing substance by drying or by treatment with ether, petroleum spirit, alcohol, water or other neutral solvent or solvents.

If the residual substance so obtained contains insoluble varnish material, size or similar material that cannot be removed except by the action of reagents that affect the other constituents of the paint or wash—

- (a) the proportion of the varnish material, size or similar material shall be ascertained by a suitable means; and
- (b) a deduction shall be made for it from the weight of residual material taken for the determination of the soluble lead,

so that the proportion of soluble lead found to be present is calculated as a percentage of the dry substance free from varnish material, size or similar material.

For the determination of the soluble lead compound, 0.5g of the prepared dried material shall be continuously shaken for an hour at a temperature of between 18° C and 30° C with 500g of an aqueous solution of hydrogen chloride containing 0.25% of hydrogen chloride.

The solution shall be allowed to stand for one hour and then filtered.

The total lead dissolved in the 500g of solution, calculated as monoxide of lead, shall be taken as the amount of soluble lead compound in the 0.5g of dried material and the percentage calculated accordingly.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER No. 226.

Public Health (Drinking Water) Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 - "consumer"
 - "distribution system"
 - "drinking water"
 - "drinking water quality standards"
 - "laboratory"
 - "raw water"
 - "raw water source"
 - "standards for raw water"
 - "treat"
 - "treatment plant"
 - "use"
 - "water supplier."

PART II.—WATER QUALITY STANDARDS.

2. Construction etc., of treatment plant.
3. Effect of approval.
4. Standards for raw water.
5. Standards for drinking water.
6. Duty of water supplier.

PART III.—SAMPLING AND ANALYSIS.

7. Sampling, etc., of raw water.
8. Sampling, etc., of drinking water.
9. Cost of analysis and examination.
10. Departmental Head to order corrective action.
11. Departmental Head may order closure etc., of treatment plant.
12. Methods of analysis.

PART IV.—MISCELLANEOUS.

13. Inspection, etc., of treatment plant, etc.
14. Evidence.
15. Appointment of analyst.

SCHEDULE 1.—Standards for Raw Water.

SCHEDULE 2.—Standards for Drinking Water.

SCHEDULE 3.—Water Sampling for Community Water Supply Systems Monitoring Requirements for Bacteriological Analysis.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 226.

Public Health (Drinking Water) Regulation.

MADE under the *Public Health Act*.

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation unless the contrary intention appears—

“consumer” means any person or body to whom or to which, as the case may be, a water supplier, supplies water for use by that person or body;

“distribution system” means the network of pipes through which drinking water is supplied to consumers;

“drinking water” means treated water that is supplied for use by consumers;

“drinking water quality standards” means the quality standards for drinking water referred to in Section 5;

“laboratory” means the Central Public Health Laboratories at Port Moresby or such other laboratory as the Departmental Head designates by notice in the National Gazette;

“raw water” means any untreated water;

“raw water source” means any source, whether above or below the surface of the earth, from which raw water is taken or abstracted;

“standards for raw water” means the standards for raw water referred to in Section 4;

“treat”, in relation to raw water, means the application of physical or biological processes to the water with the view to achieving drinking water quality standards;

“treatment plant” includes the facilities, equipment and procedures for treating raw water;

“use”, in relation to a consumer, means use by the consumer of water supplied by a water supplier, for culinary, domestic or manufacturing purposes;

“water supplier” means any person or body (including a government department, local government body or statutory authority) that abstracts, treats and supplies water to consumers.

PART II.—WATER QUALITY STANDARDS.

2. Construction, etc., of treatment plant.

A person who installs or constructs any plant for treating water unless he has, prior to commencing the installation or construction—

(a) submitted to the Departmental Head—

(i) details of chemical and bacteriological analysis of the raw water he proposes to treat; and

(ii) particulars of the source of water; and

(b) subject to Sections 3 and 4—obtained from the Departmental Head, a written approval authorizing him to use that water,

is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months or both.

3. Effect of approval.

An approval by the Departmental Head under Section 3, authorizes the person to whom the approval relates to take or abstract water for the purposes of treatment only from the raw water source named in the approval.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months or both.

4. Standards for raw water.

(1) Subject to Subsection (2), the Departmental Head, if he is satisfied that the raw water to which the approval relates, complies with the standards for raw water set out in Schedule 1, shall grant his approval.

(2) A person may apply to the Department Head for approval to abstract or take raw water, for treatment purposes, that does not comply with the standards referred to in Subsection (1).

(3) On receipt of an application under Subsection (2), the Departmental Head may—

(a) refuse the application; or

(b) if he is satisfied that special provision has been made for the proper treatment of the water to drinking water quality standards—grant the application subject to such conditions (if any) as he imposes.

5. Standards for drinking water.

Drinking water shall comply with the drinking water quality standards set out in Schedule 2.

6. Duty of water supplier.

(1) It is the duty of a water supplier to ensure that drinking water supplied by him to a consumer complies with the drinking water quality standards.

(2) A water supplier who—

(a) supplies to a consumer; or

(b) has in his distribution system, drinking water that does not comply with the drinking water quality standards, is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months or both.

PART III.—SAMPLING AND ANALYSIS.

7. Sampling, etc., of raw water.

A water supplier shall, for the purposes of ensuring compliance with the standards for raw water, forward to the laboratory samples of the raw water for analysis and examination—

- (a) in the case of water from a surface raw water source—at least once in each year; and
- (b) in the case of water from a ground raw water source—at least three times in each year.

8. Sampling, etc., of drinking water.

(1) A water supplier shall, for the purposes of ensuring compliance with the drinking water quality standards, forward to the laboratory samples of the water from his treatment plant and his distribution system for analysis and examination.

(2) For the purposes of Subsection (1), the number of samples and the frequency at which the samples are to be taken are as set out in Schedule 3.

(3) The sampling and analysis of drinking water for radio-activity examination shall be at such frequency and in accordance with such requirements as the Departmental Head in each particular case determines.

9. Cost of analysis and examination.

(1) The cost of analysis and examination shall be—

- (a) borne by the water supplier; and
- (b) paid to the Departmental Head as such rates as he determines.

(2) The Departmental Head may, in his discretion, exempt a water supplier from the requirements of Subsection (1).

10. Departmental Head to order corrective action.

(1) Where it is established by analysis and examination that drinking water supplied by a water supplier does not comply with the drinking water quality standards, the Departmental Head shall by written notice direct the water supplier to take such corrective measures as are specified in the notice.

(2) A water supplier who fails to comply with a direction under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months or both.

11. Departmental Head may order closure etc., of treatment plant.

(1) Where—

- (a) there has been an outbreak of a waterborne disease in an area in which a treatment plant or a distribution system is located; or
- (b) other emergency circumstances exist which, in the opinion of the Departmental Head, have adversely affected or may adversely affect the quality of water supplied by a water supplier,

the Departmental Head may by written notice direct the water supplier to effect such corrective or precautionary measures as are specified in the notice.

(2) Where the corrective measures specified in a notice under Subsection (1) fail to produce the required results, the Departmental Head may order the water supplier to immediately cease treatment and supply of water.

(3) A water supplier who fails to comply with an order under Subsection (1) or (2) is guilty of an offence.

Penalty: A fine not exceeding K100.00 or imprisonment for a term not exceeding three months or both.

12. Methods of analysis.

Analysis, for the purposes of this Regulation, of any water shall be effected in accordance with the methods set out in the National Technical Standard PNGS 1025-82 established under the *National Technical Standards Act*.

PART IV.—MISCELLANEOUS.

13. Inspection, etc., of treatment plant, etc.

(1) The Departmental Head or a person authorized by him in writing may enter on any premises for the purposes of inspecting any water treatment plant or any water distribution system.

(2) The Departmental Head may by written notice require a water supplier to make such alterations, or to effect such repairs, to his treatment plant or distribution system as the Departmental Head considers necessary in the interests of public health.

(3) Where a water supplier refuses or fails to comply with a requirement under Subsection (2), the Departmental Head may—

- (a) cause the necessary alterations or repairs to be executed at the cost of the water supplier; and
- (b) for the purposes of executing the alterations or repairs, enter and remain, by such servants, agents and workmen as the Departmental Head considers necessary, on the land on which the treatment plant or distribution system is situated.

(4) The costs and expenses incurred by the Departmental Head in and about the execution of the alterations or repairs under Subsection (2) are recoverable from the water supplier as a debt due to the State.

14. Evidence.

In any legal proceedings under the Act, a certificate purporting to be signed by a person appointed under Section 15 and setting out the results of an analysis of any matter

or thing submitted for analysis under this Regulation is admissible in evidence and shall be sufficient evidence of—

- (a) the identity of the matter or thing analysed; and
- (b) the results of the analysis; and
- (c) the manner in which the analysis was carried out.

15. Appointment of analyst.

The Departmental Head may, for the purposes of this Regulation, appoint, by notice in the National Gazette, a person to be an analyst.

SCHEDULE 1.

Reg. Sec. 4

STANDARDS FOR RAW WATER.

The standards for raw water shall be:

1.	Micro-Biological Standards:	<i>Maximum Allowable</i>
	Coliform Bacteria	20,000 per 100 mil
2.	Toxic Contaminants Standards:	
	<i>Substances</i>	
	(a) Arsenic (as As)	0.05 mg/L
	(b) Cadmium (as Cd)	0.01 mg/L
	(c) Cyanide (as Cn)	0.05 mg/L
	(d) Lead (as Pb)	0.10 mg/L
	(e) Mercury (total as Hg)	0.001 mg/L
	(f) Selenium (as Se)	0.01 mg/L
	(g) Nitrate	45.0 mg/L
	(h) Silver	0.05 mg/L
	(i) Fluorides (as F)	1.5 mg/L
3.	Aesthetic Quality Standards:	
	<i>Substance or Characteristics</i>	
	(a) Colour	50 units ¹
	(b) Odour	Unobjectionable
	(c) Taste	Unobjectionable
	(d) Iron	1 mg/L
	(e) Manganese	0.5 mg/L
	(f) Sulphate	400 mg/L
	(g) Total dissolved solids	1 500 mg/L
	(h) Chemical oxygen demand (COD)	10 mg/L
	(i) Bio-chemical oxygen demand (BOD)	6 mg/L
	(j) Mineral oil	1 mg/L

¹On the platinum-cobalt scale

SCHEDULE 2.

Reg. Sec. 5.

STANDARDS FOR DRINKING WATER.

Note: The standards in this Schedule have been adopted from the WHO International Standards for Drinking Water, 1971, and unless stated otherwise, shall comply with these standards.

1. Micro-biological Standards:

(a) Chlorinated or otherwise disinfected water supplies—

(i) For water entering the distribution system, the coliform count shall be zero in any 100 ml sample;

(ii) For water in the distribution system—

A. Throughout any year, 90% of the sample shall not contain any coliform organisms in any sample of 100 ml;

B. There shall be no E. Coli in any sample of 100 ml;

C. No sample shall contain more than 10 coliform organisms per 100 ml;

D. Coliform organisms shall not be detectable in both of any of two consecutive 100 ml samples;

(b) Non-disinfected water supplies—

(Individual or Small Community Supplies)

(i) There shall be no E. Coli in any sample of 100 ml;

(ii) If E. Coli is absent, no sample shall contain more than three coliform organisms per 100 ml.

2. Toxic Contaminants Standards:

No drinking water shall contain the following substances in amounts exceeding the stated upper limit of concentration.

Substances	Upper Limit of Concentration
(a) Arsenic (as As)	0.05 mg/L
(b) Cadmium (as Cd)	0.01 mg/L
(c) Cyanide (as Cn)	0.05 mg/L
(d) Lead (as Pb)	0.1 mg/L
(e) Mercury (as Hg)	0.001 mg/L
(f) Selenium (as Se)	0.01 mg/L
(g) Nitrate*	45.00 mg/L
(h) Silver*	0.05 mg/L

Note: Standards for substances marked thus * are Papua New Guinea requirements as distinct from WHO.

3. Aesthetic and other Qualities Standards:

Note: These standards for substances and characteristics affecting the acceptability of water for domestic use, follow the WHO International Standards for Drinking Water, 1971, except for those standards marked thus *, which indicate that these have been modified to allow for the great variation of physical and chemical qualities for the various sources throughout Papua New Guinea:

Substances or Characteristics	Highest Desirable Level	Maximum Permissible Level
(a) Colour	5 units	50 units**
(b) Odour	Unobjectionable	Unobjectionable
(c) Taste	Unobjectionable	Unobjectionable
(d) Suspended matter (turbidity)	5 units	25 units***
(e) Total solids	500 mg/L	1,500 mg/L

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(f) pH range	7.0—8.5	6.5—9.2
(g) Mineral oil	0.01 mg/L	0.30 mg/L
(h) Total hardness*	200 mg/L (CaCo ³)	600 mg/L (CaCo ³)
(i) Calcium (as Ca)	75 mg/L	200 mg/L
(j) Chloride*	200 mg/L	1 000 mg/L
(k) Copper (as Cu)	0.05 mg/L	1.5 mg/L
(l) Iron (Total as Fe)	0.1 mg/L	1.0 mg/L
(m) Magnesium (as Mg)	Not more than 30 mg/L if there are more than 250 mg/L of sulphate	150 mg/L
(n) Manganese (as Mn)	0.05 mg/L	0.5 mg/L
(o) Sulphate	200 mg/L	400 mg/L
(p) Zinc (as Zn)	2.0 mg/L	15 mg/L
(q) Fluoride	1.0 mg/L	1.5 mg/L

Note: ** On the platinum-cobalt scale

*** Jacksons Turbidity Units (J.T.U.)

SCHEDULE 3.

Reg. Sec. 8 (2).

**WATER SAMPLING FOR COMMUNITY WATER SUPPLY SYSTEMS MONITORING
REQUIREMENTS FOR BACTERIOLOGICAL ANALYSIS.**

Column 1	Column 2	Column 3
Population Served	Minimum number of samples per month	Frequency
(a) Individual or Small Community Water Supplies		
1,001 to 2,000	3	Once a month
(b) Community Water Supplies for Urban Centres		
2,001 to 4,000	4	Twice per month
4,001 to 5,000	6	"
5,001 to 8,000	8	"
8,001 to 10,000	10	"
10,001 to 15,000	17	Once a week
15,001 to 20,000	15	"
20,001 to 30,000	18	"
30,001 to 50,000	20	"
50,001 to 75,000	25	"
75,001 to 100,000	30	"
100,001 to 150,000	40	"
150,001 and above	40 plus 1 sample per 10,000 population	Once a day.

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CHAPTER NO. 226.

Public Health.

SUBSIDIARY LEGISLATION.

1. Act, Section 9.—Declaration of Residential Areas.

Rabaul, Town of, East New Britain Province, portions of, more particularly described in notice dated 14 October 1932, as amended, made under the *Public Health Act 1932* of the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. pp. 2293-9.

Wau, Morobe Province, portion of, being the whole of Section E and Allotments 3-7 and 12-15 of Section F (description as at 9 June 1934).

2. Act, Section 15.—Declaration of Infectious Diseases.

El Tor Cholera.

Encephalitis.

Infectious hepatitis.

Influenza.

Meningo-coccal meningitis.

Venereal diseases, including—

(a) chancroid (soft chancre); and

(b) gonorrhoea; and

(c) *granuloma inguinale* (Donovanosis); and

(d) *lymphogranuloma venereum* (*lymphogranuloma inguinale*, *lymphopathia venereum*); and

(e) syphilis.

Yellow fever.

3. Act, Section 35.—Infected Areas.

New Guinea, former Territory of, the whole of, except Tasman and Mortlock Islands, until revocation (malaria and tuberculosis, and other infectious respiratory and viral diseases)—Sections 36 and 37 not to apply to persons entering or departing from the infected area except persons departing from that area to enter the Tasman and Mortlock Islands.

Papua, former Territory of, the whole of, except for the Southern Highlands Province, until revocation (influenza).

4. Act, Section 39.—Declaration of Typhoid Areas.

Bougainville Province, part of, more particularly described in the Second Schedule to notice dated 12 July 1934 made under the *Infectious Diseases Regulations* of

the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. p. 2463.

East and West Sepik Provinces, area in, more particularly described in notice dated 26 June 1937 made under the *Infectious Diseases Regulations* of the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. p. 2465. And see under East Sepik Province and West Sepik Province below.

East Sepik Province, area in, more particularly described in the First Schedule to notice dated 8 January 1935 made under the *Infectious Diseases Regulations* of the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. p. 2464. And see under East and West Sepik Provinces above.

Morobe Province, part of, more particularly described in the First Schedule to notice dated 12 July 1934 made under the *Infectious Diseases Regulations* of the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. p. 2463.

West Sepik Province, area in, more particularly described in the Second Schedule to notice dated 8 January 1935 made under the *Infectious Diseases Regulations* of the former Territory of New Guinea and Published in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. p. 2464.

5. Act, Section 72.—Declaration of Hansenide Centres.

Land used for care and treatment of Hansenides at—

Bougainville Province—

Torokina (description as at 22 June 1963).

Central Province—

Gemo Island (description as at 22 June 1963).

East Sepik Province—

Raihu (description as at 22 June 1963)

Yampu (description as at 22 June 1963).

Madang Province—

Hatzfeldhaven (description as at 22 June 1963).

Milne Bay Province—

Ubuia Island (description as at 14 April 1967).

Morobe Province—

Etap (description as at 22 June 1963).

New Ireland Province—

Anelaua (description as at 22 June 1963).

Southern Highlands Province—

Tari (description as at 22 June 1963).

Western Highlands Province—

Togoba (description as at 22 June 1963).

Western Province—

Balimo (description as at 22 June 1963).

6. Act, Section 73.—Ex officio Appointments of Medical Officers.

Medical Officer-in-Charge, Leprosy Mission Unit, Tari, Southern Highlands Province (position as at 1 April, 1968).

Medical Officer, Regional, Leprosy Control Unit (position as at 22 June, 1963).

Regional Medical Officer (office as at 22 June, 1963).

Specialist Medical Officer (Leprolagy) (office as at 22 June, 1963).

7. Act, Section 82(a).—Establishment of Mental Hospitals.

Bomana Mental Hospital, Central Province (description as at 6 September 1962), including—

(a) the room marked with the number "24" in the north-west corner of the Detention Block situated within No. 2 Compound at the Bomana Corrective Institution (description as at 8 February 1964); and

(b) the rooms marked with the numbers "22" and "23", respectively, in the north-west corner of the Detention Block situated within No. 2 Compound at the Bomana Corrective Institution (description as at 7 April 1965).

Goroka General Hospital, Eastern Highlands Province (description as at 4 March 1964).

Lae General Hospital, Morobe Province (description as at 4 March 1964).

Madang General Hospital, Madang Province (description as at 4 March 1964).

Port Moresby General Hospital, National Capital District (description as at 6 September 1962).

Rabaul General Hospital, East New Britain Province (description as at 4 March 1964).

Wewak General Hospital, East Sepik Province (description as at 4 March 1964).

8. Act, Section 82(c).—Establishment of Admission Centres.

Goroka General Hospital, Eastern Highlands Province (description as at 12 March 1964).

Lae General Hospital, Morobe Province (description as at 12 March 1964).

Madang General Hospital, Madang Province (description as at 12 March 1964).

Port Moresby General Hospital, National Capital District (description as at 6 September 1962).

Rabaul General Hospital, East New Britain Province (description as at 12 March 1964).

Wewak General Hospital, East Sepik Province (description as at 12 March 1964).

9. Act, Section 84.—Ex officio appointment of Visitors.

Bomana Mental Hospital—

Assistant Director (Medical Services), Department of Public Health (office as at 27 August 1964).

Assistant Director (Preventive Medicine), Department of Public Health (office as at 27 August 1964).

Inspector (Psychological Services), Department of the Public Services Commission (office as at 27 August 1964).

Lecturer (Medicine), Department of Public Health (office as at 27 August 1964).

Regional Medical Officer (Papua), Department of Public Health (office as at 27 August 1964).

Specialist Medical Officer (Physician), Department of Public Health (office as at 27 August 1964).

10. Sanitation and General Regulation, Section 3(a).—Application of Regulation (other than Parts VI. and VII.)—

Astrolabe Bay, area on, near the Town of Madang, Madang Province, more particularly described in notice dated 4 April 1957 made under the *Public Health (General Sanitation) Regulations* of the former Territory of New Guinea and published in *Territory of Papua and New Guinea Government Gazette* No. 21 of 18 April 1957, p. 193.

Lae, area near, Milinch of Malahang Fourmil of Huon, Morobe Province, more particularly described in notice dated 4 April 1957 made under the *Public Health (General Sanitation) Regulations* of the former Territory of New Guinea and published in *Territory of Papua and New Guinea Government Gazette* No. 21 of 18 April 1957, p. 195.

Lorengau, area near, Manus Province, more particularly described in notice dated 4 July 1957 made under the *Public Health (General Sanitation) Regulations* of the former Territory of New Guinea and published in *Territory of Papua and New Guinea Government Gazette* No. 38 of 11 July 1957, p. 343.

Malahang, near the City of Lae, Morobe Province, area at, from time to time occupied by Anderson's (Pacific) Trading Company Limited (description as at 28 March 1958).

Portion 9, Milinch of Malahang Fourmil of Huon, Morobe Province (description as at 9 October 1972).

Rabaul, area near, Milinch of Blanche Fourmil of Rabaul, East New Britain Province, more particularly described in notice dated 8 June 1965 made under the *Public Health (General Sanitation) Regulations* of the former Territory of New Guinea and published in *Territory of Papua and New Guinea Government Gazette* No. 30 of 17 June 1965, pp. 464-5.

Rabaul, two areas near, more particularly described in notice dated 25 October 1932 made under the *Public Health (General Sanitation) Regulations* of the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. pp. 2297-8.

Rapindik, area at, Milinch of Blanche Fourmil of Rabaul, New Britain Province, more particularly described in notice dated 21 October 1959 made under the *Public Health (General Sanitation) Regulations* of the former Territory of New Guinea and published in *Territory of Papua and New Guinea Government Gazette* No. 50 of 29 October 1959, p. 610.

Wau, area near, more particularly described in notice dated 2 October 1937 made under the *Public Health (General Sanitation) Regulations* of the former Territory

of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. pp. 2298-2300.

11. Sanitation and General Regulation, Section 3(a).—Application of Part VI.

Morobe Province, area in, more particularly described in notice dated 2 October 1937 made under the *Mosquito Prevention and Destruction Regulations* of the former Territory of New Guinea and printed in *Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II. pp. 2301-2.

12. Sanitation and General Regulation, Section 5(6).—Exemption of Racecourses.

Boroko Recreation Reserve, subject to the following conditions:—

1. A race meeting shall be conducted by a committee, duly authorized in writing by the Trustees of the Boroko Recreation Reserve.
2. The committee shall submit to the Local Medical Authority, for approval, at least 48 hours before the day on which a race meeting is scheduled to be held, a plan for the collection and removal from the Reserve of rubbish and equine excreta.
3. Immediately after the end of the race meeting, the committee shall remove from the Reserve, in accordance with the approved plan, all rubbish and equine excreta.

13. Sanitation and General Regulation, Section 50(4).—Sanitation and Garbage Charges.

1. In Port Moresby, City of, charges as follows:—

(a) for services rendered twice per week—

- (i) nightsoil—K1.50 per pan per month or, for a period of less than one month, K0.40 per pan per week, and
- (ii) refuse deposited in standard refuse bins—K1.50 per bin per month or, for a period of less than one month, K0.40 per bin per week; and
- (iii) refuse deposited in drums—K7.50 per drum per month or, for a period of less than one month, K1.90 per drum per week; and

(b) for services rendered more than twice per week—

- (i) nightsoil—K4.50 per pan per month or, for a period of less than one month, K1.13 per pan per week; and
- (ii) refuse deposited in standard refuse bins—K4.50 per bin per month or, for a period of less than one month, K1.13 per bin per week; and
- (iii) refuse deposited in drums—K22.50 per drum per month or, for a period of less than one month, K5.63 per drum per week; and

(c) special and Sunday services—

- (i) nightsoil—K0.40 per pan; and
- (ii) refuse deposited in standard refuse bins—K0.40 per bin; and
- (iii) refuse deposited in drums—K1.90 per drum.

2. In—

- (a) Alotau, Town of; and
- (b) Bereina, Town of; and

- (c) Cameron, Town of; and
- (d) Daru, Island of; and
- (e) Esa'ala, Town of, as included in the whole of Portion 19 Milinch of Esa'ala Fourmil of Fergus, and also those pieces of land described in the Deeds of Attestation numbered 1886 and 2536 (description as at 3 December 1969); and
- (f) Kerema, Town of; and
- (g) Kulumadau, Town of; and
- (h) Kwikila, Town of; and
- (i) Misima, Town of; and
- (j) Popondetta, Town of, together with an area more particularly described in notice dated 13 October 1961 made under the *Health Act*, 1912 of the former Territory of Papua and published in *Territory of Papua and New Guinea Government Gazette* No. 51 of 26 October 1961, p. 571; and
- (k) Raba Raba, Town of; and
- (l) Samarai, Island of; and
- (m) Tapini, Town of; and
- (n) Woitape, Town of; and
- (o) all towns in the former Territory of New Guinea, other than Rabaul,

charges as follows:—

- (p) for services rendered twice per week—
 - (i) nightsoil—K1.70 per pan per month or, for a period of less than one month or, K0.43 per pan per week; and
 - (ii) refuse deposited in standard refuse bins—K1.70 per bin per month or, for a period of less than one month, K0.43 per bin per week; and
 - (iii) refuse deposited in drums—K8.50 per drum per month or, for a period of less than one month, K2.13 per drum per week; and
- (q) for services rendered more than twice per week—
 - (i) nightsoil—K5.10 per pan per month or, for a period of less than one month, K1.29 per pan per week; and
 - (ii) refuse deposited in standard refuse bins—K5.10 per bin per month or, for a period of less than one month, K1.29 per bin per week; and
 - (iii) refuse deposited in drums—K25.50 per drum per month or, for a period of less than one month, K6.39 per drum per week; and
- (r) special and Sunday services—
 - (i) nightsoil—K0.43 per pan; and
 - (ii) refuse deposited in standard refuse bins—K0.43 per bin; and
 - (iii) refuse deposited in drums—K2.13 per drum.

14. Sewerage Regulation, Section 4.—Declaration of Sewerage Districts.

Arawa, Town of.

Goroka, Town of.

Kainantu, Town of.

Kieta, Town of.

Kundiawa, Town of.

Lae, City of.

Madang, Town of.

Madang, Sections 74, 73, 77, 62, 63, 59 and 60, and Lots 8-25 of Section 64 (description as at 21 February 1969).

Moem Sewerage District, being Portion 25, Milinch of Muschu Fourmil of Wewak, East Sepik Province (description as at 9 May 1961).

Mount Hagen, Town of.

Nonga, Portion 10, Milinch of Blanche Fourmil of Rabaul, East New Britain Province (description as at 21 February 1969).

Outer Port Moresby Sewerage District, being Portion 64 Hamil of Bomana, Central Province (description as at 16 October 1968).

Port Moresby, area in, more particularly described in notice made under Regulations 5 and 6 of the *Sewerage (Papua) Regulations 1953* of the former Territory of Papua and published in *Territory of Papua and New Guinea Government Gazette* No. 56 of 24 October 1968, p. 819.

Rabaul, Town of.

Wau, Town of.

Wewak, Town of.

15. Sewerage Regulation, Section 5.—Declaration of Sewered Areas.

Lae Sewerage District.

Madang Sewerage District.

Madang, Sections 74, 73, 77, 62, 63, 59 and 60, and Lots 8-25 of Section 64 (description as at 21 February 1969).

Nonga, Portion 10, Milinch of Blanche Fourmil of Rabaul, East New Britain Province (description as at 21 February 1969).

Outer Port Moresby Sewerage District, being Portion 64 Hamil of Bomana, Central Province (description as at 16 October 1968).

Port Moresby, area in, more particularly described in notice made under Regulations 5 and 6 of the *Sewerage (Papua) Regulations 1953* of the former Territory of Papua and published in *Territory of Papua and New Guinea Government Gazette* No. 56 of 24 October 1968, p. 819.

Port Moresby Sewerage District (description as at 5 July 1960).

Rabaul Sewerage District.

Wau Sewerage District.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER No. 226.

Public Health.

APPENDIXES.

APPENDIX 1.

SOURCE OF THE PUBLIC HEALTH ACT.

Part A.—Previous Legislation.

1. *Infectious Diseases Act (Amalgamated) 1973*¹.
2. *Malaria Control Act 1957* (No. 46 of 1957)
as amended by—
Malaria Control Act 1958 (No. 8 of 1958).
3. *Mental Disorders and Treatment Act 1960* (No. 9 of 1960)
as amended by—
Mental Disorders and Treatment Act 1967 (No. 37 of 1967)
Mental Disorders and Treatment (Exclusion) Act 1972 (No. 56 of 1972).
4. *Public Health Act (Amalgamated) 1973*¹
as amended by—
Public Health Act (Amalgamated) (Amendment) Act 1974 (No. 14 of 1974).
5. *Suppression of Hansen's Disease Act 1952* (No. 49 of 1952)
as amended by—
Suppression of Hansen's Disease Act 1953 (No. 100 of 1953).
6. *Venereal Diseases Act (Amalgamated) 1973*¹.

Part B.—Cross References.

Note—References in this table to—

- "Hansen"—are references to the *Suppression of Hansen's Disease Act 1952*;
"Inf. D."—are references to the *Infectious Diseases Act (Amalgamated) 1973*;
"Malaria"—are references to the *Malaria Control Act 1957*;
"Mental Disorders"—are references to the *Mental Diseases and Treatment Act 1960*;
"P.H."—are references to the *Public Health Act (Amalgamated) 1973*;

¹ See *Statute Law Revision (Amalgamation of Laws) Act 1973* (No. 2 of 1974).

"V.D."—are references to the *Venereal Diseases Act (Amalgamated) 1973*, respectively set out in Part A.

Section, etc., in Revised Edition.	Previous Reference.	Section, etc., in Revised Edition.	Previous Reference.
1	P.H.4	53	V.D.11(1),(3)
2	P.H.4A	54	V.D.12(in part)
3	P.H.5(2)	55	V.D.3
4	P.H.6(1),(2)(a)	56	V.D.4,5,8
5	P.H.6A	57	V.D.6
6	P.H.7	58	V.D.7
7	P.H.6(2)(b)	59	V.D.14
8	P.H.5(1)	60	V.D.16
9	P.H.5(3)	61	V.D.11(2)(3)
10	P.H.9	62	V.D.30
11	P.H.8	63	V.D.12(in part), 18
12	P.H.10		
13	P.H.18A	64	V.D.13
14	Inf.D.2	65	V.D.17
15	Inf.D.2	66	V.D.21
16	Inf.D.8	67	V.D.22
17	Inf.D.3	68	V.D.15
18	Inf.D.4(1), (2),(3)	69	V.D.19,20
19	Inf.D.4(1A),2	70	V.D.26
20	Inf.D.7	71	Hansen 3
21	Inf.D.6	72	Hansen 4
22	Inf.D.5	73	Hansen 4A
23	Inf.D.9	74	Hansen 5
24	Inf.D.11	75	Hansen 6, (6A)
25	Inf.D.10	76	Hansen 7
26	Inf.D.12	77	Hansen 8
27	Inf.D.20	78	Malaria 3
28	Inf.D.17	79	Malaria 4
29	Inf.D.19	80	Malaria 5
30	Inf.D.18	81	Mental Disorders 6
31	Inf.D.23	82	Mental Disorders 33
32	Inf.D.21,22	83	Mental Disorders 34
33	Inf.D.24	84	Mental Disorders 35
34	—	85	Mental Disorders 36
35	Inf.D.14	86	Mental Disorders 7,8
36	Inf.D.15	87	Mental Disorders 9
37	Inf.D.16	88	Mental Disorders 10
38	Inf.D.16A(13)	89	Mental Disorders 11
39	Inf.D.16A(1)	90	Mental Disorders 12
40	Inf.D.16A(2)-(5), (12)	91	Mental Disorders 17
41	Inf.D.16A(9),(10)	92	Mental Disorders 18
42	Inf.D.16A(6), (7)	93	Mental Disorders 19
43	Inf.D.16A(8)	94	Mental Disorders 13
44	Inf.D.25	95	Mental Disorders 14
45	Inf.D.16A(11)	96	Mental Disorders 20
46	Inf.D.13	97	Mental Disorders 21
47	Inf.D.26(c)	98	Mental Disorders 22
48	V.D.2	99	Mental Disorders 23
49	V.D.23	100	Mental Disorders 24
50	V.D.24,27	101	Mental Disorders 25
51	V.D.28	102	Mental Disorders 27, 28
52	V.D.9,10	103	Mental Disorders 15, 16
		104	Mental Disorders 26
		105	Mental Disorders 32

Part B.—Cross References—*continued.*

Section, etc., in Revised Edition.	Previous Reference.	Section, etc., in Revised Edition.	Previous Reference.
106	Mental Disorders 61	129	Mental Disorders 55
107	Mental Disorders 37	130	Mental Disorders 58
108	Mental Disorders 29	131	—
109	Mental Disorders 40	132	P.H.11
110	Mental Disorders 38	133	P.H.12
111	Mental Disorders 42(1),(2)	134	P.H.13
112	Mental Disorders 39	135	P.H.14
113	Mental Disorders 51	136	P.H.15
114	Mental Disorders 41,52	137	P.H.16
115	Mental Disorders 47	138	P.H.17
116	Mental Disorders 48, 49	139	P.H.18
117	Mental Disorders 50	140	V.D.25
118	Mental Disorders 30,31	141	P.H.19; V.D.31;
119	Mental Disorders 42(3)		Hansen 10;
120	Mental Disorders 43		Mental Disorders 62.
121	Mental Disorders 44	Schedule 1.	Schedule.
122	Mental Disorders 45	Form 1.	Mental Disorders,
123	Mental Disorders 46		Form 2.
124	Mental Disorders 56	Form 2.	Mental Disorders,
125	Mental Disorders 57		Form 1.
126	Mental Disorders 59	Schedule 2.	Schedule.
127	Mental Disorders 53		First Schedule.
128	Mental Disorders 54		

APPENDIX 2.

SOURCE OF THE PUBLIC HEALTH (SANITATION AND GENERAL)
REGULATION.

Part A.—Previous Legislation.

1. Public Health (General Sanitation) Regulations (Amalgamated) 1973¹
as amended by—
Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).
2. Public Health (Incinerators) Regulations (Amalgamated) 1973¹.
3. Public Health (Mosquito Prevention and Destruction) Regulations (Amalgamated) 1973¹.
as amended by—
Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).
4. Public Health (Underground Water Tanks) Regulation (Amalgamated) 1973.

Part B.—Cross References.

Note—References in this table to—

"Incin"—are references to the Public Health (Incinerators) Regulation (Amalgamated) 1973;

"Mos"—are references to the Public Health (Mosquito Prevention and Destruction) Regulation (Amalgamated) 1973,

"U.W.T."—are references to Public Health (Underground Water Tanks) Regulations (Amalgamated) 1973.

set out, in each case, in Part A.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition	Previous Reference ² .
1	3(1); Incin 2; Mos 3; U.W.T.2.	18	20
2	3(2)	19	21
3	4; Mos 4	20	22
4	5	21	24
5	7	22	25
6	8	23	26
7	9	24	27
8	10	25	28
9	11	26	30
10	12	27	31
11	13	28	31A
12	14	29	33, 35
13	15	30	32
14	16	31	34
15	17A	32	36
16	18	33	37
17	19	34	38
		35	39

¹ See *Statute Law Revision (Amalgamation of Laws) Act 1973* (No. 2 of 1974).

² Unless otherwise indicated, references are to the Public Health (General Sanitation) Regulations (Amalgamated) 1973 set out in Part A.

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Part B.—Cross References—*continued*.

Section, etc., in Revised Edition.	Previous Reference.	Section, etc., in Revised Edition.	Previous Reference.
36	40	59	Mos 5
37	41	60	Mos 6
38	42	61	Mos 7
39	43,44	62	Mos 8
40	45	63	Mos 9
41	46	64	Mos 10,11
42	47	65	Mos 12
43	48	66	Mos 13,14
44	49	67	Mos 15
45	50	68	Mos 16
46	56	69	Mos 17
47	51	70	Mos 18
48	52	71	Mos 19
49	53	72	Incin 3
50	54	73	Incin 4
51	54A	74	Incin 5
52	54B	75	Incin 6
53	54C	76	Incin 7
54	54D	77	55
55	54E	78	57; Mos 20
56	54F	79	58
57	54G	80	59
58	54H		

APPENDIX 3.

SOURCE OF THE PUBLIC HEALTH (SEPTIC TANK) REGULATION.

Part A.—Previous Legislation.

Public Health (Septic Tanks) Regulations (Amalgamated) 1973¹

as amended by—

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous References ² .	Section, etc., in Revised Edition.	Previous References ² .
1	3 ³	8	8
2	3A	9	9
3	4	10	15
4	5	11	10
5	6	12	11
6	5A	13	12
7	7	14	13

¹ See *Statute Law Revision (Amalgamation of Laws) Act 1973 (No. 2 of 1974)*.

² Unless otherwise indicated, references are to the regulations set out in Part A.

³ See, also, Section 17(8).

Part B.—Cross References—*continued.*

Section, etc., in Revised Edition.	Previous References.	Section, etc., in Revised Edition.	Previous References.
15	96	64	52(2),(3)
16	14	65	53
17	88,3(in part)	66	54
18	89	67	55
19	90	68	56
20	91	69	57
21	92	70	58
22	92A	71	59
23	16	72	60
24	17	73	61
25	18	74	62
26	19	75	63
27	20	76	64
28	21	77	65
29	22	78	66
30	23	79	67
31	24	80	68
32	25(1)	81	69
33	25(2)-(5)	82	70
34	26	83	70A(1)
35	27	84	70A(2)
36	28	85	71,72
37	29	86	76
38	30	87	77(1),(2)(in part), (3)
39	31		77(2)(in part)
40	32	88	78
41	33	89	79(1),(1A),(1B)
42	34	90	79(2)-(8)
43	35	91	80
44	36	92	81
45	37	93	82
46	38	94	83
47	39	95	84,85
48	40(1)(in part)	96	86
49	40(1)(in part),(2)	97	87
50	41	98	96A(3)
51	42	99	96A(4)
52	43,44	100	96A(5)
53	45	101	96A(6),(7)
54	46	102	96A(1)
55	47	103	96A(2)
56	49(2),(3),(4)	104	94,99
57	48	105	95
58	49(1)	106	98
59	49(5),(6)	107	97(1)
60	50	108	97(2)
61	51A	109	71(1)(f)
62	51	Schedule 1.	95(1)
63	52(1)	Schedule 2.	

APPENDIX 4.

SOURCE OF THE PUBLIC HEALTH (SEWERAGE) REGULATION.

Part A.—Previous Legislation.

Public Health (Sewerage) Regulations (Amalgamated) 1973¹

as amended by—

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition.	Previous Reference ²
1	4	41	48
2	2	42	49
3	8A	43	50
4	5	44	51
5	6	45	52
6	8	46	53
7	6A	47	54
8	7	48	55
9	23	49	56
10	15(in part)	50	57
11	16,17	51	58
12	9,9A	52	59
13	9B	53	60
14	10	54	61
15	37	55	62
16	38	56	63
17	39	57	64
18	40	58	65
19	41	59	66
20	10A	60	67
21	26	61	68
22	11	62	69
23	12	63	70
24	13	64	71
25	19	65	72
26	24	66	73
27	18(1),(2), 22	67	74
28	18(3)	68	75
29	43	69	76
30	20(1)-(6), (8),(9)	70	77
31	20(11),21(1)(in part)	71	78
32	32,33,34	72	79
33	14	73	80
34	21(2),35,36	74	81
35	25	75	82
36	42	76	83
37	44	77	84
38	45	78	85
39	46	79	86
40	47	80	87
		81	88
		82	89

¹ See *Statute Law Revision (Amalgamation of Laws) Act 1973 (No. 2 of 1974)*.² Unless otherwise indicated, references are to the regulations set out in Part A.

Part B.—Cross References—*continued.*

Section, etc., in Revised Edition.	Previous Reference.	Section, etc., in Revised Edition.	Previous Reference.
83	90	139	148
84	91	140	149
85	92	141	150
86	93	142	151
87	94,95	143	152
88	96	144	153
89	97	145	154(in part),155
90	98	146	162
91	99	147	163
92	100	148	163A
93	101(in part)	149	164
94	102(in part)	150	165
95	103(in part)	151	166
96	104	152	167
97	105	153	168
98	106	154	169(in part)
99	107	155	170
100	108	156	171
101	109	157	174,175
102	110	158	176
103	111	159	177
104	112	160	178
105	113	161	179
106	114	162	180
107	115	163	181,182,183
108	116	164	184
109	117	165	185
110	118	166	186
111	119	167	187
112	120	168	188
113	122	169	189
114	123	170	190
115	124	171	191
116	125	172	192
117	126	173	193
118	127	174	194
119	128	175	195
120	129	176	196
121	130	177	197
122	131	178	198,199,200
123	132	179	201,202
124	133	180	203
125	134	181	204
126	135	182	20(7),(10),21(1)
127	136		(in part),205(1)
128	137	183	205(2)
129	138	184	206
130	139	185	207
131	140	186	208
132	141	187	209
133	142	188	209A
134	143	189	210
135	144	190	211,212
136	145		
137	146		
138	147		

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Part B.—Cross References—*continued*.

Section, etc., in Revised Edition.	Previous Reference.	Section, etc., in Revised Edition.	Previous Reference.
191	214	205	205(3)
192	213	206	229(in part)
193	218	207	229(in part)
194	216	Schedules—	Schedules—
195	217	Schedules 1—	Second Schedule—
196	219	Form 1	Form 6
197	220	Schedule 2	15(in part)
198	221	Schedule 3	First Schedule
199	222	Schedule 4	101(in part)
200	223	Schedule 5	102(in part)
201	224	Schedule 6	103(2)(in part)
202	225	Schedule 7	154(1)(f)(in part)
203	226	Schedule 8	169(7)(in part)
204	227		

APPENDIX 5.

SOURCE OF THE PUBLIC HEALTH (UNDERGROUND WATER TANKS)
REGULATION.

Part A.—Previous Legislation.

Public Health (Underground Water Tanks) Regulations (Amalgamated) 1973¹
as amended by—

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .
1	2
2	12
3	3
4	4
5	5
6	6
7	7
8	8
9	9(1)
10	10
11	11
12	9(2)

¹ See *Statute Law Revision (Amalgamation of Laws) Act* 1973 (No. 2 of 1974).

² Unless otherwise indicated, references are to the regulations set out in Part A.

APPENDIX 6.

SOURCE OF THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATION.

Part A.—Previous Legislation.

1. *Infectious Diseases Act (Amalgamated) 1973*¹.
2. *Venereal Diseases Regulations (Amalgamated) 1973*¹.

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition.	Previous Reference ² .
1	<i>Infectious Diseases Act (Amalgamated) 1973,</i> Ss. 3(2), 4(2), 8	Schedule— Form 1	<i>Infectious Diseases Act (Amalgamated) 1973, Second Schedule</i>
2	14		
3	5	Form 2	Form B
4	7	Form 3	Form C
5	8	Form 4	Form E
6	9	Form 5	Form A
7	3	Form 6	Form D
8	4	Form 7	Form G (in part)
9	6	Form 8	Form G (in part)
10	10	Form 9	Form H
11	11	Form 10	Form F
12	13	Form 11	Form K
13	12	Form 12	Form J
14	16		

¹ See *Statute Law Revision (Amalgamation of Laws) Act 1973* (No. 2 of 1974).

² Unless otherwise indicated, references are to the *Venereal Diseases Regulations (Amalgamated) 1973* set out in Part A.

APPENDIX 7.

SOURCE OF THE PUBLIC HEALTH (MENTAL DISORDERS) REGULATION.

Part A.—Previous Legislation.

Mental Disorders and Treatment Regulations 1962 (Regulations No. 29 of 1962).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .	Section, etc., in Revised Edition.	Previous Reference ¹ .
1	3	16	22
2	4(a)	17	25
3	11	18	24
4	12,13	19	27; <i>Mental Disorders and Treatment Act 1960, Ss. 45, 47</i>
5	14		26
6	15	20	
7	4(b),(c),5,6,7	Schedule—	
8	8	Form 1	<i>Mental Disorders and Treatment Act 1960, Form 4.</i>
9	9		<i>Mental Disorders and Treatment Act 1960, Form 3.</i>
10	16		Schedule.
11	17,18	Form 2	
12	19,20		
13	10		
14	23	Form 3	
15	21		

¹ Unless otherwise indicated, references are to the regulations set out in Part A.

APPENDIX 8.

SOURCE OF THE PUBLIC HEALTH (BARBER'S SHOPS) REGULATION.

Part A.—Previous Legislation.

Public Health (Barber's Shops) Regulations (Amalgamated) 1973¹

as amended by—

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition.	Previous Reference ² .
1	3	19	22
2	4	20	23
3	5	21	24
4	6	22	25
5	7	23	26
6	9	24	27
7	10	25	28
8	11	26	29,30
9	12	27	31,35
10	13	28	32
11	14	29	33
12	15	30	34
13	16	31	36
14	17	32	8,37
15	18	33	38
16	19	Schedule—	Schedule—
17	20	Form 1	Form 1
18	21	Form 2	Form 2

¹ See *Statute Law Revision (Amalgamation of Laws) Act 1973 (No. 2 of 1974)*.² Unless otherwise indicated, references are to the regulations set out in Part A.

APPENDIX 9.

SOURCE OF THE PUBLIC HEALTH (DAIRY FARMS) REGULATION.

Part A.—Previous Legislation.

Public Health (Dairy Farms) Regulations (Amalgamated) 1973¹

as amended by—

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition.	Previous Reference ² .
1	2	10	9
2	4	11	10
3	5	12	11
4	6(1) (in part), (2),(3)	13	12
5	14(1)	14	13
6	14(2),(3)	Schedule—	Schedule—
7	6(1) (in part)	Form 1	Form 1
8	7	Form 2	Form 2
9	8		

APPENDIX 10.

SOURCE OF THE PUBLIC HEALTH (PAINT) REGULATION.

Part A.—Previous Legislation.

Public Health (Paint) Regulations (Amalgamated) 1973¹

as amended by—

Statute Law Revision (Metric Conversion) Act 1974 (No. 49 of 1974).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous References ² .	Section, etc., in Revised Edition.	Previous Reference ² .
1	2,7	6	8
2	7A (in part)	7	9
3	3	8	5
4	4	9	10
5	6	Schedule	7A (in part)

¹See *Statute Law Revision (Amalgamation of Laws) Act 1973 (No. 2 of 1974)*.²Unless otherwise indicated, references are to the regulations set out in Part A.

APPENDIX 11.

SOURCE OF THE PUBLIC HEALTH (DRINKING WATER) REGULATION.

Part A.—Previous Legislation.

Public Health (Drinking Water) Regulation 1984 (Statutory Instrument No. 8 of 1984).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
Schedule 1	Schedule 1
Schedule 2	Schedule 2
Schedule 3	Schedule 3

¹Unless otherwise indicated, references are to the regulations set out in Part A.