

PUBLIC HEALTH

THE PUBLIC HEALTH ACT

ORDER
(under section 2)

The Public Health (Class 1 Notifiable Diseases) Order, 2003

L.N. 133/2003

REGULATIONS
(under section 7)

The Public Health (St. Mary Parish Council) (Garbage Collection and Disposal) Regulations, 1998

L.N. 26D/98

Similar Regulations made in respect of—

<i>St. Catherine Parish Council</i>	—	L.N. 26E/98
<i>Clarendon Parish Council</i>	—	L.N. 26F/98
<i>St. Ann Parish Council</i>	—	L.N. 26G/98
<i>St. Elizabeth Parish Council</i>	—	L.N. 26H/98
<i>Portland Parish Council</i>	—	L.N. 26I/98
<i>Trelawny Parish Council</i>	—	L.N. 26K/98
<i>St. James Parish Council</i>	—	L.N. 26L/98
<i>Westmoreland Parish Council</i>	—	L.N. 26M/98
<i>Hanover Parish Council</i>	—	L.N. 26N/98
<i>Kingston and St. Andrew Corporation</i>	—	L.N. 26P/98
<i>Manchester Parish Council</i>	—	
<i>St. Thomas Parish Council</i>	—	

ORDERS
(under section 13)

(Omitted)

PUBLIC HEALTH

REGULATIONS
(under section 14)

L.N. 156/86	The Public Health (Immunization) Regulations, 1986
L.N. 44/89	The Public Health (Meat Inspection) Regulations, 1989
L.N. 58A/89	The Public Health (Butchers') Regulations, 1989
L.N. 47C/95 46C/96k 189/2001	The Public Health (Nuisance) Regulations, 1995
L.N. 59A/98 87A/2000	The Public Health (Food Handling) Regulations, 1998
L.N. 70/2000 91B/2004	The Public Health (Swimming Pools) Regulations, 2000
L.N. 71/2000 91A/2004	The Public Health (Tourist Establishments) Regulations, 2000
L.N. 64D/2004	The Public Health (Hairdressers, Beauty Therapists, Cosmetologists and Beauty Salons) Regulations, 2004
L.N. 91C/2004	The Public Health (Barbers and Barbershops) Regulations, 2004
	<i>Similar Regulations made in respect of—</i>
L.N. 91D/2004	<i>Trelawny Parish Council</i>
L.N. 91E/2004	<i>Portland Parish Council</i>

Subsidiary Legislation made under—

(a) *the provisions of the Public Health Law (Cap. 320, 1953 Edm.) (now repealed); and*

(b) *section 19 of the Vaccination Act (now repealed),*

but saved by section 30 (3) of Act 47 of 1974 are omitted. Reference may be made to the Guide to Subsidiary Legislation.

THE PUBLIC HEALTH ACT

ORDER
(under section 2)

THE PUBLIC HEALTH (CLASS 1 NOTIFIABLE DISEASES) ORDER, 2003

(Made by the Minister on the 4th day of November, 2003)

L.N. 133/2003

1. This Order may be cited as the Public Health (Class 1 Notifiable Diseases) Order, 2003.
2. The following are hereby declared to be Class 1 Notifiable Diseases—
 - (a) Acute Flaccid Paralysis Disease (Polio);
 - (b) Acquired Immune Deficiency Syndrome (AIDS);
 - (c) Cholera;
 - (d) Congenital Rubella Syndrome;
 - (e) Congenital Syphilis;
 - (f) Diphtheria;
 - (g) Encephalitis;
 - (h) Fever (38°C or above) and Rash;
 - (i) Haemophilus Influenza Meningitis;
 - (j) Hepatitis B and C;
 - (k) Human Immunodeficiency Virus (HIV);
 - (l) Leprosy (Hansen's Disease);
 - (m) Malaria;
 - (n) Measles;
 - (o) Meningitis;
 - (p) Meningococcal Meningitis;
 - (q) Ophthalmia Neonatorum;
 - (r) Pertussis-Like Syndrome;
 - (s) Plague;

- (t) Rheumatic Fever;
- (u) Rubella;
- (v) Severe Acute Respiratory Syndrome (SARS);
- (w) Tetanus;
- (x) Tuberculosis;
- (y) Typhoid;
- (z) Yellow Fever.

3.—(1) Where a medical practitioner suspects that a person has contracted any of the diseases mentioned in paragraph 2, the medical practitioner shall forthwith or not later than twenty-four hours after the case is discovered, make a report to—

- (a) the Public Health Department for the parish in which the suspected case has been found; or
 - (b) the surveillance unit of the Ministry responsible for Health.
- (2) A report under subparagraph (1) may be made—
- (a) in writing, on a Class 1 Notification Form; or
 - (b) by any other appropriate means, if the circumstances so require.

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 7)THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL) (GARBAGE
COLLECTION AND DISPOSAL) REGULATIONS, 1998

*(Made by the Local Board with the approval of the Minister on the
19th day of May, 1998)*

L.N. 26D/98

[19th May, 1998.]

1. These Regulations may be cited as the Public Health (St. Mary Parish Council) (Garbage Collection and Disposal) Regulations, 1998. Citation

2. In these Regulations— Interpretation.

“Authority” means the Natural Resources Conservation Authority established by the Natural Resources Conservation Authority Act;

“authorized disposal site” means a place, facility or installation authorized by the Local Board and the Authority for the disposal of garbage other than garbage which is classified as being hazardous, toxic or noxious;

“commercial garbage” means garbage which is generated by any commercial enterprise or activity, other than garbage which is classified as being hazardous, toxic or noxious;

“contractor” means a person employed by the Local Board for the collection and disposal of garbage or a person engaged by the owner or occupier of any premises for the collection and disposal of garbage;

“domestic garbage” means garbage which is generated on any residential premises and which is generated as a result of normal domestic activity;

“garbage” includes refuse of any description, whether generated by domestic, commercial or industrial activity, and all forms of solid and liquid waste matter;

*THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL)
(GARBAGE COLLECTION AND DISPOSAL)
REGULATIONS, 1998*

“hazardous, toxic or noxious garbage” means garbage which is classified by the Local Board and the Authority or the Water Resources Authority to be detrimental to—

- (a) the health or safety of the public;
- (b) animals; or
- (c) the environment,

or which is classified to be for any other reason unsuitable for disposal at an authorized disposal site;

“industrial garbage” means garbage which is generated on any industrial premises or by any industrial activity other than hazardous, toxic or noxious garbage;

“receptacle” means a receptacle used for the collection and disposal of garbage;

“Secretary” means the Secretary of the Local Board;

“special disposal site” means a place, facility or installation which is designated by the Local Board and the Authority for the disposal of hazardous, toxic or noxious garbage.

Duties of owner and occupier of premises.

3. The owner or occupier of any commercial or industrial premises shall—

- (a) ensure that all garbage, not being garbage to be collected by a contractor, is disposed of at least twice in every seven days by incineration or burial or by any other means approved by the Local Board;
- (b) ensure that all garbage being stored on the premises is stored in a manner approved by the Local Board;
- (c) ensure that where garbage is being put out to be collected by a contractor, the garbage is put out in a manner approved by the Local Board.

Collection and disposal of garbage.

4.—(1) The Local Board shall designate the areas for which they provide scheduled services for the collection and disposal of domestic garbage and shall inform the residents of the days and times scheduled for collection and disposal.

(2) The residents of the areas designated under paragraph (1) shall put out their domestic garbage on the days scheduled by the Local Board.

(3) The owner or occupier of any commercial or industrial premises or a person engaged in any commercial or industrial activity shall dispose of commercial garbage or industrial garbage generated on the premises.

(4) The management of an institution shall dispose of garbage generated by the institution.

(5) Where an officer of the Local Board or other person authorized in that behalf enters any premises for the purpose of collection or disposal of garbage or in order to execute any other duty under these Regulations, the owner or occupier shall comply with all lawful requests or instructions given by the officer or other person and shall not hinder the officer or other person in the execution of his duties.

(6) Where a person disposes of garbage by incineration, the incineration shall occur between the hours of 10:00 o'clock in the forenoon and 5:00 o'clock in the afternoon.

(7) The Local Board may vary the hours specified in paragraph (6).

5.—(1) The Local Board may enter into contractual arrangements for the collection or disposal of garbage.

Contractual
arrangements by
Local Board.

(2) Where a contractor fails to comply with any of these Regulations, the Local Board may, in addition to any penalty which may otherwise be imposed, terminate the contract immediately.

(3) Where a contract is terminated under paragraph (2) the licence granted under regulation 10 (3) (b) shall cease to be valid.

6.—(1) The Local Board, in consultation with the Authority, shall designate areas as authorized disposal sites and as special disposal sites.

Designation of
disposal sites.

(2) The Local Board shall ensure that a site conforms to such standards and guidelines regarding design, construction and operation as may be established by the Authority or any other body authorized in that behalf.

(3) The Local Board may, by resolution, specify fees to be paid by the users of a disposal site.

Prohibition on disposal and removal of garbage.

7.—(1) No person shall dispose of garbage in an area which is not designated as a disposal site by the Local Board.

(2) No person shall dispose of hazardous, toxic or noxious garbage at a disposal site without the approval of the Medical Officer (Health) or a person authorized in that behalf.

(3) No person shall remove garbage from a disposal site unless he is authorized to do so by the Local Board.

Conveyance of garbage.

8.—(1) No person shall convey garbage along any public road other than in a manner approved by the Local Board.

(2) A contractor shall securely cover a receptacle used to convey garbage.

(3) Where in the process of collection or conveyance, garbage escapes from the receptacle, the contractor shall immediately re-load the garbage or cause the garbage to be re-loaded into the receptacle.

Disposal of dead animals.

9.—(1) A person who has the custody of an animal which dies shall dispose of the remains of the animal in a manner approved by the Local Board.

(2) Where a person contravenes paragraph (1) the Local Board may dispose of the animal and charge any expense incurred in so doing to that person.

(3) Any expense incurred under paragraph (2) may be recovered by the Local Board in a Resident Magistrate's Court as a civil debt due to the Crown.

Provisions relating to licences for collection and disposal of garbage.

10.—(1) No person shall engage in the business of collection or disposal of garbage unless that person first applies for and obtains a licence to do so from the Local Board.

(2) An application for a licence shall—

- (a) be in the form set out in the First Schedule;
- (b) be accompanied by the appropriate fee specified in the Third Schedule;
- (c) be accompanied by a passport size photograph of the applicant taken not more than three months prior to the date of the application; and
- (d) be lodged in the Office of the Secretary.

First
Schedule.
Third
Schedule.

(3) The Local Board may, after considering an application—

- (a) require the applicant to furnish such further information as it considers necessary;
- (b) grant to the applicant a licence subject to such conditions, if any, as it considers necessary; or
- (c) refuse to grant a licence.

(4) A licence shall be in the form set out in the Second Schedule and shall, unless sooner revoked, remain valid for one year from the date of its issue.

Second
Schedule.

(5) In considering whether to grant a licence or the type of licence to be granted, the Local Board may have regard to—

- (a) the type of garbage which the applicant intends to collect; and
- (b) the type of receptacle which is proposed to be used.

(6) The Local Board shall not grant a licence for the disposal of hazardous, toxic or noxious garbage unless it is satisfied that the garbage will be disposed of in such a manner as not to be detrimental to public health, animals or the environment.

(7) A contractor shall within thirty days before the expiry of his licence make an application to the Local Board for the renewal thereof and the provisions of paragraphs (2), (3), (4) and (5) shall apply thereto.

(8) The Local Board may refuse to renew or may revoke a licence where the licensee contravenes any provision of these Regulations or orders made thereunder.

(9) The Local Board may, by resolution, amend the fees specified in the Third Schedule.

Services and facilities.

11. The Local Board may offer services or operate facilities for the carrying out of activities relating to garbage reduction, collection, conversion and disposal and may, by order, specify the fees for the provision of the services and the use of the facilities.

Orders.

12. The Local Board may, by resolution and after consultation with the Authority and the Water Resources Authority, make orders under these Regulations in relation to—

- (a) the manner in which different types of garbage shall be stored on any premises;
- (b) the manner in which different types of garbage shall be put out for collection;
- (c) the manner in which garbage may be disposed of by residents;
- (d) the manner in which garbage may be conveyed along any public road;
- (e) the operation and use of a disposal site which falls within its jurisdiction;
- (f) the operation of contractors;
- (g) the payment of fees for the collection and disposal of garbage; and
- (h) the manner in which certification and reporting of garbage is to be made.

Offences.

13.—(1) A person who fails to comply with any provision of these Regulations commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months and where the offence continues after conviction the offender is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars for every day on which the offence so continues, and in default of payment, to imprisonment for a term not exceeding two months.

(2) Where a person commits an offence against these Regulations he may, in addition to any penalty which may otherwise be imposed, be required to—

- (a) remove any garbage which is improperly disposed of and remedy any damage caused by the improper disposal;
- (b) reimburse the Local Board any costs incurred in removing garbage and remedying any damage caused by the improper disposal;
- (c) compensate any person who suffers loss or damage as a result of the improper disposal;
- (d) properly dispose of garbage improperly removed from a disposal site.

FIRST SCHEDULE

(Regulation 10)

THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL) (GARBAGE COLLECTION
AND DISPOSAL) REGULATIONS, 1998

*Application for a Licence to carry on the Business of Collecting and
Disposing of Garbage*

Name of applicant:.....

Business address of applicant:.....

*Type of garbage to be collected and disposed of:.....

Approximate annual volume or quantity of garbage to be collected and disposed

of:.....

Routes or areas from which garbage to be collected:.....

Number of vehicles to be used in the collection and disposal of garbage:.....

THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL)
(GARBAGE COLLECTION AND DISPOSAL)
REGULATIONS, 1998

FIRST SCHEDULE, *contd.*

Type or make of vehicles and registration numbers:

.....
.....
.....

Equipment (type and quantity):.....

.....
.....

Signature of applicant:.....

Date of application:.....

* A separate application is required in respect of each of the types of garbage listed in the Third Schedule to the Public Health (St. Mary Parish Council) (Garbage Collection and Disposal) Regulations, 1998.

THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL)
(GARBAGE COLLECTION AND DISPOSAL)
REGULATIONS, 1998

SECOND SCHEDULE

(Regulation 10)

THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL) (GARBAGE COLLECTION
AND DISPOSAL) REGULATIONS, 1998

Licence to carry on the Business of Collecting and Disposing of Garbage

LICENCE NO.....

Affix Photograph of Contractor	This licence is granted to..... <div style="text-align: right;"><i>(name of contractor)</i></div> of..... <div style="text-align: right;"><i>(business address of contractor)</i></div> to carry on the business of collecting and disposing of.....garbage. <div style="text-align: right;"><i>(specify type)</i></div>
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CONDITIONS

This licence is not transferable to any other person and is issued subject to the provisions of the Public Health Act and to the regulations made thereunder, including the certification by the Local Board of any receptacle which is used by the licensee to transport garbage. It is also issued subject to any requirements made by Order of the Local Board in respect of certification and reporting of garbage collected by the contractor named herein and, unless sooner revoked, will expire on the day of

Dated the.....day of.....

Signature of contractor.....

Signature of Secretary of Local Board.....

Place of issue.....

THIRD SCHEDULE

(Regulation 10)

THE PUBLIC HEALTH (ST. MARY PARISH COUNCIL) (GARBAGE COLLECTION
AND DISPOSAL) REGULATIONS, 1998

*Licence Fees to carry on the Business of Collecting and Disposing of the
following types of Garbage*

- | | |
|--|--------------|
| 1. Domestic garbage | \$30,000.00 |
| 2. Commercial and industrial garbage | \$45,000.00 |
| 3. Hazardous, toxic, noxious, and infectious garbage | \$50,000.00. |

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14)

THE PUBLIC HEALTH (IMMUNIZATION) REGULATIONS, 1986

(Made by the Minister on the 7th day of August, 1986.)

L.N. 156/86

[1st September, 1986.]

1. These Regulations may be cited as the Public Health (Immunization) Regulations, 1986.

2. In these Regulations, unless the context otherwise requires—

“child” means a person who is, or in the case of a person whose age is uncertain, appears to be, less than seven years of age;

“contra-indications” means any symptom which indicates that it is likely to be injurious to the health for a person to be immunized;

“immunization” means the process of developing in a person antibodies for protection against diphtheria, pertussis, poliomyelitis, tetanus, tuberculosis, measles or any other disease prescribed by the Minister, by the administering of any immunizing agent approved for the purpose by the Medical Officer (Health) and includes vaccinations and inoculations;

“parent” includes the guardian or person in charge of or having custody of a child;

“public immunization officer” means any Medical Officer or any other person authorized by the Medical Officer (Health) to perform immunizations;

“school” includes day nurseries, day-care centres and basic schools.

3.—(1) Immunization may be performed by a public immunization officer or by a medical practitioner.

(2) Immunization performed by a public immunization officer for the purpose of these Regulations and any examination or certificate issued in connection therewith, shall be free of charge.

THE PUBLIC HEALTH (IMMUNIZATION) REGULATIONS, 1986

4. Every public immunization officer and every medical practitioner shall use only such immunization agent as approved by the Medical Officer (Health).

5.—(1) It shall be the duty of every parent of any child to have the child immunized.

(2) Subject to paragraph (3), the parent of every child within the Island shall cause such child—

(a) to be immunized within one year of the child's birth or soon thereafter; and

(b) to be re-immunized at such times as may be specified by the Minister or any Medical Officer authorized by him in that behalf, in respect of any disease.

(3) Paragraph (2) shall not apply to any child in respect of whom there are contra-indications or if the child is not physically fit to be immunized, and a certificate has been issued by a public immunization officer or a medical practitioner in the form set out as Form A in the Schedule and is in effect.

Schedule.
Form A.

6.—(1) In any case where a public immunization officer or a medical practitioner is of opinion that a child examined by him for immunization shows signs of contra-indications or is not physically fit to be immunized, he shall issue a certificate to this effect and deliver it to the parent of the child.

(2) A certificate that a child is not physically fit to be immunized shall remain in force for three months, but shall be renewable for a like period from time to time until such time as the public immunization officer or the medical practitioner considers that the child is physically fit to be immunized.

Form B.

7. A certificate of immunization, together with the particulars set out in Form B in the Schedule, shall be issued by the public immunization officer or the medical practitioner who performed the immunization to any child who is fully immunized.

8. Any public immunization officer or medical practitioner who immunizes any child for the purpose of these Regulations, shall keep a record of the immunization which shall include the date the child was seen, the immunizing agent used and any other relevant information.

9.—(1) Subject to paragraph (2), the person authorized to admit pupils to any school shall not admit any child, or if already admitted, shall not permit any child to continue attending any such school, unless such child or his parent produces, after having been requested to do so, a certificate of immunization issued by a public immunization officer or a medical practitioner for the child.

(2) If a child or his parent produces a certificate of contra-indications or a certificate that the child is not physically fit to be immunized, signed by a public immunization officer or medical practitioner, a certificate of immunization is not required for the purpose of paragraph (1):

Provided that where there is an expiry date on the certificate, the child shall be requested to produce a fresh certificate on its expiration, and on failure to produce a certificate, the child shall not be admitted to the school until a certificate is produced.

10. Any person who contravenes or fails to comply with any of the provisions of these Regulations shall be guilty of an offence, and shall be liable on summary conviction thereof in a Resident Magistrate's Court to a fine not exceeding five hundred dollars, or in default of payment thereof, to imprisonment for a term not exceeding thirty days.

THE PUBLIC HEALTH (IMMUNIZATION) REGULATIONS, 1986

SCHEDULE

FORM A

(Regulation 5 (3))

THE PUBLIC HEALTH ACT

Certificate of Medical Contra-Indications
Unfitness for Immunization

I hereby certify that in respect of.....
(age) of

.....
there are medical contra-indications relative to immunization generally/
immunization against/
is physically unfit*, and accordingly, he/she* should not be immunized.

This certificate shall be valid until

Dated:

.....
Public Immunization Officer/Medical
Practitioner*

*Delete as appropriate.

FORM B

(Regulation 7)

THE PUBLIC HEALTH ACT

Certificate of Immunization

Name Date of Birth

IMMUNIZATION	AGE IMMUNIZATION GIVEN:				
	1ST	2ND	3RD	Booster	
				4TH	5TH
1. D.P.T.*					
2. Polio*					
3. D.T.					
4. Tet. Tox. (T.T.)					
5. Rubella					
6. Measles (Rubeola)					
7. B.C.G.					
8. Other (Specify)					

[The inclusion of this page is authorized by L.N. 76/1987]

SCHEDULE, contd.

FORM B, contd.

DATE	RESULT	DATE	RESULT
Diam. of Reaction			
Tuberculin Test			
Other (Specify)			

I hereby certify that
 (aged) of

 has been fully immunized by me as is shown above.

Dated.....

.....
*Public Immunization Officer / Medical
 Practitioner***

*These require 3 doses to be fully immunized.

**Delete as appropriate.

THE PUBLIC HEALTH ACT

REGULATIONS

(under section 14)

THE PUBLIC HEALTH (MEAT INSPECTION) REGULATIONS, 1989

(Made by the Minister on the 15th day of August, 1989)

L.N. 44/89

[15th August, 1989.]

1. These Regulations may be cited as the Public Health (Meat Inspection) Regulations, 1989.

2. In these Regulations, unless the context otherwise requires—

“animals” means cattle, swine, sheep and goats;

“blood” means the blood derived from an animal;

“carcass” means the body of a slaughtered animal which has been bled and dressed;

“inspector” means a Public Health Inspector or any other person designated by the Minister for the purpose of these Regulations from persons who by training and experience are, in his opinion, qualified to be so designated;

“offal” means any part of a slaughtered animal removed from the carcass in the process of dressing it;

“slaughterhouse” means a place for slaughtering animals which are intended for human consumption.

3.—(1) Subject to the provisions of these Regulations, no person shall slaughter, or cause to be slaughtered, any animal for human consumption unless such person has, not less than twenty-four hours before the time of slaughter, informed the Local Board of Health within whose district the place of slaughter is situated, of the day and time and place on which the slaughter will take place.

(2) This regulation shall not apply—

(a) in any case where an animal is slaughtered in a public slaughterhouse under the management of a Parish Council or the Council of the Kingston and St. Andrew Corporation; or

- (b) in any case where by reason of accidental injury, illness, exposure to infection or other emergency affecting the animal it is necessary that the animal should be slaughtered without delay.

(3) Where because of an emergency an animal has been slaughtered without delay, the Local Board of Health shall be informed of the slaughter as soon as reasonably possible thereafter.

4. On receipt of a notification pursuant to regulation 3, the Local Board of Health shall arrange for an inspector to make an inspection in accordance with these Regulations.

5. Every animal to be slaughtered for human consumption (except an animal slaughtered because of an emergency) and the carcass, offal and blood of the animal slaughtered shall be inspected by an inspector in accordance with these Regulations.

6. No carcass, offal or blood of any animal shall be sold for human consumption unless it has been passed fit for human consumption and marked by an inspector who has carried out an inspection in accordance with these Regulations.

7.—(1) In determining whether he is satisfied that an animal is fit to be slaughtered for human consumption or that the carcass, offal or blood of the animal is so fit, the inspector shall have regard to the provisions of Schedule I to these Regulations.

Schedule I.

(2) For the purpose of an inspection under these Regulations of the carcass, offal or blood of any animal, the inspector may take samples from such carcass, offal or blood for submission for laboratory examination.

(3) Proper identification shall be made by the inspector of any samples taken for laboratory examination and the sample shall be accompanied by any explanatory information as may be necessary.

(4) Care shall be taken of samples to ensure that they arrive at the laboratory in good condition.

8. Every person who slaughters or causes to be slaughtered any animal intended for human consumption shall ensure that the carcass is dressed immediately after the animal has been slaughtered and the following provisions are complied with—

- (a) that the carcass is dressed and treated in such a manner as not to prevent or hinder inspection in accordance with these Regulations;
- (b) that no action is taken which might alter or destroy any evidence of disease except on the instructions of the inspectors;
- (c) that the offal and blood, after removal from the carcass, are so kept as to remain readily identifiable with the carcass, until these have been inspected by the inspector;
- (d) that any blood intended for human consumption is collected and placed in a clean receptacle provided by the person for that purpose.

9. Subject to these Regulations, no person shall remove or cause or permit to be removed from a slaughterhouse or other place of slaughter any carcass or part thereof or any offal or blood of any animal slaughtered therein unless it has been inspected in accordance with these Regulations and passed fit for human consumption by the inspector and in the case of any carcass or part of a carcass, until it has been marked in accordance with regulation 10.

10.—(1) Where after inspection in accordance with these Regulations an inspector is satisfied that a carcass, or part of a carcass, is fit for human consumption, he shall stamp the carcass, or part thereof as the case may be, with a mark of the kind and in the appropriate manner described in Schedule II of these Regulations.

Schedule II.

(2) Where an inspector is not satisfied in relation to any part of a carcass, he shall not mark the carcass or any part thereof until the part in relation to which he is not satisfied is removed.

(3) No person other than an inspector shall, in relation to any carcass or part of a carcass, make use of any mark described in Schedule II of these Regulations or make any mark resembling a mark described in Schedule II as to be calculated to deceive.

11.—(1) If any animal carcass, blood or offal appears to the inspector to be diseased or otherwise unfit for human consumption the inspector shall condemn same and cause it to be seized and destroyed or otherwise disposed of or dealt with so as to prevent it from being exposed for sale or used for human consumption :

Provided that if any animal carcass, blood or offal is seized by the inspector and the owner or person in possession of such carcass, blood or offal is dissatisfied with such seizure, such owner or person may forthwith appeal to the Veterinary Officer of the district or his deputy to view the animal or part thus seized, and if in the opinion of the Veterinary Officer of the district or his deputy such animal or part is not diseased, unsound or unfit for human consumption, he shall give a written certificate to that effect to such owner or person whereupon the animal or parts shall be returned.

(2) Unless an appeal is made within six hours after seizure under paragraph (1), any such seizure and subsequent destruction of animal carcass, offal or blood shall be deemed and taken for all purposes to have been legally effective.

12. Any person who contravenes or fails to comply with any of the provisions of these Regulations shall be guilty of an offence and shall be liable, on summary conviction before a Resident Magistrate's Court, to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

SCHEDULE I

(Regulation 7)

PART I. *Inspection of Animals to be slaughtered*

1. Except in emergency cases, all animals shall be inspected within 24 hours of being slaughtered.
2. When examining an animal the inspector shall have regard to—
 - (a) its manner of standing and movement;
 - (b) its state of nutrition;
 - (c) its reaction to the environment;
 - (d) the condition of its hide, skin, hair or wool;
 - (e) its digestive system (salivation, urination, consistency and colour of faeces);
 - (f) the appearance of the urino-genital system, including the vulva, mammary glands, prepuce and scrotum;
 - (g) any swelling, injuries or aedema;
 - (h) any deformity or other abnormality;
 - (i) any sign of disease;
 - (j) its body temperature;
 - (k) its sex and age;
 - (l) its state of cleanliness.
3. When an animal is suspected of having a disease, a blood specimen should be taken and examined.
4. Attention should also be paid to any site of predilection of a disease or disease symptom on the animal.
5. Where the inspection has revealed no evidence of any abnormal condition or disease the inspector shall release the animal for slaughter and shall issue a certificate to this effect.
6. If during the inspection of an animal any disease or condition is noted by the inspector which does not prevent the animal from being slaughtered, the animal shall be released for slaughter but the inspector shall make a note of the disease or condition on the certificate issued.
- 7.—(1) Where the inspector is doubtful as to whether an animal has a disease or condition which should prevent it from being slaughtered for human consumption, the inspector may—
 - (a) isolate the animal in a pen set aside for this purpose for detailed examination, observation or treatment which treatment should be done away from the slaughterhouse; or
 - (b) release the animal for slaughter under special conditions so as to avoid contamination of the personnel, premises, equipment or any other animal.
- (2) If the animal is released under paragraph (1) (b), a note to this effect should be placed on the certificate issued by the inspector on release of the animal for slaughter.

SCHEDULE I, *contd.*PART I, *contd.*

8. Where there are signs which indicate that an animal is suffering from a disease or condition rendering it unfit for human consumption, the inspector may—

- (a) condemn it as unfit for human consumption; or
- (b) place it under special conditions to enable it to be further examined before reaching his decision.

9. Animals which have been condemned by the inspector as being unfit to be slaughtered for human consumption shall be dealt with as provided under regulation.

PART II. *Inspection of offals, carcasses and blood**General*

1. The inspector shall satisfy himself as to the sanitary condition of any premises where an animal was slaughtered and the equipment and facilities used or provided for the purpose.

2. Carcasses should be left separate from each other and should be kept in sanitary conditions.

3. Evisceration should be effected without delay.

4. The offal and blood of an animal should be identifiable with its carcass.

5. In the case of a young calf, the inspector may make such lesser examination as seems to him sufficient in the circumstances of the case.

Examination of different species

(A) BOVINES

1. *Inspection of offals*

(a) *Head*—In examining the skinned head of any bovine animal, the inspector shall—

(a) examine the surface and substance of the tongue and, if necessary, make an incision into the root of the tongue without mutilation of the blade of the tongue;

(b) inspect the oral and nasal cavities;

(c) inspect the palate and roof of the mouth and examine in detail (by viewing and multiple incisions) the sub-maxillary, parotid and retropharyngeal lymph nodes;

(d) view and incise the muscles of mastication and make one or more linear incision parallel into the external muscles of mastication;

(e) view the lips and gums.

(b) *Gastro-intestinal tract*—The inspector shall examine, if necessary by palpation, the stomachs and the intestines and shall examine the mesenteric lymph nodes. The oesophagus should be separated from its attachment to the trachea and examined.

(c) *Spleen*—He shall examine the organ, if necessary by palpation and incision. If necessary, a smear of the spleen pulp should be taken.

SCHEDULE I, *contd.*PART II, *contd.*

- (d) *Liver*—Examination in detail, and if necessary by palpation, of the organ shall be made. The portal lymph node should be incised unless the inspector is satisfied that it is obviously diseased. The large bile duct should be opened up by incision by him. If necessary, one or more incisions should be made deep enough to open bile ducts and liver substance. The gall bladder should be examined, if necessary by palpation.
- (e) *Lungs*—Examination by palpation of the entire organ shall be made by the inspector. He shall examine by incision of the bronchial and mediastinal lymph nodes, unless the glands are obviously diseased. If necessary, an incision should be made to open up the larynx, trachea and bronchi. A transverse incision across the lower part of the diaphragmatic lobe should open up the bronchi.
- (f) *Heart*—The pericardium should be opened by the inspector and the heart examined. One or more incisions should be made from base to apex or alternatively the heart may be everted and shallow incisions made so that the cardiac valves and muscle tissue can be inspected.
- (g) *Uterus*—Examination by palpation and, if necessary incision, should be made by the inspector.
- (h) *Udder*—Examination by palpation and, if necessary incision, should be made by the inspector. If the udder has been or is in a lactating state, an incision of the supra-mammary lymph nodes should be made. If the udder is for human consumption, incision of the organ should be made.
- (i) *Kidney*—The inspector shall expose and examine the organ, if necessary by palpation and incision.
- (j) *Testicles*—The inspector shall make examination by palpation if they are to be used for human consumption.

2. *Inspection of carcasses*

- (a) When examining the carcass of a bovine the inspector shall have regard to—
- (i) its condition;
 - (ii) the efficiency of bleeding;
 - (iii) any abnormal colour;
 - (iv) the condition of serous membranes (pleura and peritoneum);
 - (v) any abnormal odour; and
 - (vi) any other abnormalities.
- (b) The skeletal muscles, including the attached fat and connective tissues, the bones, especially those which have been cut and exposed during the splitting of the carcass, the joints, the tendon sheaths, the diaphragm and pleura and the peritoneum, should be viewed and if necessary, palpated and incised by the inspector. If necessary, the triceps brachii muscle should also be incised by him.
- (c) The following lymph nodes should be examined, palpated and, if necessary, incised—

SCHEDULE I, *contd.*PART II, *contd.*

- (i) superficial inguinal (supra-mammary);
- (ii) external and internal iliac;
- (iii) prepectoral;
- (iv) renal;
- (v) prescapular.

- (d) Where the inspector has reasons to suspect that any part of a carcass is infected with tuberculosis or any other disease, he should examine the main carcass lymph nodes.

(B) *Ovines and Caprines**Inspection of the offals*

- (a) *Head*—The head should be skinned and washed clean. If necessary, the base of the tongue should be detached so as to give access to the masticatory muscles and the regional lymph nodes.

The surfaces of the head as well as the nasal and oral cavities should be examined. If necessary, the tongue should be examined, palpated and incised. Lymph nodes should be incised only if necessary.

- (b) *Gastro-intestinal tract*—Examination, if necessary by palpation of the stomachs and intestines, should be made.
- (c) *Spleen*—Examination of the organ if necessary by palpation and incision, should be made.
- (d) *Liver*—Examination by palpation of organ and hepatic lymph nodes, and if necessary incision should be made.

The gall bladder should be examined if necessary, by palpation.

- (e) *Lungs*—Examination by palpation of the entire organ, and, if necessary, incision of the lungs and the bronchial and mediastinal lymph nodes should be made. If necessary, an incision should be made to open the larynx, trachea and bronchi. A transverse incision across the lower part of the diaphragmatic lobe should open up the bronchi.
- (f) *Heart*—The pericardium should be removed and examination, if necessary by incision, made.
- (g) *Uterus*—In adult animals examination, if necessary by palpation, should be made.
- (h) *Udder*—In adult animals examination, if necessary by palpation, should be made.
- (i) *Kidney*—The inspector should expose and examine the organ, if necessary by palpation and incision.
- (j) *Testicles*—Examination should be by palpation if to be used for human consumption.

Inspection of carcasses

- (a) When examining the carcass of an Ovine or Caprine, the inspector shall have regard to—

SCHEDULE I, *contd.*
PART II, *contd.*

- (i) its condition;
 - (ii) the efficiency of bleeding;
 - (iii) the condition of serous membranes (pleura and peritoneum);
 - (iv) any abnormal colour;
 - (v) any abnormal odour; and
 - (vi) any other abnormalities.
- (b) The skeletal muscles, including the attached fat and connective tissues, the bones, especially those which have been cut and exposed during the splitting of the carcass, the joints, the tendon sheaths, the diaphragm and the pleura and the peritoneum, should be viewed and, if necessary, the triceps brachii muscles should be incised.
- (c) The following lymph nodes should be examined, palpated and, if necessary, incised—
- (a) superficial inguinal (supra-mammary);
 - (b) external and internal iliac;
 - (c) pre-pectoral;
 - (d) renal;
 - (e) prescapular.
- (d) Where the inspector has reason to suspect that any part of the carcass is infected with tuberculosis or any other disease, he should examine the main carcass lymph nodes.

(C) PORCINES (*Pigs*)

Inspection of offals

(a) *Head*

- (i) the surface of the head as well as the oral and nasal cavities should be examined;
 - (ii) the sub-maxillary lymph nodes should be incised and the cut surfaces examined. The parotid and retropharyngeal lymph nodes should be incised, if necessary;
 - (iii) where *C. cellulosa* is prevalent the outer muscle of mastication, and the root of the tongue should be incised and the blade of the tongue examined and palpated;
 - (iv) the tonsils should be removed, if necessary.
- (b) *Gastro-intestinal tract*—Examination of the stomach and intestines, if necessary by palpation, should be made. Associated lymph nodes should be examined by palpation and, if necessary, by incision. The lymph nodes should be incised if any lesions have been observed in the sub-maxillary lymph nodes.
- (c) *Spleen*—Examination of the organ, if necessary by palpation and incision, should be made.
- (d) *Liver and lymph nodes*—Examination by palpation, if necessary by incision should be made.
- (e) *Lungs*—Examination by palpation of the entire organ, and, if necessary, incision, of the lungs and the bronchial and mediastinal lymph nodes should be made. If necessary, an incision should be made to open up the larynx, trachea and bronchi. A transverse incision across the lower part of the diaphragmatic lobe should open up the bronchi.

SCHEDULE I, *contd.*PART II, *contd.*

- (f) *Heart*—The pericardium should be removed and examination if necessary by incision made. Where *C. cellulosa* is prevalent, the heart should be opened and a deep incision into the septum should be made.
- (g) *Uterus*—Examination by palpation and, if necessary by incision, should be made.
- (h) *Kidney*—The organ should be exposed and examined, if necessary, by palpation and incision.

Inspection of carcass

1. When examining the carcass of a porcine the inspector shall have regard to—

- (a) its condition;
- (b) the efficiency of bleeding;
- (c) the condition of serous membranes (pleura and peritoneum);
- (d) any abnormal colour;
- (e) any abnormal odour; and
- (f) any other abnormalities.

2. The skeletal muscles, including the attached fat and connective tissue, the bones, especially those which have been cut out and exposed during the splitting of the carcass, the joints, the tendon sheaths, the diaphragm and the pleura and the peritoneum should be examined and, if necessary, palpated and incised.

3. The site of castration should be palpated and, if necessary, incised.

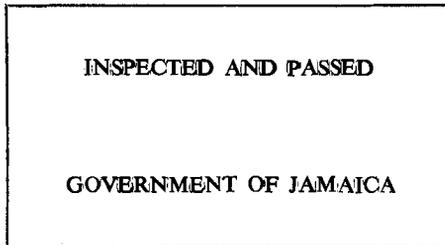
4. The following lymph nodes should be examined by palpation and, if necessary, be incised—

- (a) superficial inguinal (supra-mammary);
- (b) internal iliac;
- (c) renal;
- (d) prescapular.

5. When a systematic or generalized disease is suspected, the main carcass lymph nodes should be examined.

SCHEDULE II

(Regulation 10)

Marks for use on carcass

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14)

THE PUBLIC HEALTH (BUTCHERS) REGULATIONS, 1989

(Made by the Minister on the 14th day of December, 1989)

L.N. 58A/89

[14th December, 1989.]

PART I — Preliminary

1. These Regulations may be cited as the Public Health (Butchers) Regulations, 1989. Citation.

2.—(1) In these Regulations unless the context otherwise requires— Interpretation and application of Regulations.

“abattoir” means premises approved and registered by the Local Board to be used for the slaughtering and dressing of animals the meat of which is intended for human consumption;

“animal” means any bull, steer, cow or other description of cattle or any pig, sheep, lamb, goat or kid, rabbit or other such mammal; and includes poultry, ducks, geese, turkeys, guinea fowls or any other birds reared to produce meat;

“associate” means any person who by virtue of his association with a butcher has access to or is involved in the business of the slaughtering of animals, dressing, processing of carcasses or meat and the selling of meat;

“butcher” includes any person who—

- (a) slaughters or causes to be slaughtered any animal; or
- (b) prepares or processes the carcass of any animal or meat for human consumption;

“carcass” means the body of any slaughtered animal which has been bled and dressed for human consumption;

“disinfection” means the application of hygienic measures and appropriate chemical or other agents and processes to pre-cleaned surfaces or articles to free them from harmful and otherwise undesirable micro-organisms;

“dressed” or “dressing”—

- (a) in relation to slaughtered cattle, means the removal of head, hide, viscera (not including kidneys), genital organs, urinary bladder, the feet up to the carpal and tarsal joints, and the udders of cows, and of other cattle that have calved or are in advanced pregnancy;
- (b) in relation to slaughtered pigs, means the removal of hair, bristles, claws, eyelids, viscera (not including kidneys), genital organs, urinary bladder, udders in the case of lactating animals, animals that have farrowed or are in advanced pregnancy, and the external acoustic duct unless in respect of that part, as an alternative, an effective form of cleaning is carried out;
- (c) in relation to sheep and lambs, goats and kids, means the removal of the head, the pelt or skin (including that of the head), viscera (not including the kidneys), genital organs, urinary bladder, and feet up to the carpal and tarsal joints, and udders of lactating animals, animals that have given birth or are in advanced pregnancy; and
- (d) in relation to cattle and pigs, includes, where necessary, splitting of the carcass so as to divide the carcass lengthwise on the medial line;

“fit for human consumption” in relation to meat, means an article which has been inspected and passed and appropriately marked by an Inspector and in which no changes due to disease, decomposition or contamination have subsequently been observed;

“inspection” in relation to meat, means the prescribed examination of an animal or carcass by an Inspector and may include the taking of samples for laboratory analysis or any other further examination carried out by the Inspector prior to determining whether or not the meat is fit for human consumption;

“Inspector” means a Public Health Inspector or any qualified person duly authorized to inspect meat intended for human consumption;

“Local Board” means the Local Board of Health in respect of each parish established under section 5 of the Public Health Act;

“meat” means the edible part of an animal slaughtered for human food;

“Medical Officer (Health)” means any medical practitioner appointed by the Governor-General to be a Medical Officer (Health) and shall include the Chief Medical Officer and any other Medical Officer designated by the Minister to be a Medical Officer (Health) for the purposes of the Public Health Act;

“place of slaughter” means any abattoir or slaughter place;

“slaughter” means the killing of any animal (using an approved method of stunning and bleeding) the meat of which is intended for human consumption.

(2) These Regulations shall apply to the entire Island

PART II — Licences

3. No person shall operate as a butcher unless such person has a valid licence granted by the Local Board under regulation 4.

Licensing
by Local
Board.

4.—(1) Applications for butchers' licences or renewal of such licences under these Regulations shall be in triplicate in the form set out in Form 1 of the Schedule hereto.

Applications
for licences.
Schedule
Form 1.

(2) Every application for a licence under these Regulations shall be submitted to the Secretary of the Local Board and shall—

- (a) be accompanied by two photographs of the applicant taken not more than three months prior to the date of his application (and which photograph shall remain valid for the duration of the licence granted on such application and for a further four years from the expiry of the licence);
- (b) be accompanied by a fee of \$50.00 per annum or such other fee as may from time to time be prescribed by the Local Board.

(3) The Secretary of the Local Board shall without delay—

- (a) cause one copy to be delivered to the Medical Officer (Health);
- (b) cause one copy to be delivered to the Inspector of Police for the area; and
- (c) notify the applicant of the time and place fixed for the consideration of the application by the Local Board.

(4) Where any application made under this regulation is unsuccessful, the applicant shall be refunded one-half of the fees paid in by him.

Medical
examination.

5. Every person making application for a licence or renewal thereof shall attend on the Medical Officer (Health) and submit to such examination as the Medical Officer (Health) may require.

Objections
to granting
of licence.

6.—(1) So as to allow any person within a district to object to the granting to any applicant of a butcher's licence, the Local Board, on receipt of an application for a butcher's licence, shall conspicuously exhibit a copy of such application on the front of the Post Office or any other public building within the district where the applicant carries on or intends to carry on business.

(2) Any objection referred to in paragraph (1) shall be made not less than ten days before the date fixed for consideration of the application and shall—

- (a) be in writing;
- (b) state the name and address of the person making the objection; and
- (c) state the grounds for such objection,

and a true copy of such objection shall be forwarded forthwith by the Local Board to the applicant for the butcher's licence.

Enquiry
as to
character
of applicant.

7.—(1) On the receipt of an application for a butcher's licence, an Inspector of Police shall—

- (a) make enquiry as to the character of the applicant and as to such other matters as to him may seem necessary;
- and

(b) endorse on the application the results of his enquiries.

(2) It shall be the duty of the Inspector of Police to forward to the Secretary of the Local Board at least three days before the date fixed for the consideration of the application, the endorsed application form, and any other pertinent documents.

8. The Medical Officer (Health), on receipt under regulation 4 of an application, shall cause a Public Health Inspector or any other person so authorized to inspect the premises to be used under licence and mentioned in the application, in order to certify that—

Inspection
of premises
to be
licensed.

- (a) the premises on which slaughtering is to take place and on which meat is to be dressed or offered for sale, meets public health standards and is not likely to constitute a nuisance to the neighbourhood if the licence is granted;
- (b) the equipment and facilities provided on the premises mentioned in the application are sufficient to meet with the approval of the Public Health Department; and
- (c) the method of transportation of animals, carcasses and meat, and the storage of meat, is not likely to allow for contamination and spoilage.

9.—(1) On the date fixed to consider an application for or any objection (made pursuant to regulation 6) to the application for a butcher's licence, the Local Board, the person making the objection and the applicant may have representatives present and all parties shall take with them all the documents and other information needed to allow for a just decision by the Local Board.

Consideration
of
applications.

(2) The Local Board shall hear such evidence as may be called and, where there are witnesses, may examine them.

(3) The Local Board, after considering an application for a butcher's licence and any objection thereto and the report and recommendations and any other pertinent document from the Medical Officer (Health), Public Health Inspector or any other person thereto authorized, may—

- (a) grant the applicant a licence, in the form set out in Form 2 of the Schedule hereto, to operate as a butcher, subject to such conditions (if any) as the Local Board may consider necessary; or

Form 2.
Schedule.

PART II, *contd.*

- (b) refuse to grant such licence, stating in writing the reasons for such refusal.

Butchers' licences. Schedule. Form 2.

10.—(1) Every butcher's licence shall be in the form set out in Form 2 of the Schedule hereto and shall specify the following information—

- (a) the name and address of the butcher;
- (b) the permitted days and hours of slaughter;
- (c) the location of the place of slaughter;
- (d) the type of animals permitted to be slaughtered;
- (e) the number of animals permitted to be slaughtered.

(2) A butcher's licence shall, unless cancelled, suspended or revoked, remain valid for one year from the date of its issue and may be renewed for a further one year period on each re-application to the Local Board for such renewal.

Revocation of licence.

11.—(1) The Local Board may, at any time, cancel, revoke or suspend a butcher's licence; or after considering an application, recommendation or report, alter the conditions of a licence, giving reasons for such action in writing.

(2) A butcher's licence may be revoked or suspended if—

- (a) the person so licensed is suffering from an infectious disease;
- (b) the continued operation of the licensed person at the place of slaughter or in the meat trade is or may be detrimental to public health;
- (c) a breach of the terms of the butcher's licence has been committed;
- (d) a breach of these Regulations has been committed;
- (e) it has been discovered that false information had been given in the process of acquiring or operating the butcher's licence.

(3) Any person aggrieved by the revocation or suspension of a licence may appeal to the Minister, whose decision shall be final.

(4) The Local Board of Health with the approval of the Minister may, from time to time, by notice published in the *Gazette*, state additional requirements to be met in respect of the conditions for being licensed as a butcher.

PART III — *Duties of Butchers*

12.—(1) Every butcher shall—

Keeping records.

(a) on request, produce his licence for inspection to—

- (i) an officer of the Local Board;
- (ii) a Medical Officer (Health);
- (iii) a Public Health Inspector;
- (iv) any member of the Jamaica Constabulary Force; or
- (v) any other person so authorized in writing;

(b) keep records in the form set out in Form 3 of the Schedule hereto concerning—

Schedule. Form 3.

- (i) himself and all employees, associates, assistants and other such persons, indicating names and addresses; and
- (ii) all animals slaughtered and the particulars specified.

(2) All records referred to in paragraph (1) shall, on request, be produced for inspection to an officer of the Local Board, a Medical Officer (Health), a Public Health Inspector, a police officer or any other person so authorized in writing.

13.—(1) No butcher shall offer employment or employ or keep in his employ any person who has or is suspected of having an infectious disease or who cannot or refuses to produce a valid food handler's permit.

Employees of butcher.

(2) Every butcher shall ensure that all persons employed by him and engaged in the slaughtering of animals and in the preparation of carcasses and the processing of meat—

- (a) wear clean, protective clothing and appropriate headgear, and operate in a sanitary manner in order to minimise sources of contamination of meat and to ensure the good hygiene of operating personnel; and
- (b) refrain from smoking, chewing smoking material or spitting anywhere in the place of slaughter.

(3) The butcher shall ensure that clear signs are placed in conspicuous parts of the building and premises prohibiting the conduct referred to in paragraph (2).

14. Unless permission to do otherwise has been given in writing by the Veterinary Officer, Medical Officer (Health), Public Health Inspector or any other person so authorized, the butcher shall ensure

Animals to be taken to abattoir.

that every animal intended to be slaughtered to produce meat for human consumption is taken to the place of slaughter not less than six hours before the slaughtering.

Ante-mortem
inspection.

15. Every butcher shall allow an inspector to carry out ante-mortem inspections in respect of animals which the butcher intends to slaughter to produce meat for human consumption.

Slaughter,
bleeding, etc.
of animals
and dressing,
etc. of
carcasses.

16.—(1) No butcher shall—

- (a) allow for or cause to be slaughtered, or assist in the slaughtering of any animal which has been determined by an Inspector to be unfit for slaughter; or
- (b) slaughter animals other than at his place of slaughter unless permission in writing has been given by the Medical Officer (Health), Public Health Inspector or any other person so authorized.

(2) Every butcher shall—

- (a) ensure that he slaughters and bleeds animals using such methods as will ensure complete bleeding of the carcasses and the hygienic condition of the meat;
- (b) ensure that during the dressing of carcasses that equipment and facilities, including a skinning cradle or a hoist, are used to prevent contact between any part of the carcass and the ground or floor;
- (c) separate the different carcasses and parts of carcasses to ensure clear identification, reduce contamination and facilitate inspection; and
- (d) ensure that no carcass or portion of any carcass or meat is removed from the place of slaughter until after inspection is completed.

(3) The butcher shall—

- (a) collect and handle any blood to be used in food preparation in a hygienic manner, with minimum chance of contamination of same;
- (b) remove from the slaughtering hall edible offal to a designated area to be washed and cleansed and rendered fit for human consumption;

- (c) immediately after the dressing of a carcass, remove all stomach contents of the slaughtered animal and all other inedible material and dispose of them in a manner approved by the Medical Officer (Health), Public Health Inspector or any other person authorized in writing so to do.

17. Immediately after the slaughter of any animals, the butcher shall—

Steps to be taken after slaughter.

- (a) wash and disinfect all equipment and utensils used in the slaughter of animals, the dressing of carcasses and the preparation of meat;
- (b) remove all hides, skin or pelts, and preserve or dispose of them in such a manner as to render them inoffensive to the public; and
- (c) store the meat in such a way as to prevent contamination, spoilage and reduction of keeping quality.

18.—(1) The butcher shall ensure that any packaging material used by him for the wrapping of meat enhances the keeping quality of meat and minimises spoilage and—

Packaging and transporting meat.

- (a) is stored, used and handled in a sanitary manner;
- (b) is sufficient to completely surround and cover the meat and protect it from contamination; and
- (c) is non-toxic.

(2) In any instance where meat is being transported, the butcher shall ensure that—

- (a) the meat is adequately protected against contamination by insects and other pests, animals, wind and dust;
- (b) the vehicle used for transportation of meat—
- (i) is a dust proof vehicle;
 - (ii) is in a clean and sanitary condition;
 - (iii) is not used for the transportation of poisonous, toxic, noxious or other harmful or dangerous substances;
 - (iv) is not used to carry dead people;
 - (v) is cleaned and disinfected at regular intervals; and
 - (vi) meets any specification and condition that the Medical Officer (Health), Public Health Inspector or any other person so authorized shall indicate in writing.

PART IV — *Place of Slaughter*

Conduct within place of slaughter.

19. No person shall smoke, chew smoking material or spit anywhere in a place of slaughter.

Places of sale.

20. No butcher or his associates, employees, assistants or any other such person shall sell meat at any place of slaughter or any other place not designated by a Public Health Inspector to be a place of sale for meat.

PART V — *Official Stamps and Marks*

Meat passed as fit to be stamped.

21. Where after inspection in accordance with these Regulations an Inspector is satisfied that any meat is fit for human consumption, he shall stamp the meat with a mark of the kind and in the appropriate manner described in Schedule II to the Public Health (Meat Inspection) Regulations, 1989.

Using mark or stamp to deceive public.

22. No person shall mark or stamp any carcass or portion of a carcass or any meat with a mark or stamp so resembling the mark or stamp used by an Inspector so as to deceive the public or any member of the public that such meat has been inspected and passed by an Inspector as fit for human consumption.

Duty to produce certificate of inspection.

23. It shall be the duty of any butcher whose meat has been inspected, but not marked or stamped, to produce a certificate stating the fact of such inspection and signed by the Inspector who carried out the inspection.

Sale of un-inspected meat.

24. Any butcher or his associate, employee, assistant or any other person found selling or offering for sale any uninspected meat or any meat not marked or stamped by an Inspector shall be guilty of an offence.

PART VI — *Condemned Meat*

Condemned meat to be made inedible.

25.—(1) Where meat is condemned by an Inspector as unfit for human consumption, such meat shall become the property of the Local Board and shall forthwith be seized by the Inspector and, except in the case where an appeal has been entered pursuant to regulation 28 or a second opinion requested pursuant to regulation 27, the seized meat shall be rendered further inedible for human consumption by an approved process of denaturing or other approved means prior to final disposal by the Inspector.

(2) Except where otherwise stipulated in writing by the Local Board, final disposal of condemned meat shall be carried out under the supervision of the Inspector.

26. No person shall sell, offer for sale or prepare for sale, any meat which has been condemned as unfit for human consumption. Condemned meat not to be sold.

27. Any butcher, his associate, employee, assistant or other such person who is aggrieved by, or objects to, the condemnation and seizure of meat which has been condemned as unfit for human consumption, may within six hours of such decision request a second opinion on the Inspector's decision. Review of Inspector's decision.

28. An appeal against the decision of an Inspector may be made to the Veterinary Officer of the parish or his deputy, provided that notice of the intention to make such an appeal is forthwith given to the Inspector. Appeals.

PART VII — *Penalties*

29. Any person who contravenes or fails to comply with any of the provisions or these Regulations shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding two thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months. Offences.

THE PUBLIC HEALTH (BUTCHERS) REGULATIONS, 1989

SCHEDULE

FORM 1

(Regulation 4)

Application for Licence

To the Secretary of the Local Board for the parish of..... Pursuant to regulation 4 of the Public Health (Butchers) Regulations, 1989, I hereby make application to the Local Board for a butchers' licence to operate

atand attach hereto two photographs of myself taken not more than three months prior to the date

hereof and the prescribed fee of.....

Dated this day of, 19

..... Signature of Applicant

N.B. The following information should be attached prior to consideration of the application by the Local Board:

- (A) — Details re the character of the applicant.
(B) — A report on—

- (i) the time and place of slaughter of animals;
(ii) the type of animal and the place of sale of meat;
(iii) the methods of transportation of animals, carcasses and meat;
(iv) methods of storage of meat;
(v) the health status of the applicant and his/her assistants.

FORM 2

(Regulation 6, 9, 10)

Licence

..... of whose photograph is affixed hereto and whose signature is appended hereunder is hereby licensed to slaughter or prepare for sale the carcass of any animal or poultry where the meat thereof is intended to be offered for human consumption subject nevertheless to the conditions set out hereunder:

Conditions

1. This licence is restricted to slaughtering and preparing for sale the carcass of the following animals (Number and Type):

.....
.....
.....

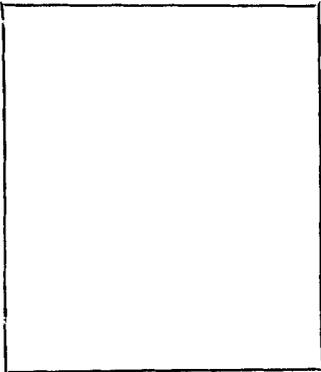
2. The slaughtering and preparing for sale of animals are restricted to the following premises and to the days and hours specified hereunder:—

Premises	Days	Hours of the Day

This licence expires on the day of , 19

Dated this day of , 19

.....
Clerk of the Local Board for the parish of



.....
Signature of Licensee

FORM 3
FORM OF BOOK

(Regulation 12) 32

THE PUBLIC HEALTH (BUTCHERS) REGULATIONS, 1989

DATE :

Names and addresses of persons employed in slaughtering and handling meat	Number of animals slaughtered	Class and description of animal slaughtered	Date of purchase of animal	Name and address of the seller of the animal slaughtered	Date of slaughter of animal	Purchase price of animal	Place where meat of slaughtered animal sold

[The inclusion of this page is authorized by L.N. 55/1991]

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14)

THE PUBLIC HEALTH (NUISANCE) REGULATIONS, 1995

(Made by the Minister on the 18th day of April, 1995)

L.N. 47C/95

Amtd.:

L.N. 46C/96

189/2001

[1st May, 1995]

1. These Regulations may be cited as the Public Health (Nuisance) Regulations, 1995.

2. In these Regulations “nuisance” includes any nuisance specified in the First Schedule.

First Schedule.

3.—(1) No person shall cause or permit a nuisance on any premises owned or occupied by him.

(2) No person shall cause a nuisance on any premises or aid and abet any other person to cause or permit a nuisance on any premises.

4.—(1) A Medical Officer (Health), a Public Health Inspector or any person authorized by the Minister in writing in that behalf (hereinafter referred to as an “authorized person”) or a Local Board may, on becoming aware of the existence of a nuisance on any premises, serve on the owner or occupier of the premises or on the person causing or permitting the nuisance, a notice in writing in the form set out in the Second Schedule requiring the owner, occupier or person—

Second
Schedule.

- (a) to abate the nuisance within such reasonable time not being more than thirty days as may be specified in the notice; and
- (b) to perform such act as the Medical Officer (Health), the Public Health Inspector, an authorized person or Local Board considers to be reasonably required to abate or prevent the recurrence of the nuisance.

(2) Where a person, without reasonable cause, fails to comply with the requirements specified in the notice under paragraph (1), the Medical Officer (Health), the Public Health Inspector or authorized person shall make a report in writing to the Local Board and the Local

Board may authorize in writing any person to enter upon the premises and do such things as are necessary to abate or prevent a recurrence of the nuisance.

(3) Any person authorized in that behalf by the Minister or a Local Board may institute legal proceedings against any person for non-compliance with the notice and such authorized person may prosecute or conduct such proceedings.

5. Any expenses incurred by the Local Board under paragraph (2) of regulation 4 in abating or preventing a recurrence of the nuisance may be recovered from the owner of the premises in the Resident Magistrate's Court as a civil debt due to the Crown, or if there is more than one owner, from the owners thereof in such shares as the Resident Magistrate may determine to be just and equitable.

6. A person who fails to comply with a notice under regulation 4(1) commits an offence and is liable on summary conviction in a Resident Magistrate's Court—

- (a) in the case of a first conviction, to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding twelve months; or
- (b) in the case of a second or subsequent conviction, to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding twelve months.

FIRST SCHEDULE

(Regulation 2)

Nuisances

1.—(1) A building or structure which, because of structural defects or insanitary conditions, is or is likely to become a health hazard.

(2) Any premises or other place which because of insanitary conditions is or is likely to become a health hazard.

2. An accumulation or deposit of solid waste of human or animal excreta.

3. Dust, smoke, fumes, gases or effluvia emitting from any manufacturing process or caused by the carrying on of any trade or business or otherwise by the action of any person.

4.—(1) Any animal which is kept in such a manner as to become hazardous to health.

(2) The carcass of any animal which is not buried or destroyed within twenty-four hours of the animal's dying.

5. A tree, bush or structure which interferes with the flow of air or the letting in of sunlight into any building or premises.

6.—(1) The lack of water or a water supply system.

(2) A water supply system which is not maintained in a sanitary condition.

(3) The running to waste of water from a tap, pipe or pump or from any other device from which water is obtained.

(4) The accumulation of stagnant water.

7. Any sanitary convenience which is so designed, located or kept which is or is likely to become a health hazard.

8. The infestation of flies, fleas, cockroaches, lice, rats, mosquitoes, mosquito larvae and other vermin on any premises.

9. Excess vegetation or overgrowth of bush on any building, land or structure which harbours or is likely to harbour vermin.

10.—(1) The discharge of any sewage, industrial waste or any other noxious matter into the sea or any watercourse or onto any land.

(2) In paragraph (1) "watercourse" includes any river, stream, creek, canal, drain, natural channel or any permanent and defined course for water or flood-water.

11. Offensive smells, including the emission of noxious fumes, gases or powerful smells, as a result of agricultural, domestic or industrial processes or otherwise.

SECOND SCHEDULE

(Regulation 4)

THE PUBLIC HEALTH ACT

THE PUBLIC HEALTH (NUISANCE) REGULATIONS, 1995

Notice to Abate Nuisance

TO:.....
Name

OF:.....
Address

You are hereby required by the Local Board of Health for the Parish of within..... days from the date of this Notice to abate, remedy or discontinue the following nuisance, to wit—

.....
which nuisance exists on premises situate at.....

.....
.....

in the parish of..... and which premises are either owned or occupied by you, or are under your care, control or management.

You are hereby required to do the following in order to comply with this Notice, namely—

(a)

(b)

- (c)
- (d)

NOTE: Failure to comply with this Notice shall render you liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding twelve months.

.....
**Medical Officer (Health)/
Public Health Inspector/
Authorized Person.**

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14)

THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

(Made by the Minister on the 3rd day of September, 1998)

L. N. 59A/98
87A/2000*Preliminary*

1. These Regulations may be cited as the Public Health (Food Handling) Regulations, 1998. Citation.

2. In these Regulations— Interpretation.

“employee” means an employee of a food-handling establishment;

“food” includes water, ice or any substance manufactured, prepared, sold or represented for use as food or drink, or flavouring or condiments used in or with the preparation of food;

“food-handling establishment” means a place where food is prepared or sold for human consumption and includes the categories of retail and food service premises set out in Part I of the Second Schedule; Second
Schedule.

“high risk food” means non-acidic, moist, and protein based food which, in order to ensure product safety, requires the application and maintenance of specified temperatures at various stages of its preparation, and includes meat and meat products, milk and milk products, eggs, poultry, fish and shellfish, gravies, puddings, custards, cream-filled baked goods, potato and other mayonnaise based salads, cream based soups and sauces;

“Inspector” means a Public Health Inspector;

“operator” includes the owner of or person who is licensed to operate a food-handling establishment;

“public health requirements” means—

- (a) all requirements set out under or pursuant to the Public Health Act; and
- (b) the minimum operational health standards to be met by every food-handling establishment and every person who is the licensed operator thereof, under these Regulations.

Licence to operate food-handling establishment

3.—(1) Every person who is desirous of operating a food-handling establishment shall apply, in the form set out as Form 1 in the First Schedule, to the Medical Officer (Health) in the parish in which the food-handling establishment is or is proposed to be established, for a licence to operate such an establishment. Application
to operate
food-handling
establishment.
First Schedule.
Form 1.

(2) Each application shall be accompanied by—

- (a) two recent photographs of the applicant;
- (b) the appropriate application fee specified in Part I of the Second Schedule;
- (c) a floor plan showing the layout of the food-handling establishment and the equipment or other devices to be used therein; and
- (d) such other particulars as the Medical Officer (Health) may require.

(3) Where there are two or more branches of a food-handling establishment, an application for a licence shall be made in respect of each branch in accordance with paragraph (1).

(4) Where there is a change in the ownership or operation of a food-handling establishment the new owner or operator shall apply for a licence in accordance with paragraph (1).

(5) On receipt of an application for a licence the Medical Officer (Health) shall cause an inspection of the food-handling establishment to which the application relates to be carried out in order to determine that—

- (a) there is adequate ventilation;
- (b) the establishment has lighting intensity—
 - (i) of at least 110 lux at a distance of 89 centimetres above the floor, above all its walk-in refrigeration units and above dry food storage areas and in all other areas and rooms, during cleaning and sanitization;
 - (ii) of at least 220 lux at surfaces where food is provided for consumer self-service, including buffets and salad bars or where fresh produce or packaged food is sold or offered for consumption;
 - (iii) of at least 220 lux inside equipment such as reach-in and under-counter refrigerators;
 - (iv) of at least 220 lux at a distance of 89 centimetres above the floor in all areas used for hand-washing, warehousing and equipment and utensil storage, and in washroom; and
 - (v) at least 540 lux in any area where a food handler is working with food or working with utensils or equipment such as knives, slicers, grinders or saws;
- (c) where any light bulb or light fixture is suspended over any area where there is food or food is likely to be placed, that bulb or fixture is adequately protected to prevent contamination of food;
- (d) the floor is impervious, durable, non-slip, free from cracks and crevices and constructed in such a manner as to facilitate easy cleaning;
- (e) the walls and ceiling are durable, clean, in good repair and with washable surfaces which are painted with paint of a light colour;

- (f) there are adequate toilet facilities for employees and customers of each sex which are conveniently located, accessible and in good sanitary condition and repair;
- (g) there is an adequate supply of potable water throughout the food-handling establishment;
- (h) there is at least one hand-washing station installed and maintained—
 - (i) for every forty square metres of floor space; and
 - (ii) in each principal area where food is handled, prepared, stored or served, and that every hand-washing facility is equipped with hot and cold water, a soap dispenser, a waste bin and either an electric hand blower or disposable paper towels for drying hands after washing;
- (i) there are changing rooms and restrooms with storage cupboards for employees of each sex;
- (j) there are adequate suitable racks, stands or shelves for the storage of food and that the rack, stand or shelf nearest the floor is not less than 15.2 cm therefrom;
- (k) all food is stored in such a manner as to be protected from contamination and deterioration;
- (l) in relation to processed food, a valid certificate from the Bureau of Standards signifying compliance with the *Standard Specifications for Processed Food: General* is displayed in a conspicuous place in the food-handling establishment;
- (m) the food-handling establishment is free from pests and vermin;
- (n) the food establishment is located in suitable surroundings;
- (o) public health requirements have been met; and
- (p) written instructions, if any, issued by the Medical Officer (Health) or Public Health Inspector have been complied with.

4.—(1) Where the Medical Officer (Health) is satisfied that in relation to the food-handling establishment the relevant requirements specified in paragraph (5) of regulation 3 have been met he shall issue to the applicant a licence in the form set out as Form 2 in the First Schedule.

Grant or
refusal of
licence.

(2) Where the Medical Officer (Health) is not satisfied that the requirements specified in paragraph (5) of regulation 3 have been met he shall notify the applicant in writing accordingly.

First
Schedule.
Form 2.

(3) A licence issued pursuant to paragraph (1) shall be valid for a period of one year from the date of issue.

(4) An operator may make an application for the renewal of a licence in the form set out as Form 3 in the First Schedule within thirty days prior to the date of expiration of the licence.

Form 3

(5) The provisions of regulation 3 shall apply in relation to an application made under paragraph (5).

Second Schedule (6) Every application for the renewal of a licence shall be accompanied by the appropriate renewal fee specified in Part I of the Second Schedule.

Display of licence. 5. An operator shall display the licence in a conspicuous place in the food-handling establishment in relation to which the licence is granted.

Suspension of licence. 6.—(1) If it appears to a Medical Officer (Health) that an operator has contravened any of the provisions of the Act or these Regulations or has breached any condition of his licence the Medical Officer (Health) may suspend the licence.

(2) Where the Medical Officer (Health) intends to suspend a licence under paragraph (1) he shall notify the operator in writing of such intention and the reasons therefor.

(3) Where an operator whose licence is suspended under subsection (1) remedies the contravention or breach which gave rise to the suspension he shall in writing inform the Medical Officer (Health) who shall cause an inspection of the food-handling establishment to be carried out.

(4) If on such inspection the contravention or breach is found to have been remedied, the Inspector who carried out the inspection shall in writing notify the Medical Officer (Health) who shall withdraw the suspension.

Revocation of licence. 7.—(1) A licence issued under regulation 4 may be revoked if—

- (a) the operator is found to be suffering from a communicable disease;
- (b) a licence has been suspended on three occasions;
- (c) information given by the operator in relation to his application for the licence is found to be false in any material particular;
- (d) a Medical Officer (Health) has reasonable cause to believe that the continued operation of the food-handling establishment would be injurious to public health.

(2) Where a licence is revoked under paragraph (1) the Medical Officer (Health) shall cause a notice to that effect to be affixed in a conspicuous place in the relevant food-handling establishment.

(3) Where a licence is revoked, the Medical Officer (Health) shall, in writing, order the food establishment closed and specify the reasons therefor.

Provisions relating to food

Prohibitions regarding food unfit for human consumption. 8. No person shall manufacture, store or prepare for sale or have in his possession for sale or sell or offer for sale, any food which is unfit for human consumption or which has been condemned as being unfit for human consumption.

Storage of food. 9.—(1) An operator shall not store food in a food-handling establishment in such a manner that any undesirable flavour or odour is absorbed in the food.

(2) An operator shall not in a food-handling establishment—

- (a) store or prepare food in any place through which a vent or waste pipe for a water closet or urinal passes or which is near to such vent or waste pipe;
- (b) store or keep food in any place in a food-handling establishment where the following are stored or kept—
 - (i) subject to paragraphs (2), (3) and (4) of regulation 22, animals, poultry or hides; or
 - (ii) chemical or toxic substances or any similar substances.

(3) Paragraph (2) (b) (i) shall not apply to any food-handling establishment the business of which is animal, fish or poultry husbandry.

10.—(1) An operator shall keep all perishable food in a food-handling establishment refrigerated at a temperature not higher than 4.4°C.

Perishable food to be refrigerated.

(2) Where frozen food is offered for sale in a food-handling establishment such food shall be maintained at a temperature of no more than 18°C.

11.—(1) No person shall store, sell or offer for sale any food in any open area or hawk or peddle food on any road, unless such food is protected from animals, flies or dust in a clean and sanitary container suitable for the purpose.

Food not to be sold, etc., in unprotected area.

(2) The container referred to in paragraph (1) shall be kept closed except when food is being taken out therefrom or being placed therein.

(3) A container mentioned in paragraph (1) shall, before being used for the purpose, be approved by the Medical Officer (Health).

12. Every person who stores, sells or offers for sale any food outside of any building or in an open doorway or from a window sill, shall keep such food—

Food to be stored, at certain temperatures and distance from floor.

- (a) at a height not less than 60.96 centimetres above the ground or flooring;
- (b) at a temperature of 4.4°C, in the case of cold foods;
- (c) at a temperature of -18°C, in the case of frozen foods;
- (d) 63°C, in the case of hot foods; and
- (e) covered and protected from contamination and from contact with animals, insects, vermin, rodents, dust, dirt and any type of waste whatsoever.

12A.—(1) All high risk foods in food-handling establishments shall be handled, stored, prepared and served in such a manner as to eliminate health risks.

High risked foods.

(2) Every owner or operator of a food-handling establishment shall take all such steps as are necessary to ensure, to the satisfaction of the Medical Officer (Health) or Public Health Inspector, that procedures are put in place to receive properly from suppliers, all high risk foods and to inspect such foods to determine wholesomeness.

(3) Every operator of a food-handling establishment shall ensure that—

- (a) the temperature requirements set out under these Regulations are maintained;

- (b) systems are put in place to monitor the temperature in the storage areas; and
- (c) records of temperature control throughout the food-handling establishment are kept and are available for inspection by the Medical Officer (Health), or any other person authorized in writing in that behalf by the Medical Officer (Health).

Serving of
food in
liquid form.

13.—(1) No person shall serve to the public any liquid refreshment in bulk, including water, unless such liquid refreshment is drawn from a covered container by means of a tap and the container is clean and sanitary.

(2) Any person who dispenses liquid refreshment to the public shall do so in individual containers provided for the purpose; and where a disposable container is provided, such container shall be served to one person only and shall be disposed of after being so used.

(3) Where a container other than a disposable container is used, such container shall be cleaned and sanitized after each use as approved by the Medical Officer (Health).

(4) The container referred to in paragraph (1)—

- (a) shall be free from lead or cadmium or any other toxic substance; or
- (b) if connected to a water supply system, shall be designed and constructed so as to prevent contamination of the water supply system; or
- (c) where used for the purpose of dispensing carbonated beverages, shall be so designed that any copper or copper-lined part which may be a component part thereof shall not be capable of being in contact with the beverage.

Packaging
of food

14.—(1) No Person shall package any food—

- (a) in any container which is not clean and sanitary;
- (b) with any equipment which is not clean and sanitary;
- (c) with any packaging material which is not approved for such use by the Medical Officer (Health);
- (d) with any packaging material which is not stored in such a manner as to avoid contamination of the packaging material;
- (e) which is toxic;
- (f) in any container which is not sealed so as to prevent contamination of the food by dirt, dust or any other such matter.

(2) No person shall—

- (a) use any disposable food container more than once;
- (b) tamper with any packaged food or remove any such food from a container before delivery to the purchaser thereof.

(3) An operator shall clean and sanitize any machine used for the filling or packaging of any food in a container when that machine is not in use.

15. Every person who transports food shall ensure that—

Transportation of food.

- (a) the food is protected against contamination by insects, pests, animals, wind, dust or any other contaminant;
- (b) the vehicle used therefor—
 - (i) is dust proof;
 - (ii) is kept in a clean and sanitary condition;
 - (iii) is not used for the transportation of poisons, toxic or noxious substances or any other type of harmful or dangerous substances;
 - (iv) is not used for the carriage of corpses or animal carcasses the meat of which is, due to the cause of death, unfit for human consumption;
 - (v) meets the specification required by the Medical Officer (Health);
- (c) the food is not transported with any animal or poultry (alive or dead), hide, chemical or toxic substance or any substance which is liable to contaminate the food so as to render it unfit for human consumption;
- (d) where perishable food is being transported in bulk, the food shall be kept at temperatures—
 - (i) of not more than 4.4°C, in the case of cold foods;
 - (ii) of not less than 60°C in the case of hot foods; and
 - (iii) of not more than -18°C in the case of frozen foods.

16.—(1) No person shall offer for sale unpackaged food from a coin-operated machine or other such mechanical device.

Food dispensed from coin-operated machines.

(2) No person shall sell, distribute, rent or lease any coin-operated machine or other similar device designed for the purpose of dispensing packaged food unless such machine or device is of a minimum standard notified by the Medical Officer (Health).

(3) No person shall offer for sale any packaged food or food in liquid form in a sealed container from a coin-operated machine or other similar machine unless the machine is clean and sanitary and is so designed and constructed—

- (a) as to be effectively cleaned, sanitized and maintained;
- (b) as to prevent infestation;
- (c) as not to be hazardous to children.

(4) Where perishable food is sold from a coin-operated machine or such other similar machine, the machine shall be equipped with refrigeration apparatus including a thermostat and a thermometer; and the temperature thereof shall not exceed 4.4°C.

(5) The operator of a coin-operated machine or other such similar machine shall keep the area surrounding such machine clean and sanitary and shall provide, beside the machine, adequate facilities for the disposal of waste.

Register of
food.

17.—(1) An operator shall keep a register of—

- (a) the daily quantities of food produced, purchased, transported, distributed or sold in a food-handling establishment;
- (b) the name and address of any person from whom food is bought and, in the case of food distributed or sold in bulk, the name and address of the person to whom it is so distributed or sold;
- (c) the name and address of any person who, on behalf of the food-handling establishment, transports food to or from such establishment;
- (d) the type, make and licence number of the vehicle transporting the food;
- (e) the source of ingredients used in food production or preparation;
- (f) the type, source and quantity of packaging material used in the packaging of food.

(2) The register referred to in paragraph (1) shall be kept at the food-handling establishment and shall be open for inspection by a Medical Officer (Health), an inspector or any other person authorized in writing in that behalf by the Minister (hereinafter referred to as an authorized person) during hours when the food-handling establishment is open for business.

Condemnation and
seizure of
food.

18.—(1) Where a Medical Officer (Health), an Inspector or an authorized person has reason to believe or suspects that food which is being offered for sale to the public is unfit for human consumption, the Medical Officer (Health), Inspector or authorized person shall seize and detain the food and the Medical Officer (Health) shall, within twenty-four hours of the detention, carry out an examination thereof.

(2) Where on an examination under paragraph (1) the Medical Officer (Health), Inspector or other authorized person finds the food to be—

- (a) fit for human consumption, the Medical Officer (Health) shall forthwith return the food to the person from whom the food was seized; or
- (b) unfit for human consumption, ownership in the food shall thereupon vest in the Health Department and the Medical Officer (Health), Inspector or other authorized person, as the case may be, shall condemn the food and forthwith render such food inedible and issue written instruments as to the disposal thereof.

(3) Where food is—

- (a) returned pursuant to paragraph (2) (a), it shall be accompanied by a certificate in the form set out as Form 4A in the First Schedule; First Schedule,
Form 4A.
- (b) condemned pursuant to paragraph (2) (b), a certificate in the form set out as Form 4B in the First Schedule shall be forwarded to the person from whom the food was seized under paragraph (1). Form 4B.

(4) No person, other than a Medical Officer (Health), an Inspector or an authorized person shall have access to food during the period of detention.

(5) No person shall dispose of condemned food except in accordance with instructions issued under paragraph (2) (b).

(6) A person whose food is seized and condemned under paragraph (2) may, pursuant to regulation 33, appeal against that decision.

Operation of food-handling establishment

19. A Medical Officer (Health), and Inspector or an authorized person may at any time enter any premises where food is manufactured, packaged, stored or sold in order to— Power to
enter pre-
mises.

- (a) inspect such premises;
- (b) examine any food found thereon;
- (c) take samples of food or any other matter found thereon for the purpose of—
 - (i) making an assessment in relation to infestation; or

- (ii) carrying out a bacteriological or chemical examination or such other type of examination as may be considered necessary;
- (d) examine any utensil, equipment or any other container which is used or is capable of being used for or in connection with the manufacture, preparation, preservation, packaging or storage of food;
- (e) open and examine any receptacle or package which contains or is intended to contain food;
- (f) take, where he considers it appropriate, such steps as may be deemed necessary to prevent the sale of food therefrom;
- (g) seize and detain any food found thereon which he reasonably suspects to be unfit for human consumption.

Sanitary
requirements

20.—(1) An operator of a food-handling establishment shall—

- (a) maintain at all times in a clean and sanitary condition and in good repair—
 - (i) the establishment and the premises on which the establishment is situate;
 - (ii) all equipment, including showcases and display cases, installations, machinery, receptacles and utensils in the establishment;
- (b) provide in the establishment such facilities and equipment as are necessary to maintain the establishment in a clean and sanitary condition.

(2) An operator shall ensure that the equipment referred to in paragraph (1) (a) (ii) is free from dust, dirt, insects, rodents, vermin or any other contaminating matter.

Ventilation
and lighting
requirements

21.—(1) An operator shall keep all sanitary conveniences, changing rooms and restrooms in a food-handling establishment adequately ventilated and lighted, in a sanitary condition and in good repair.

(2) No room in a food-handling establishment which is used as a place for sleeping shall open out into any room or place where food is prepared, stored or sold.

22.—(1) Subject to paragraphs (2), (3) and (4), no animal shall be allowed to enter upon or remain on a food-handling establishment.

Prohibition against animals on food-handling establishment.

(2) Paragraph (1) shall not apply to any food-handling establishment the business of which is animal, fish or poultry husbandry.

(3) A guide dog on a leash held by a vision-impaired person may enter and remain on a food-handling establishment during the period the vision-impaired person is in the establishment.

(4) Animals intended for tethering and sale may be permitted to enter upon and remain on any part of a food-handling establishment which is provided as a market for that purpose.

23.—(1) An operator shall maintain an adequate supply of water to his food-handling establishment for the purpose of cleaning and disinfecting equipment, utensils and work surfaces therein and the temperature of the water shall not be less than 180°F or 82.2°C.

Adequate water supply to be maintained.

(2) Where cleaning or sanitizing are carried out by means of chemicals, such chemical shall be approved by the Medical Officer (Health).

24.—(1) No person shall operate a food-handling establishment unless there is provided, in respect of that establishment, covered receptacles for the holding of garbage, waste and other refuse.

Requirements for covered receptacles, etc.

(2) Where, in relation to a food-handling establishment there is no system of garbage collection, the owner shall, at least once per day, dispose of all garbage, waste and other refuse in a manner satisfactory to the Medical Officer (Health).

25. An operator may install in a food-handling establishment a water cooler, of a type approved by the Medical Officer (Health), for use therein which shall, at all times, be kept in a clean and sanitary condition.

Installation of water cooler.

Persons employed in food-handling establishment

26.—(1) No person, including an operator, shall be employed in or assist in a food-handling establishment unless he is the holder of a Food Handlers Permit.

Prohibition against employing persons without Food Handlers Permit.

First
Schedule
Form 5
Form 6

(2) A person who is desirous of being employed in a food-handling establishment shall, before being employed therein, apply in the form set out as Form 5 in the First Schedule to a Medical Officer (Health) for a Food Handlers Permit in the form set out as Form 6 in the First Schedule.

Second
Schedule

(3) An application for a Food Handlers Permit under paragraph (2) shall be accompanied by the appropriate fee set out in Part III of the Second Schedule.

(4) A person who makes an application under paragraph (2) shall be medically examined at the Government Clinic nearest to his place of residence or at such Government Clinic as the Medical Officer (Health) may direct.

(5) Where, on examination, the person is found—

(a) to have fulfilled the requirements of training guidelines directed by the Medical Officer (Health); and

(b) to be free from any disease, infection or illness,

the Medical Officer (Health) shall issue to that person, a Food Handlers Permit.

(6) A Food Handlers Permit shall be valid for a period of one year from the date of issue and may be issued, subject to—

(a) such conditions as may be specified therein; and

(b) such limitations in respect of any specialized area of food-handling in which the licensee may work.

(7) The holder of a Food Handlers Permit may make an application for the renewal of the Permit and the provisions of paragraph (2) shall apply to such renewal.

(8) An application for renewal shall be accompanied by the appropriate fee set out in Part I of the Second Schedule.

(9) An applicant for renewal of a Food Handlers Permit may be medically examined at such clinic (including a clinic on the premises of a food-handling establishment) as the Medical Officer (Health) may determine and if found to be free from any disease, infection or illness, his Permit shall be renewed.

(10) Where an operator is desirous of a Medical Officer (Health) carrying out medical examinations of his employees at the clinic situated on the premises of his food-handling establishment the operator shall pay the fee specified in Part II of the Second Schedule for that purpose.

(11) [*Deleted by L. N. 87A/2000.*]

27.—(1) An employee shall—

Duty of
employees.

- (a) produce to the operator of a food-handling establishment at the date of commencement of his employment, a valid Food Handlers Permit issued to him;
- (b) after the commencement of his employment, produce to the operator at intervals of six months or such shorter periods as may be required, a valid Food Handlers Permit issued to him;
- (c) be free from any disease, infection or illness;
- (d) while carrying out his duties in a food-handling establishment, wear clean outer clothing and a suitable hair restraint such as hats, hair coverings or nets;
- (e) wear clean durable clothing made of light-coloured washable material;
- (f) cause any abrasion, cut or wound to be covered with clean appropriate dressing;
- (g) not sleep, spit or smoke or use tobacco or any prohibited substance in any manner or do anything which is harmful or unhealthy in any place where food is prepared, stored or sold or where food products are manufactured.

(2) A person who is to commence employment in or who is to assist in or who assists in any food-handling establishment who—

- (a) is in contact with a person with an infectious or communicable disease;
or
- (b) resides in any place where a person with an infectious or communicable disease resides or visits,

shall forthwith inform the operator and present himself to the Medical Officer (Health) for an examination.

(3) An operator shall not permit a person referred to in paragraph (2) to commence or to continue employment or to give assistance as mentioned in that paragraph until the Medical Officer (Health) certifies in writing that he is free from the infectious or communicable disease.

(4) An employee shall, when required so to do, produce to an Inspector his Food Handlers Permit.

28.—(1) An operator shall keep a register of each employee which shall contain—

Register of
employees.

- (a) the employee's name and current address;
- (b) particulars of Food Handlers Permit granted;

(c) any other information which a Medical Officer (Health) may require to be kept.

(2) The register referred to in paragraph (1) shall be kept at the food-handling establishment and shall be open for inspection by a Medical Officer (Health), an Inspector or an authorized person during the opening hours of that establishment.

Diseases and examinations

Steps to be taken where infectious disease is suspected

29. Where an operator suspects that an employee or a person who resides on the premises where a food-handling establishment is situate or who enters such premises is suffering from an infectious or communicable disease, the operator shall forthwith notify the Medical Officer (Health) of the—

- (a) name of the employee or the person (if known);
- (b) the address of the premises;
- (c) the circumstances which gave rise to his suspicion.

Notification to person likely to spread communicable disease.

30.—(1) Where, in the opinion of the Medical Officer (Health), it is likely that a person may spread a communicable disease if that person is employed in a food-handling establishment, the Medical Officer (Health) may, for the purpose of safe-guarding the public health, by notice in writing prohibit that person from being so employed.

(2) Any person who, upon being notified pursuant to paragraph (1) obtains employment in a food-handling establishment while the notice is in force, contravenes this regulation.

(3) An operator who knowingly employs a person who is notified under paragraph (1) contravenes this regulation.

Medical examination of operator and employee.

31.—(1) Every operator and every employee shall, when required so to do by a Medical Officer (Health), submit himself to be medically examined at the time and place so specified by the Medical Officer (Health) and such examination shall be free of cost.

(2) If on examination, an operator or employee is found to be free of any communicable disease the Medical Officer (Health) shall issue to that operator or employee a certificate in the form set out as Form 7 in the First Schedule.

First Schedule. Form 7.

(3) Any operator or employee who refuses to be medically examined when so required under paragraph (1), or who in the opinion of the Medical Officer (Health) is the carrier of or is suffering from any communicable disease shall forthwith be notified in writing by the Medical Officer (Health) that he is to immediately cease being concerned with or employed in a food-handling establishment.

(4) An operator or employee who fails, to comply with a notice under paragraph (3) contravenes this regulation.

32. A Medical Officer (Health) may require an operator to suspend from work in a food-handling establishment any person who—

Power of Medical Officer (Health) to require suspension.

- (a) fails, when so requested by a Medical Officer (Health), an Inspector or an authorized person, to produce a Food Handlers Permit within the period specified by the Medical Officer (Health);
- (b) is found to be suffering from a communicable disease.

General

33.—(1) Any person who is aggrieved by a decision to seize and condemn food under regulation 18 may—

Objection to decision under regulation 18.

- (a) give verbal notice of his objection to the person condemning the food and shall, within twenty-four hours thereof, give written notice thereof to that person; or
- (b) give verbal notice of his intention to request a re-examination of the food.

(2) Where a request is made for a re-examination of the food under paragraph (1) (b) the Medical Officer (Health) shall cause the food, within twenty-four hours after the request is made, to be re-examined by an authorized person who shall give his decision in writing as to whether the food is fit or unfit for human consumption, as the case may be.

(3) Where under paragraph (2)—

- (a) food is found to be fit for human consumption, the Medical Officer (Health), Public Health Inspector or other authorized person shall issue a certificate in the form set out as Form 4A in the First Schedule to the operator of the food-handling establishment stating that the food is so fit and the food shall be returned to the operator;

First Schedule. Form 4A.

(b) food is found to be unfit for human consumption, the Medical Officer (Health), Public Health Inspector or other authorized person shall take action as specified under regulation 18 (2) (b) (ii).

Appeal. 34. Where a person is aggrieved by a decision under regulation 4, 6, 7, 18 or 33 he may appeal to the Minister and the provisions of section 29 of the Act shall have effect in relation to any such appeal.

Penalty. 35. Any person who contravenes any provision of these Regulations commits an offence and is liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding fifty thousand dollars or to imprisonment with hard labour for a term not exceeding twelve months.

FIRST SCHEDULE

(Regulations 3(1), 4(1) and (4), 18(3), 26(2), 31(2) and 33(3))

FORM I

THE PUBLIC HEALTH ACT

APPLICATION FOR LICENCE TO OPERATE A FOOD-HANDLING ESTABLISHMENT

Name

Address

Name and address or proposed address of food-handling establishment.....

Name of operator of food-handling establishment

Address of operator of food-handling establishment

Category of food-handling establishment.....

Type of food proposed to be sold in food-handling establishment.....

*Has a food-handling establishment owned or operated by you been closed down by a Public Health Authority? Yes No

*Has the food-handling establishment to which this application relates been closed closed down by a Public Health Authority? Yes No

*If yes, state date of closure

Date

Signature

THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

FIRST SCHEDULE, contd.

FORM 3

THE PUBLIC HEALTH ACT

APPLICATION TO RENEW LICENCE FOR FOOD-HANDLING ESTABLISHMENT

Name.....

Address.....

Number of licence.....

Date licence granted.....

Was licence suspended?.....

If yes, date of suspension.....

Name and address of food-handling establishment.....

Name and address of person operating food-handling establishment.....

Type of food to be sold in food-handling establishment.....

Date

Signature

FOR OFFICE USE ONLY

Documents submitted: 1
2
3
4

Amount of fee paid

No. of licence granted

Date of examination of food-handling establishment

Remarks

Signature and office of person who carried out examination

FIRST SCHEDULE, *contd.*

FORM 3, *contd.*

Recommendation

Licence renewed

No.

Renewal refused

Date

Signature
Medical Officer (Health)

FORM 4A

THE PUBLIC HEALTH ACT

CERTIFICATE OF FOOD FIT FOR HUMAN CONSUMPTION

I _____ Medical Officer (Health) for the parish of _____
_____ hereby certify that food found on the
of _____, 19 _____, at

1. The food-handling establishment known as _____
_____ at _____

(Address)

Cross out
which is
inapplicable.

2. _____
(State address or location food found)

and which was examined by me on the _____ day of _____, 19 _____, pursuant to regulation 18(1) or which was re-examined on the _____ day of _____, 19 _____, pursuant to regulation 33 (2) of the Public Health (Food Handling) Regulations, 1998, has been found to be fit for human consumption.

Cross out
which is
inapplicable.

Dated the _____ day of _____, 19 _____

Medical Officer (Health)
for the parish of _____

FIRST SCHEDULE, *contd.*

FORM 4B

THE PUBLIC HEALTH ACT

CERTIFICATE OF CONDEMNATION AND SEIZURE OF FOOD UNFIT FOR HUMAN CONSUMPTION

To _____

of _____

Medical Officer (Health) for the parish of

_____ hereby certify that food found on the

of _____, 19____, at

Cross out which is inapplicable.

1. The food-handling establishment known as _____

_____ at _____ (Address)

2. _____ (State address or location food found)

and which was examined by me on the _____ day of _____, 19____, pursuant to regulation 18 (1) of the Public Health (Food Handling) Regulations, 1998, has been found to be unfit for human consumption and, pursuant to paragraph (2) (b) (ii) of that regulation, the food has been seized and condemned. You may, pursuant to regulation 33 (1), appeal against this decision.

Dated the _____ day of _____, 19____.

Medical Officer (Health)
for the parish of

FIRST SCHEDULE, *contd.*

FORM 5

THE PUBLIC HEALTH ACT

APPLICATION FOR A FOOD HANDLERS PERMIT

Name _____

Address _____

Age _____ Sex _____

Occupation _____

Name of Employer _____

Business address of Employer _____

Have you ever applied for a Food Handlers Permit? _____

Was application granted or refused? _____

If refused, state reason _____

Number of last Food Handlers Permit _____

Date _____ Signature _____

FOR OFFICE USE ONLY

Amount of fee paid

Date of medical examination

Permit granted/refused

No. of Permit

Reason for refusal

Date

Signature, Medical Officer (Health)

THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

FIRST SCHEDULE, *contd.*

FORM 6

THE PUBLIC HEALTH ACT

FRONT

BACK

PERMIT NO.....

If you have

FOOD HANDLERS PERMIT
PUBLIC HEALTH
DEPARTMENT

- Boil
- Cold
- Cough
- Fever
- Skin Rash
- Diarrhoea and Vomiting
- Infected Sores

PARISH
PLEASE KEEP THIS CARD CLEAN AND IN
A SAFE PLACE

Seek treatment at your health centre or at your doctor.

Remember these conditions can be spread to other persons.

INSIDE

Name: _____

Age: _____ Sex: _____

Home Address: _____

Occupation: _____

Employer: _____

Business Address: _____

Date of Exam.	Date of Education	Expiry Date	Initial

I hereby certify that the abovenamed person was examined on the dates initialled by me and has been granted a permit to handle food intended for human consumption. This Permit is issued subject to the conditions, if any, set out below:—

KEEP YOUR APPOINTMENT AT THE FOOD HANDLERS CLINIC EVERY YEAR.

SEE A HEALTH WORKER OR YOUR DOCTOR IF YOU ARE ILL.

- 1
- 2
- 3
- 4

Medical Officer (H)

FIRST SCHEDULE, *contd.*

FORM 7

THE PUBLIC HEALTH ACT
CERTIFICATE OF EXAMINATION

I _____ Medical Officer
(Health) for the parish of _____
certify that I have examined _____
employed in the food-handling establishment known as _____
_____ at _____
and have found him/her to be free from any communicable disease.

Dated the _____ day of _____, 19 _____

Medical Officer (Health)
for the parish of _____

SECOND SCHEDULE (Regulations 3(2), 4(6), 26(3), (8)
and (10))

PART I

*Fees for Application for Licences and Renewal of Licences in
Food-handling Establishments*

	\$
1. Full service restaurants, including <i>a-la-carte</i> restaurants	5,000.00
2. Quick service restaurants (including franchise operators, pizzerias, delicatessens and all other types of cafes) ...	7,000.00
3. Food service operations within institutions, including hospitals, schools, colleges, universities	2,500.00
4. Food processing and manufacturing plants, including beverage, bottling, canning and ice making plants ...	10,000.00
5. Meat, poultry and fish processing plants	10,000.00
6. Milk, ice cream and frozen novelty plants	10,000.00
7. Food commissaries and dry foods stands	1,500.00
8. In-flight food catering services and other food catering establishments	5,000.00
9. Meat, poultry, fish shops	3,000.00
10. Supermarkets, bakeries and pastry shops	4,000.00
11. Food warehouses, cold storage facilities and wholesale food stores	7,500.00

THE PUBLIC HEALTH (FOOD HANDLING) REGULATIONS, 1998

SECOND SCHEDULE, *contd.*

PART I, *contd.*

Fees for Application for Licences and Renewal of Licences in Food-handling Establishments, contd.

12. Itinerant vendors, snack shops and food shops	...	1,500.00
13. Any coin-operated food vending machine located on premises accessible to the public	... ..	2,000.00
14. Any other public food-handling premises or food-vending operations	... ..	1,500.00

PART II

Examination Fees Payable by Food-handling Establishment

For a Medical Officer (Health) to carry out health certification of food handlers at a clinic held on the premises of a food-handling establishment	For up to 25 persons, a fee of \$6,000.00
	For more than 25 persons, a fee of \$6,000.00, together with an additional fee of \$300.00 for each additional person.

PART III

Fees for Food Handlers Permits

Application for Food Handlers Permit	\$500.00
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THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14 (1))

THE PUBLIC HEALTH (SWIMMING POOLS) REGULATIONS, 2000

(Made by the Minister on the 28th day of June, 2000)

L.N. 70/2000
91B/2004

[1st August, 2000]

PART I—Preliminary

1. These Regulations may be cited as the Public Health (Swimming Pool) Regulations, 2000.

Citation.

2. In these Regulations—

Interpretation.

“class A swimming pool” means a swimming pool which is—

- (a) open to the public; or
- (b) operated at a hotel having more than one hundred rooms for the use of its guests;

“class B swimming pool” means a swimming pool operated at—

- (a) a hotel having less than one hundred rooms for the use of its guests;
- (b) a villa, resort cottage, guest house, apartment, apartment complex or other similar tourist accommodation;

“class C swimming pool” means a swimming pool operated in a home or residential complex or closed community exclusively for the use of its residents and their visitors;

“current first-aid certificate” means—

- (a) an emergency, a standard or an advanced first-aid certificate issued by the St. John’s Ambulance or the Jamaica Red Cross Society;
- (b) the senior resuscitation certificate issued by the Royal Life Saving Society, dated not more than three years prior to the date on which the holder is on duty;

“deck” means the area immediately surrounding a public swimming pool;

“guest” means any person who uses a public swimming pool, with the permission of its owner, operator or manager;

“inspector” means a public health inspector or any person duly authorized by the Medical Officer (Health) to inspect a swimming pool;

“owner” or “operator” means any person who owns or operates, as the case may be, a public swimming pool;

“public health requirements” means the requirements set out under the Public Health Act and includes the minimum operational health standards required to be met at any public swimming pool;

PART I—Preliminary, contd.

“public swimming pool” means a swimming pool classified as class “A” or class “B” swimming pool;

“re-circulation system” means a system which—

- (a) maintains circulation of water by means of a pump; and
- (b) provides continuous water treatment, including filtration, chlorination, bromination or any other process necessary for the disinfection of the water.

Application.

3. The provisions of these Regulations shall be applicable to the entire island.

PART II—Opening and Re-opening Swimming Pools

Restrictions on operation of swimming pool.

- 4. No person shall operate a public swimming pool unless that person—
 - (a) has a valid permit issued by the Medical Officer (Health); and
 - (b) satisfies the requirements of regulation 8.

Permit application. Schedule. Form A.

5.—(1) Every person who proposes to operate a public swimming pool may apply to the Medical Officer (Health) in the form specified as Form A in the Schedule.

(2) Every application under paragraph (1) shall be accompanied by a fee of —

- (a) five hundred dollars in respect of a swimming pool operated at accommodation falling within paragraph (b) of the definition in regulation 2 of “class B” swimming pool;
- (b) where there is more than one such swimming pool on the premises to which the application relates, five hundred dollars in respect of each such pool;
- (c) in any other case, fifteen hundred dollars,

and such information or documents as the Medical Officer (Health) may require.

Inspection of swimming pool.

6.—(1) The Medical Officer (Health) shall, upon receipt of an application under regulation 5 (1), cause an inspector to—

- (a) inspect the swimming pool; and
- (b) furnish an inspection report stating whether the swimming pool complies with public health requirements.

(2) Where the inspection report under paragraph (1) (b) indicates compliance with public health requirements, the Medical Officer (Health) shall—

Schedule. Form B.

- (a) issue a permit in the form specified as Form B in the Schedule for the swimming pool to be operated as a public swimming pool; and
- (b) state in the permit whether the swimming pool has been classified as a class “A” or class “B” swimming pool.

(3) Where the inspection report indicates that the public health requirements have not been complied with, a permit to operate the swimming

PART II—*Opening and Re-opening Swimming Pools, contd.*

pool shall not be issued until any defect set out in the report has been satisfactorily remedied.

(4) A permit issued under paragraph (2) shall—

- (a) be subject to such terms and conditions as may be specified therein; and
- (b) subject to regulation 6, remain in force for a period of twelve months from the date thereof and may be renewed annually upon the applicant satisfying the Medical Officer (Health) that the public swimming pool complies with public health requirements.

7.—(1) The Medical Officer (Health) may—

- (a) amend the terms and conditions upon which a permit may be issued;
- (b) suspend the permit of any public swimming pool—
 - (i) where the nature and scope of its operations have been so altered as to cause it to cease to be a public swimming pool for the purposes of these Regulations, or
 - (ii) where any other condition exist which is likely to endanger the health or safety of guests or other users of the pool.

Amendment,
suspension
and revoca-
tion of permit.

(2) Where, pursuant to paragraph (1), the Medical Officer (Health) suspends or revokes a permit or amends the terms and conditions specified therein, he shall, in writing, within five days, inform the owner or operator of the swimming pool of the suspension, revocation or amendment of the permit, as the case may be, and of the reasons therefor.

8. Every operator of a public swimming pool shall display in a conspicuous location on the premises, the permit issued in respect of that swimming pool.

Display of
permit.

9.—(1) No person shall operate a public swimming pool unless he has obtained—

- (a) a supply of chemicals and testing devices that are sufficient to operate the pool;
- (b) written emergency and standard operational and usage procedures;
- (c) appropriate emergency equipment;
- (d) the services of personnel trained and certified by the Royal Life Saving Society of Jamaica and who are holders of current National Lifeguard licences from the National Resources Conservation Authority;
- (e) adequate personal liability and accident insurance.

Conditions for
operating
public
swimming
pool.

(2) Sub-paragraph (e) of paragraph (1) shall not apply in the case of a class "C" swimming pool where the number of bathers permitted in the swimming pool does not, at any one time, exceed five.

10.—(1) Where a public swimming pool has been closed for a continuous period of four weeks or more, the owner or operator who intends to re-open that swimming pool shall, in writing, notify the Medical Officer (Health)—

Re-opening
of pool.

PART II—*Opening and Re-opening Swimming Pools, contd.*

- (a) of the reason for the closure; and
- (b) the intended date of its re-opening.

(2) Where a public swimming pool is closed for the purpose of carrying out repairs, the Medical Officer (Health) shall cause an inspector to inspect the swimming pool and its facilities and report his findings to him.

PART III—*Duties and Responsibilities of Owners and Operators of Swimming Pools*

- 11.—(1) Every owner or operator of a public swimming pool shall—
- (a) cause a daily inspection of the pool to be carried out;
 - (b) close the pool if its water quality does not conform with public health requirements;
 - (c) make records of the operation of the pool including results of daily tests on the water chemistry, water temperature, water clarity and the type and amount of chemicals and algicides used weekly in the swimming pool;
 - (d) take such steps as are necessary to ensure that the pool meets public health requirements;
 - (e) maintain the pool and its equipment in a safe and sanitary condition;
 - (f) take such steps as are necessary to ensure that—
 - (i) during periods when the pool is not open for use by the public, it is kept closed to persons who are not employed to operate, manage or maintain it; and
 - (ii) the pool or property is protected by fencing, walls or other devices to prevent access to it by unsupervised children, unauthorized persons and animals;
 - (iii) except for stoppages for maintenance, repairs, back washing of filters or closure of the swimming pool for a continuous period of seven or more days, the recirculation system and the chemical feeders are in continuous operation for such periods in each day when the pool is open for use or such longer periods as may be necessary for its water quality to meet public health requirements;
 - (g) take such steps as are necessary to ensure that every pumping system serving the swimming pool—
 - (i) has a minimum of two suction orifices equipped with anti-vortex plates;
 - (ii) is fitted with pipes of the same diameter; and
 - (iii) is so designed that no outlet can be cut off of the suction line by means of a valve or otherwise.

Restrictions
on operation
of swimming
pool.

PART III—*Duties and Responsibilities of Owners and Operators of Swimming Pools, contd.*

(2) The operator shall—

- (a) keep all records referred to in paragraph (1) for at least one year; and
- (b) make all such records available, on demand, to the Medical Officer (Health).

12. Every owner or operator of a public swimming pool shall take such steps as are necessary to ensure that—

Maintenance.

- (a) all components of the re-circulation system of the swimming pool are properly maintained and functioning;
- (b) all surfaces of the deck and walls are maintained in a sanitary condition;
- (c) all surfaces of the deck and walls are free from obstructions which are likely to cause accidents or injury to users of the pool;
- (d) where changing rooms, toilets, shower and other facilities are provided, such facilities are made available to bathers before they enter the swimming pool;
- (e) except for markings for safety or competition purposes, the submerged surfaces of the pool are of such colour that the clarity and visibility of the water in all sections of the pool are not compromised;
- (f) where there is a general or an open area, the deck is clearly delineated, by markings or by other means, from the general or open area;
- (g) the perimeter drain of the pool is kept free of debris;
- (h) adequate provisions are made for the storage and handling of all chemicals used in or around the pool;
- (i) where foot sprays are provided for the pool, such sprays are properly maintained and functioning and kept in a sanitary condition;
- (j) where the pool is equipped with a diving board or diving platform, such board or platform has a non-slip surface-finish;
- (k) any exposed piping within the pool enclosure and inside the structure—
 - (i) is identified by and labeled with colour coded bands at least twenty-five millimetres wide and spaced along the piping at intervals not greater than 1.2 metres; or
 - (ii) the entire outer surface of the piping which conveys chlorine is painted yellow and the entire outer surface of the piping which conveys potable water is painted blue; and
- (l) the deck is constructed so as to prevent any inflow of storm water into the pool.

PART IV—*Water Safety*Water
Safety.

13.—(1) Every owner and operator of a public swimming pool shall take such steps as are necessary to ensure that—

- (a) written procedures for the microbiological control of the swimming pool are established and implemented;
- (b) the water in the pool is free from any contaminant which may be injurious to the health of users;
- (c) the water in the pool and its re-circulation system is kept separate from the make-up water drains;
- (d) the pool is maintained free from any matter or thing which may be injurious to the health or safety of users;
- (e) the water in the pool is of such clarity as to permit a black disc, one hundred and fifty millimetres in diameter on a white background located on the bottom of the pool at its deepest point, to be clearly visible from any point on the deck or at a distance of nine metres from the disc;
- (f) the pool water is treated with chlorine, a chlorine compound or a bromine compound, by means of an appropriate dosing device and maintained so that—
 - (i) the total alkalinity is not less than 80 milligrams per litre of water;
 - (ii) the pH value is within the range of 7.5 and 7.8;
 - (iii) there is a residue of free available chlorine in every part of the pool of not less than 0.5 milligram per litre where a chlorine residue of 1 to 1.5 milligrams per litre is the acceptable standard;
 - (iv) there is a faecal coliform limit of less than 1.1 (MPN) per 100 millilitres of water
- (g) where cyanurate stabilization is the sanitizing method of choice, there is a residue of free available chlorine of not less than one milligram per litre in association with a cyanuric concentration of not greater than sixty milligrams per litre;
- (h) where bromine or iodine is used to sanitize the pool, such substances are used together with algicides;
- (i) the use of any substance as an alternative to chlorine is adopted only after obtaining the approval of the Medical Officer (Health);
- (j) all procedures using ozone and electrolytic cells are approved by the Medical Officer (Health) and the bacteriology of the water in the pool is checked at monthly intervals;
- (k) all chemicals added to the water in the pool in order to maintain the pH value stipulated in paragraph (1) (f) (ii) and the disinfectant residue of the water in the pool are controlled by manual methods;

PART IV—*Water Safety, contd.*

- (l) the pH value and the disinfectant residue are automatically determined and displayed or continuously recorded;
 - (m) except for a swimming pool in a tourist establishment with less than twenty-five rooms for the use of its guests, the chlorine or bromine residue and the pH value of the pool water are determined and recorded at least one-half hour before bathers are admitted to the pool and thereafter at intervals not exceeding two hours, for as long as the pool is open for use by the public;
 - (n) a water meter which measures and registers the volume of all make-up water added to the pool water is provided; and
 - (o) in respect of a swimming pool that forms part of a complex of villas, resort cottages, guest houses or apartments for tourist accommodation, a system for the maintenance of water safety for the pools is developed and implemented;
- (2) Where the Medical Officer (Health) determines that the health of users may be adversely affected, he may require a higher minimum chlorine or bromine residue than that stated in paragraph (1).
- (3) Every operator shall, at least once daily—
- (a) determine the pH value and the free available and total chlorine residue by means of manual test methods; and
 - (b) check the automatic sensing devices so as to ensure that the pH value of the water and the disinfectant residue in the pool is maintained.

PART V—*Daily Records*

14.—(1) Every operator of a public swimming pool shall keep and authenticate, by his signature, daily records which shall set out—

Records to
be kept.

- (a) the free available chlorine and the total chlorine residue in the pool water or, where a bromine compound is used, the total bromine residue;
 - (b) the pH value of the water in the pool;
 - (c) the temperature of the water in the pool;
 - (d) the total number of bathers admitted to the pool each day;
 - (e) the readings on the make-up water meter;
 - (f) details of any emergency, rescue or breakdown of equipment which occur;
 - (g) the date and time at which necessary action is taken to correct or deal with any matter mentioned in sub-paragraph (f);
 - (h) the schedules for and records of the maintenance of the pool and equipment maintenance.
- (2) A record of the information referred to in paragraph (1) shall be retained for a minimum period of one year after the date of its making.

PART V—*Daily Records, contd.*

(3) Every owner or operator of a public swimming pool shall keep daily records of maintenance operation readings and procedures and all such records shall be retained for a period of one year and shall include—

- (a) the dates, times and results of all water chemistry tests;
- (b) the dates and times of filter backwash or cleaning;
- (c) the dates on which the pool is emptied and cleaned;
- (d) any malfunction or repairs of machinery and equipment;
- (e) accidents and injuries;
- (f) the signature of the person responsible for preparing the record;
- (g) the signature of the supervisor or controller on duty at the time of the making of the record.

(4) Paragraphs (1) and (3) shall not apply to a swimming pool in a tourist establishment with less than twenty-five rooms for the use of its guests.

15. The daily records required by this Part, shall be compiled into monthly reports and submitted promptly to the Medical Officer (Health).

Reports to be sent to the Medical Officer.

PART VI—*Sanitary Facilities*

16.—(1) Every owner or operator of a public swimming pool shall take such steps as are necessary to ensure that—

- (a) the deck, dressing and locker rooms, toilets, showers and other facilities relating to them are—
 - (i) kept clean, disinfected and are not slippery;
 - (ii) free of obstruction;
 - (iii) properly sanitized and ventilated so as to remove odours;
- (b) toilets are supplied with toilet paper, a hand washing sink, germicidal soap, paper towels or hand blowers for the drying of hands and a waste bin;
- (c) separate toilet and changing room facilities are provided for males and females; and
- (d) appropriate facilities are provided for solid waste collection and disposal.

Provision of sanitary facilities at public swimming pools.

(2) Where cloth towels are provided at a toilet facility, the operator shall cause—

- (a) such towels to be laundered and disinfected before use and stored in a sanitary manner; and
- (b) soiled or used towels to be stored separately from clean towels.

PART VI—*Sanitary Facilities, contd.*

(3) Every bather shall take a cleansing shower before entering the deck.

(4) [*Deleted by L.N. 91B/2004.*]

(5) The operator shall cause—

- (a) all floors in or around the pool and deck area to be cleaned every two hours or at such other intervals as may be necessary;
- (b) the locker rooms to be dry-swabbed and deodorized;
- (c) the toilets to be flushed by an attendant where bathers have failed to do so; and
- (d) soap and paper supplies to be checked by an attendant at hourly intervals.

(6) In this regulation “solid waste” includes useless materials or by-products, within or around a swimming pool.

PART VII—*Diving Platforms*

17. Where a diving platform that is higher than three metres above the water is provided in a public swimming pool, the operator of that pool shall cause—

Safety measures for diving platforms.

- (a) the gate giving access to the platform to be kept locked except during periods when the platform is in use;
- (b) the pool to be used for diving only when the platform is in use, unless a rigid barrier or double safety lines 300 millimetres apart, supported by buoys, are in place and located from the wall under the platform—
 - (i) at 11.60 metres in the case of a 5 metre high platform;
 - (ii) at 12.50 metres in the case of a 7.5 metre high platform; and
 - (iii) 15.25 metres in the case of a 10 metre platform; and
- (c) activities other than diving to be effectively confined to the area of the pool which is outside the diving area;

PART VIII—*Safety*

18.—(1) Every operator of a public swimming pool shall cause—

- (a) safety equipment to be kept in good working order and available for use at the pool;
- (b) depth markers to be posted within 38.1 millimetres of the edge of the water and so positioned that they can be read from the deck;
- (c) subject to regulation 5(2), trained lifeguards to be hired in accordance with the following ratio—

Safety equipment and materials.

PART VIII—*Safety, contd.*

- (i) at least one licensed lifeguard for every twenty users of the pool and the deck area;
 - (ii) at least two licensed lifeguards for every twenty-one to fifty users of the pool and the deck area; or
 - (iii) at least four licensed lifeguard or every fifty-one to one hundred users of the pool and the deck area: Provided that—
 - (a) no licensed lifeguard is required in the case of a Class B swimming pool located at a villa, resort cottage, guest house and apartment complex; and
 - (b) the operator shall give prior notification of the provisions of paragraph (A) to the occupants of the accommodation referred to in that paragraph and to guest.
- (2) Every owner of a swimming pool shall take such steps as are necessary to ensure that—
- (a) there is no protrusion, extension, obstruction or any other means of entanglement in or adjacent to the swimming pool which could cause a bather to become trapped or injured;
 - (b) procedures for the safety of bathers are established and enforced;
 - (c) signs are posted around the swimming pool indicating the location of the nearest telephone, and the telephone numbers for the police, rescue units, physicians, ambulance and emergency services and hospitals;
 - (d) signs are posted which caution every user against the possible dangers of unsupervised use of the swimming pool and its facilities;
 - (e) special signs are posted which caution elderly or disabled persons with heart disease, diabetes, hypotension or hypertension against the possible dangers of unsupervised use of the swimming pool and its facilities;
 - (f) signs are posted and provision is made to prevent unsupervised use of the facilities by children;
 - (g) signs are posted advising persons using alcohol, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics or tranquilizers against the possible dangers of using the swimming pool whilst using such preparation;
 - (h) there are written emergency and operational procedures and instructions placed in a conspicuous place at the swimming pool which are to be implemented in the event of an emergency;
 - (i) every employee working in the vicinity of the swimming pool is trained in first-aid and emergency procedures.

PART IX—Miscellaneous

19.—(1) The owner or operator of a public swimming pool shall place in at least two conspicuous places on the deck, notices specifying—

Notices to be exhibited at public swimming pools.

- (a) that no person with a communicable disease or having an open wound or sore on his body shall enter the swimming pool;
- (b) that no person shall bring a glass container on to the deck or into the swimming pool;
- (c) that no person shall urinate, defecate, spout water from the lips or blow the nostril in the swimming pool or on the deck;
- (d) [*Deleted by L.N. 91B/2004.*];
- (e) the maximum number of bathers allowed on the pool deck and in the swimming pool at any time;
- (f) the location of any telephone which may be available for emergency use.

(2) The owner or operator shall place in a conspicuous position at the entrance to each shower area, a notice specifying that each bather is required to take a shower before entering the swimming pool.

(3) The owner or operator shall place in a conspicuous position by a telephone, a notice identifying it as being available for emergency use only, and listing the names and locations of persons on duty who are available for resuscitation and other medical aid and fire service.

(4) The owner or operator shall post at or near the pool deck, notices in characters of not less than 100 millimetres high, which set out the depths of the water attraction and indicating its deep points.

(5) The owner or operator of a public swimming pool which is located in a tourist establishment shall—

- (a) notify each guest of the contents of regulations 18 (2) (c), (d), (e), (f), (g) and (i) and 19 (1) (a) and (c);
- (b) display such notification on notice boards in conspicuous places near the swimming pool.

20.—(1) An inspector may, at all reasonable times, enter the swimming pool premises and make such inspections, examinations and enquiries as he deems necessary to ensure compliance with these Regulations.

Inspections.

(2) The Minister may, from time to time, designate any person to be an inspector for the purposes of these Regulations, and shall give every such inspector a certificate of designation; and that inspector shall, on request, display the certificate to the owner or operator of the swimming pool being inspected pursuant to these Regulations.

22. Any person who contravenes or fails to comply with any of these Regulations for which breach no penalty is provided, shall, on summary

General penalties.

PART IX—*Miscellaneous, contd.*

conviction before a Resident Magistrate, be liable to a fine not exceeding fifty thousand dollars and in default of payment thereof to imprisonment for a term not exceeding twelve months.

Appeals.

23. Any person aggrieved—

(a) by the decision of the Medical Officer (Health) refusing to grant, or refusing to review a decision to grant a permit to operate a swimming pool;

(b) by a decision of the Medical Officer (Health) cancelling, revoking or suspending such permit,

may, within twenty-one days of notification of that decision, appeal in writing to the Minister under section 29 of the Public Health Act.

SCHEDULE

(Regulation 5)

FORM A

THE PUBLIC HEALTH ACT

Application for Permit to Operate Public Swimming Pool

TO: MEDICAL OFFICER (HEALTH)

I
Name of Applicant

of
Address of swimming pool

do hereby apply to operate a public swimming pool at the above location.

I understand that if the permit is granted, the provisions of the Public Health (Swimming Pools) Regulations, 2000 shall be strictly complied with.

I enclose the application fee of

.....
Signature of Applicant or
authorized person

.....
Date

THE PUBLIC HEALTH (SWIMMING POOLS) REGULATIONS, 2000

SCHEDULE

(Regulation 5 (2))

FORM B

THE PUBLIC HEALTH ACT

Permit to Operate Public Swimming Pool

This is to certify that the swimming pool located at in the parish of has been inspected by an inspector appointed by the Medical Officer (Health) on the day of and the said swimming pool has been found to be in compliance with the requirements of the Public Health (Swimming Pools) Regulations, 2000.

The swimming pool is classified as

This permit is valid until the day of

..... Name of Applicant

..... Address of Applicant

Dated the day of

..... Medical Officer (Health)

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14 (1))

THE PUBLIC HEALTH (TOURIST ESTABLISHMENTS) REGULATIONS, 2000

(Made by the Minister on the 28th day of June, 2000)

L.N. 71/2000
91A/2004

[1st August, 2000]

PART I—Preliminary

1. These Regulations may be cited as the Public Health (Tourist Establishments) Regulations, 2000. Citation.

2. In these Regulations— Interpretation.

“eating establishment” means any place or building in which food is prepared or served within a tourist establishment and includes establishments offering or providing one or all of the following dining arrangements—

- (a) all-inclusive dining arrangements only;
- (b) all-inclusive dining arrangements together with dining arrangements *a-la-carte*; or
- (c) dining arrangements *a-la-carte* only;

“grey water” means waste water from lavatory basins, kitchen sinks, flooring, drains and elsewhere which does not contain sewage;

“guest” means any person who stays at or otherwise enjoys the facilities of any tourist establishment, on payment of a fee;

“hazard” means any physical, chemical or micro-biological or other agent which is likely to cause a health risk;

“hazardous material” includes gasoline, kerosene, fuel oil, explosives, pesticides, rodenticides, insecticides, herbicides, disinfectants and cleansers;

“health certificate” means a certificate issued under regulation 4, in respect of a tourist establishment;

“high risk food” means any food consisting in whole or in part of milk or milk products, egg, meat, poultry, fish, shell fish, edible crustacea or other ingredients in a form capable of supporting rapid growth of infectious or toxigenic micro-organisms;

“inspector” means a public health inspector or any qualified person duly authorized to inspect tourist establishments pursuant to regulation 56;

“owner” or “operator” means any person who owns or operates, as the case may be, an eating establishment or a tourist establishment;

PART I—*Preliminary, contd.*

“premises” means all parts of a building and includes its messuages, surrounding property, roadways, drainage systems, buildings and out-buildings;

“public health requirements” means—

- (a) the requirements set out under or pursuant to the Public Health Act; and
- (b) the minimum operational health standards required to be met by any tourist establishment applying to be issued a health certificate under these Regulations;

“registered nurse” means a nurse registered under the Nurses and Midwives Act;

“restricted area” means—

- (a) any food handling area;
- (b) any area where hazardous materials or equipment are stored;
- (c) any area where exposure to harm is likely; or
- (d) any other area whatsoever, designated by the operator of a tourist establishment to be a private or restricted area with access permitted only to persons authorized by him;

“solid waste” means material or by-product, solid or semi-solid, generated by a tourist establishment;

“surveillance system” means an on-going systematic collection, analysis, accumulation and interpretation of health information undertaken by inspectors in order to monitor the state of health of guests and employees within tourist establishments;

“Tourist Board” means the Tourist Board established under the Tourist Board Act;

“tourist establishment” means a hotel, resort cottage, villa, guest house, apartment complex or any other such accommodation, with or without facilities for the preparation of meals, offering accommodation to guests, for reward, and includes the premises thereof.

(3) The provisions of these Regulations shall be applicable to the entire Island.

PART II—*Health Certificates*

4.—(1) Every person who intends to operate or operates a tourist establishment shall apply to the Medical Officer (Health) for a health certificate in respect of that tourist establishment in the form set out in Part I of the First Schedule.

(2) The Medical Officer (Health) shall, on receipt of an application under paragraph (1), cause an inspection of the premises to be carried out in accordance with regulation 56.

PART II—*Health Certificates, contd.*

(3) Where the inspection is satisfactory and the premises show compliance with the public health requirements and these Regulations, a health certificate may be issued in respect of the tourist establishment.

(4) A health certificate issued under paragraph (3) shall—

- (a) be in the form set out in Part II of the First Schedule;
- (b) be subject to such terms and conditions as may be specified therein; and
- (c) subject to regulation 5, remain in force for a period of twelve months from the date thereof, and may be renewed annually upon the applicant satisfying the Medical Officer (Health) that the tourist establishment is fit to be issued with a health certificate.

First
Schedule.
Part II.

(5) Every application for the issue of a health certificate or for the annual renewal thereof under this regulation, shall be accompanied by the fee specified in Part III of the First Schedule.

Part III.

(6) The operator of any tourist establishment that fails to satisfy public health requirements after three consecutive inspections, or within three months of a first inspection, whichever occurs first, shall apply to the Medical Officer (Health) for a new health certificate.

5.—(1) Subject to regulation 7, the Medical Officer (Health) may—

- (a) amend the terms and conditions upon which a health certificate is issued;
- (b) suspend the health certificate, if the provisions of these Regulations are being breached; or
- (c) revoke the health certificate of any tourist establishment—
 - (i) where the nature and scope of its operations have been so altered as to cause it to cease to be an eating establishment for the purposes of these Regulations; or
 - (ii) where any other condition exists in the establishment which is likely to endanger the health or safety of guests or employees thereof.

Suspension,
amendment
and revoca-
tion of health
certificate.

(2) Where, pursuant to paragraph (1), the Medical Officer (Health) suspends or revokes a health certificate or amends the terms and conditions specified therein, he shall, in writing, within five days, inform the Jamaica Tourist Board of the suspension, revocation or amendment, as the case may be, and the reasons therefor.

6. Every operator of a tourist establishment shall display, in a conspicuous location on the premises, the current health certificate issued under regulation 4 in respect of that tourist establishment.

Display of
health
certificate.

PART II—*Health Certificates, contd.*

Recommendation for review, etc., of tourist establishment licence.

7.—(1) Where a health certificate is refused, suspended, or revoked in respect of a tourist establishment, the Medical Officer (Health) may recommend to the Tourist Board that the licence of that establishment be reviewed, suspended or revoked.

(2) Before refusing, suspending or revoking a health certificate under paragraph (1) the Medical Officer (Health) shall notify the holder in writing of the proposed review, suspension or revocation, as the case may be—

- (a) stating the reasons therefor;
- (b) requiring the holder of the certificates to remedy the breach within the time specified in the notice;
- (c) stating that the certificate is to be returned, in the case of a suspension or revocation within the time specified forthwith to the Medical Officer (Health).

(3) The holder of a health certificate who is served with a notice under paragraph (2) shall, after remedying the breach which gave rise to the suspension, notify the Medical Officer (Health) in writing that the breach has been remedied.

(4) The Medical Officer (Health) shall, upon receipt of a notice referred to in paragraph (3), cause an inspection to be carried out and if the Medical Officer (Health) is satisfied that the breach has been remedied, he shall withdraw the notice of suspension or revocation, as the case may be.

Approval for construction, etc.

8.—(1) Every owner or other person who proposes to construct or renovate a tourist establishment shall first obtain approval from the Medical Officer (Health) before commencing such construction or renovation.

(2) An application under paragraph (1), shall be accompanied by the following information in respect of the eating establishment—

- (a) a brief description of its operations, if any, of the proposed operations, and the equipment used or proposed to be used therein;
- (b) a chart of the food flow plan;
- (c) a description of its cold chain, storage capacity and sanitary conveniences;
- (d) a site plan of the entire premises showing the location of all buildings and roadways adjoining the proposed building and all streams, wells, swamps, reservoirs and storage tanks on the premises;
- (e) a floor plan of the eating establishment indicating the location of walls, partitions, posts, doorways and windows, sinks and floor drainage, openings and gutters, ventilators and fans, equipment, lockers and shelves, hot and cold water connections, hand washing facilities, work stations, locker rooms, toilets and urinals;

PART II—*Health Certificates, contd.*

- (f) a sanitary engineering plan of the floor drainage system and toilet lines;
- (g) notation on water supply, method of sewage disposal, description of trapping and venting of drainage line.

(3) Every owner or operator who constructs or renovates any tourist establishment shall, on completion of such construction or renovation, notify that fact in writing to the Medical Officer (Health).

(4) The Medical Officer (Health) shall, on receipt of the notification under paragraph (3), cause an inspection of the premises to be carried out, to ensure that public health requirements are complied with.

(5) The Medical Officer (Health) shall take all such reasonable measures as are necessary to prevent the opening, operation or re-opening of any tourist establishment which has—

- (a) failed to satisfy public health requirements; or
- (b) not been issued with a health certificate under these Regulations.

9. The Medical Officer (Health) may order the closure of any tourist establishment or the kitchen or other food preparation or serving area of an eating establishment which fails to meet or maintain public health requirements.

Ordering any tourist establishment, etc., closed.

PART III—*Food Safety*

10.—(1) Every owner or operator of an eating establishment other than a villa, resort cottage, guest house, apartment complex or other similar accommodation shall take such steps as are necessary to ensure, to the satisfaction of the inspector, that—

Register of food suppliers to be maintained.

- (a) a register of all food suppliers is kept and available for examination by an inspector at all reasonable times;
- (b) procedures are put in place to receive and inspect food for their safety and wholesomeness;
- (c) procedures are put in place to sort and store food supplies in such a manner as to prevent contamination and to allow for evaluation of its wholesomeness.

(2) Every register kept pursuant to paragraph (1) shall specify the quantity and type of food and the date on which it was supplied.

11.—(1) The owner or operator of an eating establishment shall take such steps as are necessary to ensure that—

Duties of owner in respect of storage.

- (a) a report on inspections conducted under regulation 10, on foods received and their sources, is compiled, maintained and kept on

PART III—*Food Safety, contd.*

premises, together with records of rejected food supplies and notified to the Medical Officer (Health) immediately;

- (b) appropriate equipment and facilities are provided to monitor and maintain the temperature and humidity of rooms in which food, other ingredients, packaging and raw materials are kept;
- (c) appropriate equipment and facilities are provided to maintain the temperature of rooms a minimum of eighteen to twenty degrees centigrade and at a relative humidity of seventy per cent.

(2) Paragraph (1) (a) and (c) shall not apply to villas, resort cottages, guest houses, apartment complexes or other similar accommodation.

12. The operator of every eating establishment shall take such steps as are necessary to ensure that—

- (a) raw materials, ingredients and packaging materials are physically separated from cooked or otherwise prepared foods;
- (b) all food is stored at a minimum height of eighteen centimeters above the floor;
- (c) there is a system to monitor and record room and food temperatures;

13.—(1) The operator shall cause all detergents, sanitizers and other chemicals used in the tourist establishment to be properly utilized, labelled and stored.

(2) The operator shall establish systems to ensure that—

- (a) hazardous materials are transported, stored and used in such a manner as to prevent health or environmental problems;
- (b) food and drinking water are not contaminated with any hazardous materials, including those mentioned in paragraph (a);
- (c) hazardous materials and other similar substances are kept in clearly labelled containers and are not transferred to inaccurately labelled or unlabelled containers.

14. Every person transporting food to a tourist establishment shall cause all such food to be transported in a manner so as to reasonably prevent contamination of the food and in accordance with regulation 15 of the Public Health (Food Handling) Regulations, 1998.

15.—(1) Every owner and operator of an eating establishment shall take such steps as are necessary to ensure, to the satisfaction of the inspector, that the provisions specified in this regulation are complied with.

Approval for construction, etc.

Storage of hazardous chemicals.

Transporting food.

Cleaning, sanitization and hand-washing facilities.

PART III—Food Safety, *contd.*

(2) The eating establishment shall be kept clean, free from vermin and unpleasant odours and generally in a sanitary condition.

(3) All surfaces and areas used for food preparation shall be cleaned and sanitized after each use.

(4) All surfaces with which food comes in contact shall be made from material which is non-absorbent, non-toxic, smooth, free from pitting and joints and able to withstand repeated cleaning and sanitization.

(5) Every food preparation area shall be provided with an adequate supply of hot and cold running water, detergent and equipment for cleaning and sanitizing dishes and utensils.

(6) All equipment and utensils shall be cleaned, sanitized and stored in a manner which is not likely to result in contamination by any substance.

(7) At least one hand-washing facility shall be installed and maintained—

(a) for every forty square metres of floor space;

(b) in each principal area where food is handled, prepared, stored or served,

and every hand-washing facility shall be equipped with hot and cold water, a soap dispenser and either an electric hand blower or disposable paper towels for drying hands after washing.

16.—(1) The operator of an eating establishment shall—

(a) at all times, cause the temperature of the food to be monitored.

(b) take such steps as are necessary to ensure that—

(i) utensils with long handles are utilized by employees and guests when serving foods; and

(ii) the utensils are changed as often as necessary or rinsed and air-dried between servings.

(2) This regulation shall not apply to villa, resort cottage, guest house, apartment complex or other similar accommodation.

17. Every owner and every operator of an eating establishment shall provide refrigeration capacity and equipment, to the satisfaction of the inspector.

18.—(1) The operator of an eating establishment shall put in place a system to monitor and keep records of temperature controls throughout the eating establishment and shall cause the temperature requirements set out in paragraph (2) to be maintained at all times.

(2) The operator of every eating establishment shall take such steps as are necessary to ensure that the following provisions are complied with—

(a) all perishable and prepared foods shall be refrigerated promptly at a maximum temperature of five degrees centigrade;

Food service.

Refrigeration equipment.

Temperature and humidity controls.

PART III—*Food Safety, contd.*

- (b) appropriate arrangements shall be made to monitor and maintain the temperature and humidity of rooms in which raw and prepared foods, other ingredients and packaging and raw materials are kept or prepared;
- (c) hot foods shall be maintained at a minimum temperature of sixty-three degrees centigrade;
- (d) foods shall be cooked to proper internal temperatures of—
 - (i) seventy degrees centigrade, in the case of pork;
 - (ii) seventy-four degrees centigrade, in the case of poultry and stuffed meats;
 - (iii) minimum seventy degrees centigrade, in the case of beef and other meats (unless, in the case of beef, otherwise requested by the consumer);
- (e) all refrigerated cooked foods shall be reheated to a minimum temperature of seventy-four degrees centigrade before serving;
- (f) frozen foods shall be kept at a temperature below minus eighteen degrees centigrade.

(3) Paragraph (1) and 2(b) shall not apply to villas, resort cottages, guest houses, apartment complex or other similar accommodation.

Equipment to be serviced and maintained.

19.—(1) All equipment used in the eating establishment shall be serviced and otherwise maintained in accordance with public health requirements.

(2) Every owner or operator of an eating establishment shall take such steps as are necessary to ensure that—

- (a) all utensils, cutlery, equipment, machines or other gadgets used in the preparation or service of food are properly cleaned and sanitized after each use, in a manner approved by the Medical Officer (Health);
- (b) equipment is properly vented and maintained;
- (c) functional thermometers and equipment, including all refrigeration equipment, cooking equipment, food holding equipment and warewashing equipment are of a type approved by the Medical Officer (Health) and are provided and installed;
- (d) all equipment and utensils are designed and installed with a view to preventing the contamination of foods;
- (e) all equipment and utensils are constructed with corrosion-resistant materials;
- (f) all surfaces and food preparation areas are cleaned and sanitized at least twice daily;

PART III—*Food Safety, contd.*

- (g) all instructions and warnings, together with a schedule of the proper cleaning and maintenance of dangerous machines, are displayed in a conspicuous position on the premises;
- (h) instructions or warnings are issued, for the safe use of dangerous machine, and are displayed in a conspicuous position on the machine or near thereto.
20. All overhead structures, fixtures and fittings in an eating establishment—
- (a) shall be installed in such a manner as to prevent contamination of food, whether—
- (i) directly or indirectly; or
 - (ii) by condensation, drip or otherwise; and
- (b) shall be of a design and finish which—
- (i) is likely to prevent the accumulation of dirt;
 - (ii) will minimize condensation, mould development and flaking; and
 - (iii) allows for easy cleaning.
- 21.—(1) All food-handling areas in an eating establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall be equipped with—
- (a) appropriate ventilation systems which are able to remove odours, smoke and contaminated air,
- (b) exhaust fan ventilators installed above cooking units and other appropriate equipment, which effectively remove vapours from grease, strain and smoke;
- (c) ventilator systems designed to avoid back-drips of contaminating materials into food or on to any surface where food is handled.
- (2) The operator shall take such steps as are necessary to ensure that—
- (a) the air flow within the food-handling area is not directed from a dirty area to a clean area;
- (b) noxious fumes are not vented into public areas, unless suitable filters are installed so as to avoid creating a health hazard or nuisance;
- (c) all filters are removable and cleaned at regular, timely intervals;

Overhead structures, fixtures and fittings.

Ventilation of food-handling areas.

PART III—*Food Safety, contd.*

- (b) the ventilation systems are kept free from—
 - (i) grease and dust accumulation;
 - (ii) insects and rodents; and
 - (iii) contaminating materials or agents;
- (e) the ventilation system is located so as to prevent—
 - (i) direct contact of air with food; and
 - (ii) any activities within the food handling area;
- (f) ventilation openings are equipped with screens or other protective devices made of non-corrosive material;
- (g) the ventilation system is maintained at 18 degrees Celsius and at 70 per centum humidity in all areas where food is handled.

Handling, storage, etc., of high risk foods.

22. All high risk foods in an eating establishment shall be handled, stored, prepared and served in such a manner as to eliminate health risks.

Insect and rodent control.

23.—(1) The owner or operator shall take such steps as are necessary to ensure that—

- (a) all windows located in areas where food is handled, prepared or served are equipped with close-fitting screens of a type which prevents the entry of flies and other pests, dust and other extraneous matter;
- (b) areas where food is handled, prepared or served are fitted with self-closing, close-fitting screen doors to exclude all insects and other pests;
- (c) measures are taken to effectively prevent infestation by rodents, insects and other pests.

Floors, walls, ceilings, etc., of establishment.

24.—(1) The floor of the kitchen in an eating establishment shall be maintained in a clean, dry and otherwise good condition.

(2) Where any tile becomes damaged, or where uneven surfaces or open joints occur in an eating establishment, the operator shall cause them to be repaired promptly.

(3) All walls, ceilings, partitions and doorways in the eating establishment shall be kept clean and in good repair.

(4) All windows and other openings in the eating establishment—

- (a) shall be maintained so as to prevent the accumulation of dirt; and
- (b) shall be fitted with removable 1.55 millimetre insect-proof mesh screens which shall be kept clean and in good repair.

PART III—*Food Safety, contd.*

(5) All internal window sills shall be sloped so as to prevent their being used as shelves.

(6) All doors shall be fitted and hinged so as to ensure that they are fly-proof and self-closing.

PART IV—*Safety and Conduct*

25. Every operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall take such steps as are necessary to ensure that—

Safety requirements.

- (a) all workers are trained in occupational safety hazards awareness, risk reduction and first-aid procedures;
- (b) all facilities of the establishment, including its dining areas, are maintained so as to prevent the entrance and harbouring of pests and other animals and environmental contaminants including smoke and dust.

26.—(1) The owner or operator shall—

Restricted areas.

- (a) cause signs to be placed in all restricted areas of the tourist establishment, restricting access thereto to authorized members of staff, and;
- (b) where directed by an inspector to do so or where appropriate, shall cause fences to be erected around any such area.

(2) Paragraph (1) shall not apply to villas, resort cottages, guest houses, apartment complexes or other similar accommodation.

27. Every owner or operator of a tourist establishment shall ensure that hazardous substances are stored away from living quarters, food preparation areas and recreation areas.

Hazardous substances.

28.—(1) The operator of a tourist establishment shall—

Material safety data sheet.

- (a) keep in respect of every hazardous chemical procured for use in the establishment, the material safety data sheet which is ordinarily enclosed with the hazardous chemical in its packaging, or a copy thereof; and
- (b) ensure that the provisions of every such data sheet are observed by all users of the chemical.

(2) Where no material safety data sheet is enclosed in the packaging of the hazardous chemical, the operator shall—

- (a) take all reasonable steps to obtain the safety data sheet or a copy thereof; or
- (b) contact an inspector with a view to obtaining instructions thereon and carrying out same.

PART V—*Medical and First-Aid Facilities*

Medical
preparedness.
Second
Schedule.

29.—(1) Every operator of a tourist establishment shall cause a weekly surveillance report to be completed in the form specified in the Second Schedule and shall promptly submit that report to the Medical Officer (Health).

(2) Every owner and operator of an eating establishment shall take such steps as are necessary to ensure that—

- (a) medical and first-aid services are available on the premises for guests and staff, in clearly identified and appropriate areas;
- (b) first-aid medication is kept available on the premises for the treatment of guests and staff, as may be directed by the Medical Officer (Health);
- (c) details of every case where a guest or member of staff becomes ill or suffers injury and is seen or attended to by a registered nurse or medical practitioner are recorded in the weekly surveillance report of the tourist establishment.

(3) The owner or operator of a tourist establishment having 100 rooms or more, shall—

- (a) employ the services of a registered nurse who shall be on duty for specified hours per day and whose service shall be otherwise available to guests and staff of such tourist establishment in cases of emergency;
- (b) establish a nurse's station where, in the event of illness or injury, the services of that nurse may be sought by guests and employees.

(4) Where the registered nurse is absent from the nurse's station, the owner or operator shall—

- (a) take such steps as are necessary to ensure that a medical practitioner is so advised; and
- (b) in the event of illness of or injury to a guest or employee, make arrangements for contacting the medical practitioner and securing his services.

(5) The owner or operator of a tourist establishment having less than 100 rooms shall secure the services of a registered nurse or medical practitioner in the event of illness or injury of a guest or employee.

(6) Paragraphs (1), (2) (a) and (c) and (3) shall not apply to villas, resort cottages, guest houses, apartment complexes or other similar accommodation.

Reports of
outbreaks of
communicable
disease.

30. Where there is suspicion or confirmation of any communicable disease or food-borne illness at a tourist establishment, a report shall be made within twenty-four hours to the Medical Officer (Health) by—

- (a) the medical practitioner or nurse who attended to the person who contracted the disease; and
- (b) the owner or operator.

PART VI—*Water Supply and Lighting Facilities*

31.—(1) Every tourist establishment shall be provided with an adequate and continuous supply of potable water from a sanitary source, being from—

Duties of owners and operators in respect of water.

- (a) the National Water Commission;
- (b) the Parish Council of the parish in which the eating establishment is situated pursuant to the Parishes Water Supply Act; or
- (c) any other source approved by the Medical Officer (Health) which is maintained in compliance with public health requirements.

(2) Every owner and every operator of a tourist establishment shall take such steps as are necessary to ensure that—

- (a) the water supply is properly distributed throughout the eating establishment and is of the pressure recommended by the inspector;
- (b) a routine monitoring system is implemented to meet the specifications for water quality as recommended by the inspector;
- (c) the water quality on the premises is checked weekly for residual chlorine by the owner, operator or other authorized persons;
- (d) an approved treatment and testing programme is instituted for water distributed on the premises;
- (e) a record of all test results is kept, and presented on request, to the Medical Officer (Health) or the inspector, as the case may require;
- (f) hot and cold water under pressure is provided in all areas where food is prepared or equipment and utensils are washed or sanitized;
- (g) all water storage tanks on the premises are covered and access to them is limited to authorized persons only;
- (h) every storage tank on the premises is so constructed and so maintained as to enable easy draining, cleaning and sanitization;
- (i) water piped into the eating establishment is transported, handled, stored and dispensed in a sanitary manner so as to minimize the risk of contamination;
- (j) all ice used in the tourist establishment is made from potable water.

(3) A daily record of the chlorine residue of water shall be kept by the operator of the eating establishment.

32.—(1) Every owner of a tourist establishment shall install water storage tanks which can be drained, cleaned and sterilized on a regular basis without causing damage to the tank.

Water storage and use.

(2) Supplies of potable water shall be stored in the tanks referred to in paragraph (1).

PART VI—*Water Supply and Lighting Facilities, contd.*

(3) The operator shall cause—

- (a) all water storage tanks to be—
 - (i) cleaned and sterilized at least once in every six month period;
 - (ii) covered and access to them shall be limited to authorized persons wearing suitable identification;
- (b) all water piped into the tourist establishment to be transported, handled, stored and dispensed in a sanitary manner;
- (c) all containers used to dispense water to be sanitary and to conform to all public health requirements; and
- (d) all water, when not in use, to be stored in restricted areas so as to avoid contamination.

Polluted water.

33. The owner of every tourist establishment shall take such steps as are necessary to ensure that there are no connections or conditions which could allow back-flow or back-siphonage or cross-contamination of polluted or suspected water into the water supply.

Grey water.

34. Every owner of a tourist establishment shall provide—

- (a) facilities for the drainage of grey water;
- (b) separate drainage pipes for grey water and potable water;
- (c) a drainage system for grey water which is equipped with such traps and vents as are specified in writing by an inspector.

Drainage systems.

35. The grounds and surroundings of every tourist establishment shall be provided with adequate, efficient and properly maintained drainage systems to collect and dispose of excess rain or storm water.

Waste water systems.

36. Where an owner installs waste water systems of an approved design, as required under building standards pursuant to the Parish Councils Building Act or the Kingston and St. Andrew Building Act, he shall so maintain the water systems at all times, as to prevent any public health hazard or nuisance.

Lighting and ventilation.

37.—(1) The owner or operator of every tourist establishment shall cause to be installed—

- (a) adequate means of ventilation, either by a central ventilating system or by unit air conditioners;
- (b) lighting in accordance with paragraph (2).

(2) The lighting referred to in paragraph (1) (b) shall be as follows—

- (a) five hundred and fifty luxations in general food-handling, food preparation and dishwashing areas;

PART VI—*Water Supply and Lighting Facilities, contd.*

- (b) seven hundred and seventy luxations in the food preparation areas of kitchens;
- (c) two hundred and twenty luxations in work rooms;
- (d) between five hundred and fifty and eleven hundred luxations in serving areas;
- (e) three hundred and thirty luxations, in walk-in freezers and refrigerators;
- (f) between two hundred and twenty and three hundred and thirty luxations in locker rooms, toilets and other similar places;
- (g) one hundred and ten luxations in all other areas; or
- (h) such other luxation level as may, from time to time, be prescribed by the Minister after consultation with the Medical Officer (Health).

(3) Light bulbs and light fixtures located in areas where food-handling, preparation and serving take place, shall be fitted with shields to prevent contamination of food.

PART VII—*Employees in Tourist Establishments*

38.—(1) Where an employee in a tourist establishment is suffering from any communicable or notifiable disease or displays any other serious medical symptoms, the owner or operator shall—

Illnesses of
employees,
guests.

- (a) restrict the activities of that employee to areas of the tourist establishment where food is neither prepared nor handled; and
- (b) report the illness, disease or symptom to a registered nurse or medical practitioner, for medical treatment and directions.

(2) Where the registered nurse or medical practitioner diagnoses that an employee or guest is suffering from a highly contagious or communicable disease—

- (a) he may make recommendations to the owner or operator regarding the containment of the spread of the disease; and
- (b) he shall report the case to the Medical Officer (Health).

39. Every person working in food-handling areas within a tourist establishment shall maintain a high level of personal cleanliness and hygiene.

Hygiene.

40. Every person working in an eating establishment shall wear protective clothing, adequate hair covering, footwear and gloves and shall keep such items clean at all times.

Clothing.

PART VII—*Employees in Tourist Establishments, contd.*

Prohibition of smoking, chewing and eating.

41. No person working in a food-handling area shall eat, smoke, chew tobacco, or chew gum while he is in that area.

Washing hands.

42. Every food handler in an eating establishment shall wash his hands thoroughly with soap and water—

- (a) on entering a food-handling, preparation or serving area;
- (b) after handling contaminated materials;
- (c) after using the toilet; and
- (d) as often as necessary to keep his hands and fingernails clean.

Jewellery.

43. No person shall wear jewellery on his hands while he is in an area where food is handled or prepared.

Facilities for employees.

44.—(1) Every owner and operator of a tourist establishment shall provide adequate, safe and clean facilities for the employees in the tourist establishment and shall provide sanitary facilities in such ratios as are specified in the Third Schedule.

Third Schedule.

(2) The owner of every tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall provide for the use of his employees—

- (a) dressing rooms with individual lockers;
- (b) a lunch room;
- (c) flush toilets;
- (d) urinals;
- (e) showers;
- (f) hand-washing basins with hot and cold water;
- (g) germicidal soap;
- (h) single use paper towels; and
- (i) foot baths and hand dips.

(3) Washrooms, changing rooms, toilets and urinals shall not be located in area adjoining, near to or opening directly into food-handling, preparation or serving areas.

Food handlers' permits.

45.—(1) Every employee assigned to food-handling tasks shall be in possession of a food handlers' permit issued by the Medical Officer (Health).

First Schedule Part III.

(2) An application for a food handlers' permit under paragraph (1) shall be accompanied by the appropriate fee set out in Part III of the First Schedule.

PART VII—*Employees in Tourist Establishment, contd.*

(3) Every owner or operator of a tourist establishment shall keep a register of every person who is employed in an eating establishment in accordance with regulation 28 of the Public Health (Food Handling) Regulations, 1998 and such register shall be made available for inspection, on request, by the Medical Officer (Health) or an inspector.

46. The operator of an eating establishment shall take such steps as are necessary to ensure that each employee is trained in personal hygiene and the hygienic handling of food, in accordance with the training guidelines recommended by the Medical Officer (Health).

Training in hygiene standards.

47. The operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall compile and submit monthly, a self-inspection check-list report and action sheet therefor in the form set out in Parts I and II of the Fourth Schedule.

Self-inspection check-list. Fourth Schedule. Parts I and II

PART VIII—*Solid Waste Management*

48. The operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall provide, in writing, to the Medical Officer (Health) a waste management policy document setting out plans for the proper and efficient handling of all waste generated by the tourist establishment, including the hierarchy of responsibilities and supervision among employees.

Policy on waste management.

49.—(1) All solid waste in a tourist establishment shall be collected and kept in containers that—

Construction of waste containers.

- (a) are constructed of leak-proof, non-absorbent material and are rust resistant and fire resistant;
- (b) are cone-shaped, being wider at the top and, if made of metal, have a 5.08 centimetres rim at the base to prevent direct contact between the bottom of the container and the ground surface;
- (c) have two handles affixed to the sides so as to facilitate lifting and emptying;
- (d) have a capacity of eighty litres when full, or, does not exceed thirty-five kilograms in weight;
- (e) are provided with close fitting lids to prevent access by insects, rodents or animals;
- (f) unless kept in a special vermin-proof room or enclosure or in a waste refrigerator, are kept covered when not in use.

(2) Garbage containers shall be lined with plastic garbage can liners or wet strength paper bags which—

- (a) when full, can be removed and tied in preparation for collection and disposal;

PART VIII—*Solid Waste Management, contd.*

(b) are installed so that they fold over the top rims of the garbage cans.

(3) Separate containers shall be provided for wet and dry garbage materials.

(4) Waste containers shall—

(a) be kept covered when not in use; and

(b) be emptied as often as necessary to avoid any insanitary condition or nuisance.

(5) Each container shall be thoroughly washed, disinfected and dried after being emptied and a new liner installed prior to its re-use.

Solid waste
storage area.

50.—(1) The waste storage area of a tourist establishment shall be located—

(a) at a place convenient to the users of the kitchen; and

(b) in an area which is well-ventilated, weather-proofed and well-lit.

(2) The floor of the solid waste storage area shall be constructed of durable, rust resistant, cleanable material and the entire waste storage area shall be maintained in good condition.

(3) An adequate supply of running water shall be made available at the bulk storage area in order to facilitate regular cleaning and washing of the area.

(4) The area around each garbage container shall be kept clean and free of spilled material.

(5) The operator shall cause—

(a) all facilities used for the reception and transportation of waste, chemical and other non-food items to be physically separated from those used for the transportation and reception of food; and

(b) solid waste containing discarded food to be stored in such a manner as to be inaccessible to vermin and scavengers.

(6) All wet garbage shall be kept in a leak proof, rust resistant, non-absorbent, easily cleaned, durable, fire resistant, container, with a close fitting cover, and in an enclosed area until it is removed for disposal or processing;

(7) The temperature in the storage facilities, including garbage storage refrigerators and storage rooms, shall not exceed fourteen degrees Celsius;

(8) All bulk containers or compactors shall be placed on level, hard, cleanable, surfaces in an open area which is well-lit and the area shall be drained to a sewer, soak-away facility or other outfall.

PART VIII—*Solid Waste Management, contd.*

51. Where a system utilizing garbage grinders is employed at a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation), such grinders shall—

Garbage grinders.

- (a) be of adequate capacity for the estimated load of garbage;
- (b) discharge into an approved outfall; and
- (c) be cleaned and sanitized weekly.

52.—(1) All solid waste produced by the tourist establishment shall be disposed of—

Disposal of solid waste.

- (a) daily, or as frequently as directed by the Medical Officer (Health) and, in any event, with such frequency and in such manner as not to create a health hazard or a nuisance; and
- (b) at a facility approved by the Medical Officer (Health).

(2) Except for purposes of re-use, re-cycling or composting, no person shall dispose of any solid waste on the premises of a tourist establishment, unless such disposal is in accordance with the provisions of these Regulations.

(3) Any incinerator used for the disposal of solid waste, shall be designed to expose the waste to temperatures of between seven hundred and fifty and nine hundred degrees Celsius and the incineration process shall be carried out by an employee or other person trained to perform this function.

53. Every operator of a tourist establishment (other than a villa, resort cottage, guest house, apartment complex or other similar accommodation) shall keep records of the schedules—

Keeping records.

- (a) for the emptying, cleaning and sanitizing of all solid waste containers and equipment;
- (b) for the collection and disposal of garbage.

54.—(1) The area designated for waste storage and disposal shall be separate from the areas where food is received, stored or processed.

Disposal, etc., of garbage.

(2) All batteries, household cleaning agents, aerosol cans and similar materials shall be stored separately from food waste.

(3) Sewage shall be discharged into a municipal sewage main, the local main system, or to an on-site location approved by the Medical Officer (Health).

PART IX—*Miscellaneous*

55. The owner or operator of a tourist establishment shall take sufficient measures to prevent access by unauthorized persons to food handling areas and any other restricted area in order to prevent contaminations of such areas or the food therein.

Security measures.

PART IX—*Miscellaneous, contd.*

Inspections.

56.—(1) The Medical Officer (Health) or any other person authorized by him in writing may, from time to time, inspect any premises in respect of which a health certificate has been issued or in respect of which an application for a health certificate has been made.

(2) The Medical Officer (Health) may, from time to time, designate any authorized officer to be an inspector for the purposes of these Regulations, and shall give every such inspector a certificate of designation; and that inspector shall, upon request, display the certificate to the operator or owner of the tourist establishment being inspected.

Penalty.

57. Any person who contravenes any of these Regulations for which breach no sanction has been provided herein, commits an offence and shall be liable on summary conviction therefor before a Resident Magistrate to a fine not exceeding fifty thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

FIRST SCHEDULE

(Regulation 4 (1))

PART I

THE PUBLIC HEALTH ACT

Application for Health Certificate for Tourist Establishment

TO: THE MEDICAL OFFICER (HEALTH)

1. _____
(Name of tourist establishment)

(Address of tourist establishment)

do hereby apply to have a health certificate issued in respect of the abovenamed tourist establishment.

2. The bed capacity of the tourist establishment is _____
(No. of beds)

3. Members of the management team of the tourist establishment are as follows:

NAME	POST HELD	QUALIFICATIONS	NATIONALITY

4. Special facilities and services provided by the tourist establishment are—

(a) _____

(b) _____

(c) _____

5. There is/are _____ eating establishment(s) located on the premises of the tourist establishment.

FIRST SCHEDULE, *contd.*

PART I, *contd.*

6. Description of eating establishment and seating capacity

7. Specify whether new or now being operated

8. STATEMENT BY AUTHORIZED OFFICER

To the best of my knowledge, the following steps have been taken to comply with public health requirements by the owners/operators and members of staff of the tourist establishment—

Authorized Officer

Dated this _____ day of _____

FOR OFFICIAL USE ONLY

Documents in support of application

DATE OF INSPECTION _____

ISSUED _____

GRANTED _____

Authorized Officer

FIRST SCHEDULE, *contd.*

(Regulation 4 (3))

PART II



Health Certificate

THE PUBLIC HEALTH ACT

Health Certificate

No. _____

This is to certify that _____
Name of tourist establishment

situate at _____

has been inspected by _____, an inspector appointed for and on behalf of the Medical Officer (Health) on the _____ day of _____; and the said tourist establishment has been found to be in compliance with the public health requirements. This health certificate is granted subject to the terms and conditions specified in the Schedule.

SCHEDULE

(insert terms and conditions)

DATE OF EXPIRY _____

Medical Officer (Health)

Dated this _____ day of _____

FIRST SCHEDULE, *contd.*

PART III

(Regulations 4 (3), 45 (2))

*Application and Annual Renewal Fees for Health Certificate
issued to Tourist Establishments*

<u>Column I</u>	<u>Column II</u>
<u>Tourist Establishments</u>	<u>Fees (\$)</u>
10 rooms or less	3,000.00
11 to 25 rooms	4,000.00
26 to 50 rooms	5,000.00
51 to 99 rooms	10,000.00
100 to 150 rooms	15,000.00
151 to 200 rooms	20,000.00
201 rooms or more	25,000.00
Food Handlers Permit	500.00

SECOND SCHEDULE (Regulation 29)
 THE PUBLIC HEALTH ACT
Weekly Surveillance Report

Name of Tourist Establishment _____

Week Ending _____

Occupancy (total number of guests) _____

	STAFF	GUESTS
Total number of cases seen	_____	_____
Total number of first visits	_____	_____
Total number of accidents/injuries	_____	_____
(a) Bruises	_____	_____
(b) Burns/Scalds	_____	_____
(c) Cuts	_____	_____
(d) Fractures	_____	_____
(e) Sprains/strains	_____	_____
(f) Other	_____	_____
Total number of gastrointestinal conditions	_____	_____
Total number of diarrhoea cases	_____	_____
Number of diarrhoea cases with vomiting	_____	_____
Number of diarrhoea cases with fever	_____	_____
Number of diarrhoea cases with blood in stool	_____	_____
Number of diarrhoea cases with abdominal cramps	_____	_____
Total acute respiratory infections	_____	_____

Name _____ Position Held _____

Signature _____ Date _____

THIRD SCHEDULE (Regulation 44)

THE PUBLIC HEALTH ACT

Sanitary Facilities for Employees of Tourist Establishments

MALE EMPLOYEES				MALE AND FEMALE EMPLOYEES		FEMALE EMPLOYEES	
No. of male employees	Water Closets (W.Cs.)	Urinals	Lavatory Basins (L.Bs.)	Showers	No. of female employees	Water Closets (W.Cs.)	Lavatory Basins (L.Bs.)
1-10	1	1	1	1	1-10	1	1
11-30	1	1	2	1	11-30	2	2
31-45	2	1	3	1	31-45	3	2
46-60	2	2	4	1	46-60	4	4
61-90	3	2	5	1	61-90	5	5
91-120	3	3	6	1	91-120	6	6
121-150	4	3	7	2	121-150	7	7
151-180	4	4	8	2	151-180	8	8
181-210	5	4	8	2	181-210	9	8
211-240	5	5	9	2	211-240	10	9
241-270	6	5	9	3	241-270	11	9
271-300	6	6	10	3	271	12	10
Plus	1 urinal for every additional 1-60 persons 1 W.C. for every additional 31-60 persons 1 L.B. for every additional 1-60 persons			Plus	1 W.C. for every additional 1-30 employees 1 L.B. for every additional 1-60 employees		

NOTE:

1. The minimum provision shall be for W.Cs. and L.Bs., to serve both sexes (except where facilities are accessible only through private offices) and shall be additional to the required minimum provision specified above.
2. Where facilities for members of the public are required, such facilities shall be additional to and separate from facilities required for employees and shall be provided and maintained in clean condition in accordance with these Regulations.

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 14)THE PUBLIC HEALTH (HAIRDRESSERS, BEAUTY THERAPISTS,
COSMETOLOGISTS AND BEAUTY SALONS) REGULATIONS, 2004

(Made by the Minister on the 14th day of May, 2004)

L.N. 641/2004.

PART I. Preliminary

1. These Regulations may be cited as the Public Health (Hairdressers, Beauty Therapists, Cosmetologists and Beauty Salons) Regulations, 2004.

Citation.

2. In these Regulations—

Interpretation.

“barbershop” includes any shop, premises or property used predominantly for the business of a barber;

“beauty salon” includes any shop, premises or property used predominantly for the business of a cosmetologist, beauty therapist or hairdresser;

“beauty therapist” includes a person, not being a registered medical practitioner, cosmetologist, apprentice or a trainee, who carries on the business of massaging, treating or otherwise tending the whole or any part of the hair, skin or limb of the human body for the purposes of beauty or health;

“cosmetologist” includes a person, not being a trainee, who carries on the business of applying make-up, colouring or any substance to the face, neck, hands or feet of any person for the purpose of beautifying, enhancing, or improving the features or conditions of the face, neck, hands or feet;

“hairdresser” includes a person, not being a trainee, who carries on the business of cutting, trimming, shaping, colouring, treating, shaving, arranging, braiding, curling or tending the hair of women;

“premises” includes any property used for a beauty salon;

“professional training institution” includes any school, organization or company accredited by the National Council for Technical Vocational Education and Training which offers training for beauty therapists, cosmetologists or hairdressers.

PART II. *Beauty Salons*

Restrictions on
operating beauty
salon.

3.—(1) A person shall not operate a beauty salon unless he has a valid licence issued by the Local Board in relation to such beauty salon.

First
Schedule.
Form A.

(2) Any person who desires to operate a beauty salon shall apply to the Local Board in the form set out as Form A in the First Schedule for a licence to do so.

Second
Schedule.

(3) An application under paragraph (2) shall be accompanied by—

- (a) the application fee specified in the Second Schedule; and
- (b) two attested photographs of the applicant taken no earlier than one month prior to the date of the application.

(4) Where a person operates a beauty salon in which barbering takes place, the person shall pay the fee prescribed in the Second Schedule.

(5) Where a person operates more than one branch of a beauty salon, an application for a licence shall be made in respect of each branch.

(6) Where there is a change in the ownership or operation of a beauty salon the new owner or operator shall apply for a licence in accordance with paragraph (2).

Beauty salon
to be
inspected.

4.—(1) On receipt of an application for a licence the Local Board shall require a Public Health Inspector or a person authorized in writing in that behalf to carry out an inspection of the beauty salon specified in the application to determine whether the facilities thereon conform with public health requirements.

First
Schedule.
Form H.

(2) The Public Health Inspector or person authorized in writing in that behalf shall furnish to the Local Board a Certificate of Inspection in the form set as Form H in the First Schedule in relation to the beauty salon referred to in paragraph (1) if, he is satisfied that—

- (a) there is adequate ventilation;
- (b) there is adequate and suitable lighting which complies with the standards specified by the Local Board;
- (c) the floor is constructed in such a manner as to facilitate easy cleaning;
- (d) the walls and ceiling are durable, clean, in good repair and with washable surfaces which are painted;
- (e) there are adequate toilet facilities for employees and customers of each sex which are conveniently located, accessible and in good sanitary condition and repair;
- (f) there is an adequate supply of water;
- (g) the beauty salon is free from pests and vermin; and

PART II. *Beauty Salons, contd.*

- (h) there is adequate provision for the disposal of garbage;
- (i) there is at least one hand washing station equipped with running water, hand washing solution and disposable paper towels for hand drying;
- (j) there are adequate facilities for cleaning and sterilizing tools.

(3) A certificate of inspection issued pursuant to paragraph (2) shall be valid for a period of one year from the date of issue and a copy thereof shall be given to the applicant.

(4) Where the public health requirements are not satisfied—

- (a) the Public Health Inspector or person authorized in writing in that behalf shall notify the Local Board that the requirements are not met;
- (b) the Local Board shall then notify the applicant in writing accordingly; and
- (c) the applicant shall within thirty days of receipt of the notice meet the public health requirements.

5.—(1) Where the Local Board is satisfied that in relation to a beauty salon the relevant requirements have been met, it shall issue a licence to the applicant.

Grant of
licences.

(2) A licence issued under paragraph (1) shall—

- (a) be in the form set out as Form B in the First Schedule;
- (b) be signed by the Secretary of the Local Board;
- (c) be valid for a period of twelve months from the date of issue;
- (d) be non-transferable;
- (e) have the photograph of the applicant affixed to it;
- (f) be prominently displayed in a conspicuous place inside the premises.

First
Schedule.
Form B.

6. Every person licensed to operate a beauty salon shall ensure that—

- (a) all furnishings and fixtures in the beauty salon are maintained in a proper state of repair and are kept clean at all times;
- (b) the floor, walls and ceiling of the beauty salon are maintained in a proper state of repair and are kept clean at all times;
- (c) all tools, equipment and appliances used in the beauty salon are properly cleaned and sterilized after each use by such method of sterilization as is approved by the Medical Officer (Health);

Duty of
person
operating
beauty salon.

PART II. *Beauty Salons, contd.*

- (d) all products used on a customer are safe for such use, or are recommended for such use;
- (e) a clean sheet of paper, or a clean towel is placed on the back of chair or headrest which is intended for the use of each customer;
- (f) a clean neckband or towel is placed around the neck of each customer whilst he is sitting in the hairdresser's chair and is being attended to by the hairdresser;
- (g) only sterilized cotton wadding is used on each customer;
- (h) proper storage facilities are provided for gowns, equipment and supplies used by the beauty therapist, cosmetologist or hairdresser;
- (i) a trainee in his establishment is properly supervised at all times while attending to a customer;
- (j) all trainees in his beauty salon are medically examined, and certified by the Medical Officer (Health) for the parish in which the beauty salon is situated;
- (k) where chemicals are used they are used in well ventilated areas.

PART III. *Beauty Therapists, Cosmetologists or Hairdressers*

7.—(1) A person shall not hold himself out to be, or perform the functions of a beauty therapist, cosmetologist or hairdresser unless he has a valid licence in the form, form set out as Form D in the First Schedule issued by the Local Board.

Beauty therapists, etc., to be licensed. First Schedule. Form D.

(2) An application for a licence under this regulation shall be in the form set out as Form C in the First Schedule and shall be accompanied by—

Form C.

- (a) a health certificate issued by the Medical Officer (Health) for the parish in which the applicant resides and shall be dated no earlier than two weeks prior to the date of the application;
- (b) two attested photographs of the applicant taken no earlier than one month prior to the date of the application;
- (c) a certified copy of the relevant certificate or diploma granted to the applicant by a professional training institution; and
- (d) the appropriate fee specified in the Second Schedule.

Second Schedule. Person to be medically examined.

8.—(1) Every person who wishes to obtain a licence under regulation 7 shall make an application for a Health Certificate at the Government Clinic nearest to his place of residence where he shall be medically examined or at such other Government Clinic as the Medical Officer of Health for the parish may direct.

PART III. *Beauty Therapists, Cosmetologists or Hairdressers, contd.*

(2) An application for a Health Certificate shall be in the form set out as Form I in the First Schedule and shall be accompanied by the fee specified in the Second Schedule.

First
Schedule.
Form I.
Second
Schedule.

(3) A Health Certificate issued pursuant to this regulation shall be—

- (a) in the form set out as Form J in the First Schedule; and
- (b) valid for a period of one year.

Form J.

9.—(1) A licence to operate as a trainee may be issued—

Licence
to operate
as trainee.

- (a) to a person who—
 - (i) furnishes a letter from a Justice of the Peace; or
 - (ii) furnishes a letter from a licensed beauty therapist, cosmetologist or hairdresser attesting that the person will be employed as a trainee beauty therapist, cosmetologist or hairdresser; and
 - (iii) satisfies the Local Board that he is enrolled as a student in a professional training institution and will complete his training within twelve months of the granting of the licence; and

(b) on payment of the fee specified in the Second Schedule;

(2) A licence issued pursuant to paragraph (1) shall be—

- (a) in the form set out as Form E in the First Schedule;
- (b) valid for a period of one year,

Form E.

and may contain such terms and conditions as the Local Board deems necessary.

(3) The Local Board may, on an application made to it in writing by a trainee, renew the licence to operate as a trainee on payment of the fee specified in the Second Schedule, in any case where the trainee is not successful in his examinations.

10. The Local Board may issue a licence in the form set out as Form D in the First Schedule to a person who does not possess the relevant certificate or diploma referred to in regulation 7(2)(c) but who satisfies the Local Board that he has worked as a beauty therapist, cosmetologist or hairdresser for at least three years prior to the enactment of these Regulations and is still so working and who pays the fee specified in the Second Schedule.

Licence may
be issued to
a person
without
relevant
certificate.
Form D.

11. Any person who works as a beauty therapist, cosmetologist or hairdresser shall—

Duties of
beauty
therapists,
etc.

PART III. *Beauty Therapists, Cosmetologists or Hairdressers, contd.*

- (a) produce to the operator of the beauty salon at the date of commencement of his employment, a valid licence issued to him by the Local Board;
- (b) after the commencement of his employment, produce to the operator of the beauty salon at intervals of one year or such shorter period as may be required, a valid health certificate from the Medical Officer (Health) for the parish in which he works as to the state of his health;
- (c) be free from any communicable disease;
- (d) be attired in a neat manner;
- (e) wear an apron of material that is washable and is worn only on the premises;
- (f) cause any abrasion, cut or wound to be covered with a clean dressing;
- (g) wash his hands thoroughly before attending to each customer;
- (h) use only medication in a powdered form to stop or stem a minor flow of blood from a customer and this shall only be applied with a disposable sterilized cotton wad.

PART IV. *Renewal, Suspension and Revocation of Licences*

12.—(1) Any person who is licensed to operate a beauty salon or to operate as a beauty therapist, cosmetologist or hairdresser may make an application to the Local Board for the renewal of that licence—

- (a) in the case of a beauty salon, in the form set out as Form F in the First Schedule;
- (b) in the case of a beauty therapist, cosmetologist or hairdresser, in the form set out as Form G in the First Schedule,

within thirty days prior to the date of expiration of the licence.

(2) Every application for the renewal of a licence under paragraph (1) shall be accompanied by the appropriate fee specified in the Second Schedule.

(3) The provisions of—

- (a) regulations 3, 4 and 5 shall apply to the renewal of a licence to operate a beauty salon; and
- (b) regulation 7 shall apply to the renewal of a licence to operate as a beauty therapist, cosmetologist or hairdresser,

as they apply to an application for a licence.

Beauty
therapists,
etc., to be
licensed.

First
Schedule
Form F.
Form G.

Second
Schedule.

PART IV. *Renewal, Suspension and Revocation of Licences, contd.*

13.—(1) Where the Local Board is informed by a Public Health Inspector or person authorized in writing in that behalf that the holder of a licence—

Suspension
of licence.

- (a) has contravened any provisions of the Act or these Regulations;
or
- (b) has breached any condition of his licence, the Local Board may suspend the licence.

(2) Where the Local Board intends to suspend a licence under paragraph (1) it shall notify the holder thereof in writing of its intention specifying the contravention or breach, as the case may be, and the date, time and place at which a hearing into the suspension shall be held.

(3) The Local Board shall, after the hearing, suspend a licence, if it is satisfied that any of the matters referred to in paragraph (1) is proved.

(4) Where the Local Board suspends a licence it shall, notify the holder thereof in writing—

- (a) that the holder shall immediately cease to operate as a beauty therapist, cosmetologist or hairdresser or cease to operate the premises as a beauty salon, as the case may be; and
- (b) in the case of a matter referred to in paragraph (1)(a) or (b), the time within which the contravention or breach shall be remedied.

(5) Where the holder of a licence remedies the breach which gave rise to the suspension, he shall so inform the Local Board in writing and, if the suspension was in relation to a beauty salon, the Local Board shall cause an inspection thereof to be carried out and if satisfied that the breach has been satisfactorily remedied, it shall withdraw the suspension.

(6) Where the Local Board has reason to believe that the holder of a licence is suffering from mental illness or a communicable disease the Local Board shall suspend the licence and direct the holder thereof in writing to submit to a medical examination by the Medical Officer (Health) for the parish within a period of one week after the date of receipt of the direction.

(7) Where on a medical examination under paragraph (6) the holder of a licence is found—

- (a) to be suffering from mental illness or a communicable disease, the provisions of regulation 8(1) shall have effect;
- (b) not to be suffering from mental illness or a communicable disease, the Local Board shall withdraw the suspension.

14.—(1) A licence issued pursuant to these Regulations may be revoked if—

Revocation
of licence.

PART IV. *Renewal, Suspension and Revocation of Licences, contd.*

- (a) subject to paragraph (5), the holder of that licence is found to be suffering from any mental illness or a communicable disease;
- (b) that licence has been suspended on three occasions in the twelve months preceding the revocation;
- (c) the Local Board has reasonable cause to believe that information given by the applicant is false in a material particular;
- (d) the Local Board has reasonable cause to believe that the continued operation of the beauty salon is not in the best interest of the public.

(2) Where the Local Board has cause to revoke a licence, it shall, in writing, notify the holder thereof and specify—

- (a) the reason for the revocation; and
- (b) the date, time and place at which a hearing into the revocation shall be held.

(3) The Local Board shall revoke a licence after a hearing if any of the matters referred to in paragraph (1) is proved.

(4) Where a licence is revoked pursuant to paragraph (3), the Local Board shall cause a notice to that effect to be affixed in a conspicuous place on the premises of the concerned.

(5) The Local Board may, within one week after the end of the period referred to in regulation 13 (6), revoke the licence of any holder thereof who fails to submit to a medical examination as required under that regulation.

15. Where a person ceases to operate a premise as a beauty salon for a period exceeding three months, the licence in relation to that beauty salon shall cease to be valid after the end of that three month period.

PART V. *General*

16.—(1) Every person who operates a beauty salon shall keep at the beauty salon, a register of each person employed therein as a beauty therapist, cosmetologist, hairdresser or trainee.

(2) Each register shall contain—

- (a) in respect of a person referred to in paragraph (1)—
 - (i) his name and current address;
 - (ii) particulars of each Health Certificate issued to him;
 - (iii) the number of the licence issued to him; and

PART V. *General, contd.*

(b) such other information which may be prescribed by the Local Board.

(3) Each register shall be open for inspection by the Local Board during the opening hours of the beauty salon.

17. The Secretary of the Local Board shall keep a register containing—

Local Board
to keep
register.

- (a) the name and address of each applicant;
- (b) the type of licence for which application is made;
- (c) the date of the application;
- (d) the date the application is granted or refused;
- (e) the reasons for refusal;
- (f) the number of the licence;
- (g) the date of renewal of the licence;
- (h) the date of suspension of the licence;
- (i) the reasons for suspension;
- (j) the date of withdrawal of suspension;
- (k) the date of revocation of the licence;
- (l) the reason for revocation.

PART VI. *Appeals*

18.—(1) Any person who is aggrieved by a decision of the Local Board to grant or not to grant a licence, or to suspend or revoke a licence may, in writing, appeal from that decision to the Minister.

Aggrieved
person may
appeal.

(2) The Minister may—

- (a) dismiss the appeal and confirm the decision or order of the Local Board;
- (b) allow the appeal and set aside the decision or order;
- (c) set aside the decision or order and in substitution therefor, make such other decision or order as it thinks proper.

(3) Any person who intends to appeal to the Minister pursuant to paragraph (1) shall give notice of that intention within fourteen days of the communication of the decision or order to the Local Board, and where notice of appeal has been so given, the decision or order to which the appeal relates shall, unless the Local Board otherwise orders, pending the hearing of the appeal, not take effect until the appeal is determined.

19. A Public Health Inspector or person authorized in writing under section 20(1) of the Act may, at any time, enter premises used for the purposes of a beauty salon in order to—

Power to
enter
premises.

PART VI. *Appeals, contd.*

- (a) inspect such premises;
- (b) examine any tools, equipment or appliances used or is capable of being used by the beauty therapist, cosmetologist or hairdresser;
- (c) seize and detain any product found therein which he reasonably suspects to be harmful or injurious to any customer;
- (d) inspect any licence issued by the Local Board.

Penalties.

20. Any person who contravenes the provision of regulations 3, 6, 7, 9, 13(4) (a) and 15, shall be liable, on summary conviction before a Resident Magistrate, to a fine not exceeding twenty thousand dollars.

FIRST SCHEDULE (Regulations 3, 4, 5, 7, 8, 9, 11 and 12)

FORM A

(Regulation 3 (2))

THE PUBLIC HEALTH ACT

Application for Licence to operate a Beauty Salon

Name of Applicant:

Address:

Name and address or
proposed address of
Beauty Salon:

Type of business to be carried on at beauty salon:
.....

Name of operator of
Beauty Salon:

Telephone: Fax No.:

Number of employees:

Date:

Signature of applicant:

NB: In the case of accompany, a certified copy of the Certificate of Incorporation should
accompany this application and be signed by a Director of the company.

FOR OFFICIAL USE ONLY

Documents submitted

1.

2.

3.

4.

Fee paid:

Date of examination of beauty salon:

Remarks

.....

.....

THE PUBLIC HEALTH (HAIRDRESSERS, BEAUTY THERAPISTS,
COSMETOLOGISTS AND BEAUTY SALONS) REGULATIONS, 2004

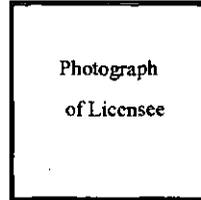
FIRST SCHEDULE, *contd.*

FORM B

THE PUBLIC HEALTH ACT

Licence to operate a Beauty Salon

Licence No.



.....
Signature of Licensee

I, Secretary of the
Local Board of Health for the parish of
hereby grant a licence to
to operate a beauty salon known as
.....
located at
to carry on the business of
in the parish of

This licence is granted subject to the following terms and conditions:

- (1) This licence is valid for a period of one year from the date hereof.
- (2) Application for renewal may be made within thirty days before the date of expiry hereof.

Dated this day of ,

Secretary for the Local Board of Health
for the parish of:

FIRST SCHEDULE, *contd.*

FORM C

THE PUBLIC HEALTH ACT

*Application for Licence to operate as a Beauty Therapist
Cosmetologist, Hairdresser or Trainee*

Name of applicant:
Address:
Type of licence applied for:
Date of birth:
Gender:
Educational qualifications:
.....
.....
Number of years experience:
Name of employer (if employed):
Business address:
Amount of fee paid:
Date of medical examination:

FOR OFFICIAL USE ONLY

Documents submitted

1.
2.
3.
4.

Licence Number:

Fee paid:

Recommendation:

.....
.....
.....

THE PUBLIC HEALTH (HAIRDRESSERS, BEAUTY THERAPISTS,
COSMETOLOGISTS AND BEAUTY SALONS) REGULATIONS, 2004

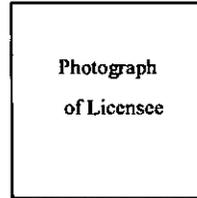
FIRST SCHEDULE, *contd.*

FORM D

THE PUBLIC HEALTH ACT

Licence to operate a Beauty Therapist, Cosmetologist or Hairdresser

Licence No.



.....
Signature of Licensee

This licence is hereby granted to.....
to operate as a

.....
(State whether beauty therapist, cosmetologist or hairdresser)

This licence is granted subject to the following conditions—

- (1) This licence is valid for a period of one year from the date hereof.
- (2) Application for renewal may be made within thirty days before the date of expiry hereof.

Dated this day of

Secretary for the Local Board of Health
for the parish of:

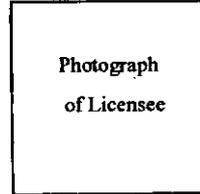
FIRST SCHEDULE, *contd.*

FORM E

THE PUBLIC HEALTH ACT

Licence to operate as a trainee

Licence No. _____



.....
Signature of Licensee

This licence is hereby granted to.....
of.....
to work as a trainee to a licensed *beauty therapist,.....
cosmetologist or hairdresser.....

(Cross out which is inapplicable)

.....
(State name of licensed beauty therapist, cosmetologist or hairdresser)

at.....
(State address of licensed beauty therapist, cosmetologist or hairdresser)

This licence is granted subject to the following conditions—

Dated this _____ day of _____, _____

Secretary for the Local Board of Health
for the parish of: _____

THE PUBLIC HEALTH (HAIRDRESSERS, BEAUTY THERAPISTS,
COSMETOLOGISTS AND BEAUTY SALONS) REGULATIONS, 2004

FIRST SCHEDULE, *contd.*

FORM F

THE PUBLIC HEALTH ACT

Application for Renewal of Licence to operate a Beauty Salon

Name of Beauty Salon:

Address of Beauty Salon:

Name of operator of Beauty Salon:

Address of operator of Beauty Salon:

Type of business carried on at Beauty Salon:

.....

Number of licence:

Date licence granted:

Was licence suspended?

If yes, state reasons for and date of suspension and date of withdrawal of suspension:

.....

.....

Date Signature

FOR OFFICIAL USE ONLY

Documents submitted

1.

2.

3.

4.

New Licence Number:

Fee paid:

Date of examination of Beauty Salon:

.....

Recommendation:

.....

Date:

Signature of Authorized
Officer

FIRST SCHEDULE, *contd.*

FORM G

THE PUBLIC HEALTH ACT

*Application for Renewal of Licence to operate as a
Beauty Therapist, Cosmetologist, Hairdresser or Trainee*

Name:

Address:

Type of licence for which application for renewal is now
made:

Name of Beauty Salon where you operate as a *Beauty Therapist, Cosmetologist or
Hairdresser:

Address of Beauty Salon:

Address of licence:

Date licence granted:

Was licence suspended:

If yes, state reasons for and date of suspension and date of withdrawal of suspension:
.....
.....

Date Signature

*Cross out which is inapplicable.

FOR OFFICIAL USE ONLY

Documents submitted

1.

2.

3.

New Licence Number:

Fee paid:

Recommendation:

Date:

Signature of Authorized
Officer

THE PUBLIC HEALTH (HAIRDRESSERS, BEAUTY THERAPISTS, COSMETOLOGISTS AND BEAUTY SALONS) REGULATIONS, 2004

FIRST SCHEDULE, contd.

FORM H

THE PUBLIC HEALTH ACT
CERTIFICATE OF INSPECTION OF BEAUTY SALON

NO.: _____

This is to certify that

Name of Beauty Salon

situated at

was inspected on the day of

by..... a duly authorized Public Health Inspector on behalf of the Medical Officer (Health) in the parish of

..... and the Beauty Salon, has been found to be in compliance with the public health requirements in the Public Health (Beauty Therapists, Cosmetologists and Hairdressers) Regulations, 2004. This health certificate is granted subject to the terms and conditions specified in the Schedule—

SCHEDULE

(insert terms and conditions)

.....
.....
.....
.....
.....

Date of expiry:

.....
Medical Officer (Health)

Dated this day of ,

FIRST SCHEDULE, *contd.*

FORM 1

THE PUBLIC HEALTH ACT

*Application for Health Certificate for Beauty Therapist, Cosmetologist
and Hairdresser*

Name:
Address:
Age: Sex:
Occupation:
Name of Employee:
Business Address of Employer:
Have you ever applied for Health Certification?
Was application granted or refused?.....
If refused state reason:
Number of last Health Certificate:
Date: Signature:

FOR OFFICE USE ONLY

Amount of Fee Paid:
Date of Medical Examination:
Permit Granted/Refused:
Reason why Refused:
Permit No.:

.....
Date

.....
Signature
Medical Officer (Health)

THE PUBLIC HEALTH (HAIRDRESSERS, BEAUTY THERAPISTS, COSMETOLOGISTS AND BEAUTY SALONS) REGULATIONS, 2004

FIRST SCHEDULE, contd.

FORM J

THE PUBLIC HEALTH ACT

Health Certificate for Beauty Therapist, Cosmetologist and Hairdresser

Permit No.....If you have

- Boil
- Cold
- Cough
- Fever
- Skin rash
- Diarrhoea & Vomitting
- Infected sores

Parish:

Seek treatment at your health centre or at your Doctor. Remember these conditions can be spread to other persons.

Please keep this card clean and in a safe place.

FRONT

BACK

Name:

Date	Date	Expiratory	Initial
of	of	date	
Exam.	Education		

Age: Sex:

Home Address:

Occupation:

Employer:

Business Address:

I hereby certify that the abovenamed person was examined on the dates initialized by me and has been granted a permit to work in a Beauty Salon.

Keep your appointment at the Clinic every year. See a Health Worker or your Doctor if you are ill.

.....
Medical Officer (Health)

SECOND SCHEDULE (Regulations 3, 7, 8, 9, 10 and 12)

Fees

Licence to operate as a cosmetologist or a hairdresser	..	..	..	\$ 3,000.00
Renewal of licence to operate as a cosmetologist or a hairdresser	..	..	..	\$3,000.00
Licence to operate as a beauty therapist	..	..	..	\$3,500.00
Renewal of licence to operate as a beauty therapist	..	..	..	\$3,500.00
Licence to operate as a trainee	..	..	..	\$500.00
Renewal of licence to operate as a trainee	..	..	..	\$500.00
Fee for Health Certificate	..	..	..	\$500.00
Licence to operate premises as a Beauty Salon	..	..	..	\$4,000.00
Renewal of licence to operate premises as a Beauty Salon	..	..	..	\$3,500.00
Licence to operate premises as a Beauty Salon in which barbering takes place	..	..	..	\$5,000.00

THE PUBLIC HEALTH ACT

REGULATIONS
(under section 7)

THE PUBLIC HEALTH (BARBERS AND BARBERSHOPS) REGULATIONS, 2004

(Made by the Local Board with the approval of the Minister
on the 29th day of August, 2004)

L.N. 91C/2004.

PART I. Preliminary

1. These Regulations may be cited as the Public Health (Barbers and Barbershops) Regulations, 2004.

Citation.

2. In these Regulations—

Interpretation.

“barber” includes a person, not being an apprentice or trainee, who carries on the business of cutting, trimming, shaping, colouring, treating, shaving, arranging, braiding, curling or tending the hair on the scalp or face of men;

“barbershop” includes any shop, premises or property used predominantly for the business of a barber;

“premises” includes any property used for a barbershop;

“professional training institution” includes any school, organization or company accredited by the National Council for Technical Vocational Education and Training which offers training for barbers.

PART II. Barbershops

3.—(1) A person shall not operate a barbershop unless he has a valid licence issued by the Local Board in relation to such barbershop.

Restrictions on operating barbershop.

(2) Any person who desires to operate a barbershop shall apply to the Local Board in the form set out as Form A in the First Schedule for a licence to do so.

First Schedule, Form A.

(3) An application under paragraph (2) shall be accompanied by—

(a) the application fee specified in the Second Schedule;

(b) two attested photographs of the applicant taken no earlier than one month prior to the date of the application.

Second Schedule.

(4) Where a person operates a barbershop in which hairdressing, beauty therapy, or cosmetology takes place, the person, the person shall pay the fee prescribed in the Second Schedule.

PART II. *Barbershops, contd.*

(5) Where a person operates more than one branch of a barbershop, an application for a licence shall be made in respect of each branch.

(6) Where there is a change in the ownership or operation of a barbershop the new owner or operator shall apply for a licence in accordance with paragraph (2).

Barbershop
to be
inspected.

4.—(1) On receipt of an application for a licence the Local Board shall require a Public Health Inspector or a person authorized in writing in that behalf to carry out an inspection of the barbershop specified in the application to determine whether the facilities thereon conform with public health requirements.

First Schedule.
Form H.

(2) The Public Health Inspector or person authorized in writing in that behalf shall furnish to the Local Board a Certificate of Inspection in the form set as Form H in the First Schedule in relation to the barbershop referred to in paragraph (1) if, he is satisfied that—

- (a) there is adequate ventilation;
- (b) there is adequate and suitable lighting which complies with the standards specified by the Local Board;
- (c) the floor is constructed in such a manner as to facilitate easy cleaning;
- (d) the walls and ceiling are durable, clean, in good repair and with washable surfaces which are painted;
- (e) there are adequate toilet facilities for employees and customers of each sex which are conveniently located, accessible and in good sanitary condition and repair,
- (f) there is an adequate supply of water;
- (g) the barbershop is free from pests and vermin; and
- (h) there is adequate provision for the disposal of garbage;
- (i) there is at least one hand washing station equipped with running water, hand washing solution and disposable paper towels for hand drying;
- (j) there are adequate facilities for cleaning and sterilizing tools.

(3) A certificate of inspection issued pursuant to paragraph (2) shall be valid for a period of one year from the date of issue and a copy thereof shall be given to the applicant.

(4) Where the public health requirements are not satisfied—

- (a) the Public Health Inspector or person authorized in writing in that behalf shall notify the Local Board that the requirements are not met;

PART II. Barbershops, *contd.*

- (b) the Local Board shall then notify the applicant in writing accordingly; and
- (c) the applicant shall within thirty days of receipt of the notice meet the public health requirements.

5.—(1) Where the Local Board is satisfied that in relation to a barbershop the relevant requirements have been met, it shall issue a licence to the applicant.

Grant of licences.

(2) A licence issued under paragraph (1) shall—

- (a) be in the form set out as Form B in the First Schedule;
- (b) be signed by the Secretary of the Local Board;
- (c) be valid for a period of twelve months from the date of issue;
- (d) be non-transferable;
- (e) have the photograph of the applicant affixed to it;
- (f) be prominently displayed in a conspicuous place inside the premises.

First Schedule.
Form B.

6. Every person licensed to operate a barbershop shall ensure that—

- (a) all furnishings and fixtures in the barbershop are maintained in a proper state of repair and are kept clean at all times;
- (b) the floor, walls and ceiling of the barbershop are maintained in a proper state of repair and are kept clean at all times;
- (c) all tools, equipment and appliances used in the barbershop are properly cleaned and sterilized after each use by such method of sterilization as is approved by the Medical Officer (Health);
- (d) all products used on a customer are safe for such use, or are recommended for such use;
- (e) a clean sheet of paper, or a clean towel is placed on the back of each chair or headrest which is intended for the use of each customer;
- (f) a clean neckband or towel is placed around the neck of each customer whilst he is sitting in the barber's chair and is being attended to by the barber;
- (g) only sterilized cotton wadding is used on each customer;
- (h) proper storage facilities are provided for gowns, equipment and supplies used by the barber;

Duty of person operating barbershop.

PART II. *Barbershops, contd.*

- (i) a trainee in his establishment is properly supervised at all times while attending to a customer;
- (j) all trainees in his barbershop are medically examined, and certified by the Medical Officer (Health) for the parish in which the barbershop is;
- (k) where chemicals are used they are used in well ventilated areas.

PART III. *Barbers*Barbers to
be licensed.

7.—(1) A person shall not hold himself out to be, or perform the functions of a barber unless he has a valid licence in the form set out as Form D in the First Schedule issued by the Local Board.

First Schedule.
Form D.

Form C.

(2) An application for a licence under this regulation shall be in the form set out as Form C in the First Schedule and shall be accompanied by—

- (a) a health certificate issued by the Medical Officer (Health) for the parish in which the applicant resides and shall be dated no earlier than two weeks prior to the date of the application;
- (b) two attested photographs of the applicant taken no earlier than one month prior to the date of the application;
- (c) a certified copy of the relevant certificate or diploma granted to the applicant by a professional training institution; and
- (d) the appropriate fee specified in the Second Schedule.

Second Schedule.

Person to be
medically
examined.

8.—(1) Every person who wishes to obtain a licence under regulation 7 shall make an application for a Health Certificate at the Government Clinic nearest to his place of residence where he shall be medically examined or at such other Government Clinic as the Medical Officer of Health for the parish may direct.

Form I.

(2) An application for a Health Certificate shall be in the form set out as Form I in the First Schedule and shall be accompanied by the fee specified in the Second Schedule.

Form J.

(3) A Health Certificate issued pursuant to this regulation shall be—

- (a) in the form set out as Form J in the First Schedule; and
- (b) valid for a period of one year.

Licence
to operate
as trainee.

9.—(1) A licence to operate as a trainee may be issued—

- (a) to a person who—
 - (i) furnishes a letter from a Justice of the Peace; or

PART III. *Barbers, contd.*

- (ii) furnishes a letter from a licensed barber that the person will be employed as a trainee barber; and
 - (iii) satisfies the Local Board that he is enrolled as a student in a professional training institution and will complete his training within twelve months of the granting of the licence; and
- (b) on payment of the fee specified in the Second Schedule;
- (2) A licence issued pursuant to paragraph (1) shall be—
- (a) in the form set out as Form E in the First Schedule;
 - (b) valid for a period of one year,

Second
Schedule.First Schedule.
Form E.

and may contain such terms and conditions as the Local Board deems necessary.

(3) The Local Board may, on an application made to it in writing by a trainee, renew the licence to operate as a trainee on payment of the fee specified in the Second Schedule, in any case where the trainee is not successful in his examinations.

10. The Local Board may issue a licence in the form set out as Form D in the First Schedule to a person who does not possess the relevant certificate or diploma referred to in regulation 7(2)(c) but who satisfies the Local Board that he has worked as a barber for at least three years prior to the enactment of these Regulations and is still so working and who pays the fee specified in the Second Schedule.

Licence may
be issued to
a person
without
relevant
certificate.
Form D.

11. Any person who works as a barber shall—

Duties of
barbers.

- (a) produce to the operator of the barbershop at the date of commencement of his employment, a valid licence issued to him by the Local Board;
- (b) after the commencement of his employment, produce to the operator at intervals of one year or such shorter period as may be required, a valid health certificate from the Medical Officer (Health) for the parish in which he works as to the state of his health;
- (c) be free from any communicable disease;
- (d) be attired in a neat manner;
- (e) wear an apron of material that is washable and is worn only on the premises;
- (f) cause any abrasion, cut or wound to be covered with a clean dressing;

PART III. *Barbers, contd.*

- (g) wash his hands thoroughly before attending to each customer;
- (h) use only medication in a powdered form to stop or stem a minor flow of blood from a customer and this shall only be applied with a disposable sterilized cotton wad.

PART IV. *Renewal, Suspension and Revocation of Licences*Renewal of
licence.

12.—(1) Any person who is licensed to operate a barbershop or to operate as a barber may make an application to the Local Board for the renewal of that licence—

First Schedule.
Form F.
Form G.

- (a) in the case of a barbershop, in the form set out as Form F in the First Schedule;
- (b) in the case of a barber, in the form set out as Form G in the First Schedule,

within thirty days prior to the date of expiration of the licence.

Second
Schedule.

(2) Every application for the renewal of a licence under paragraph (1) shall be accompanied by the appropriate fee specified in the Second Schedule.

(3) The provisions of—

- (a) regulations 3, 4 and 5 shall apply to the renewal of a licence to operate a barbershop; and
- (b) regulation 7 shall apply to the renewal of a licence to operate as a barber,

as they apply to an application for a licence.

Suspension
of licence.

13.—(1) Where the Local Board is informed by a Public Health Inspector or person authorized in writing in that behalf that the holder of a licence—

- (a) has contravened any provisions of the Act or these Regulations;
or
- (b) has breached any condition of his licence,

the Local Board may suspend the licence.

(2) Where the Local Board intends to suspend a licence under paragraph (1) it shall notify the holder thereof in writing of its intention specifying the contravention or breach, as the case may be, and the date, time and place at which a hearing into the suspension shall be held.

(3) The Local Board shall, after the hearing, suspend a licence, if it is satisfied that any of the matters referred to in paragraph (1) is proved.

(4) Where the Local Board suspends a licence it shall, notify the holder thereof in writing—

PART IV. *Renewal, Suspension and Revocation of Licences, contd.*

- (a) that the holder shall immediately cease to operate as a barber or cease to operate the premises as a barbershop, as the case may be; and
- (b) in the case of a matter referred to in paragraph (1)(a) or (b), the time within which the contravention or breach shall be remedied.

(5) Where the holder of a licence remedies the breach which gave rise to the suspension, he shall so inform the Local Board in writing and, if the suspension was in relation to a barbershop, the Local Board shall cause an inspection thereof to be carried out and if satisfied that the breach has been satisfactorily remedied, it shall withdraw the suspension.

(6) Where the Local Board has reason to believe that the holder of a licence is suffering from mental illness or a communicable disease the Local Board shall suspend the licence and direct the holder thereof in writing to submit to a medical examination by the Medical Officer (Health) for the parish within a period of one week after the date of receipt of the direction.

(7) Where on a medical examination under paragraph (6) the holder of a licence is found—

- (a) to be suffering from mental illness or a communicable disease, the provisions of regulation 14(1) (a) shall have effect;
- (b) not to be suffering from mental illness or a communicable disease, the Local Board shall withdraw the suspension.

14.—(1) A licence issued pursuant to these Regulations may be revoked if—

Revocation
of licence.

- (a) subject to paragraph (5), the holder of that licence is found to be suffering from any mental illness or a communicable disease;
- (b) that licence has been suspended on three occasions in the twelve months preceding the revocation;
- (c) the Local Board has reasonable cause to believe that information given by the applicant is false in a material particular;
- (d) the Local Board has reasonable cause to believe that the continued operation of the barbershop is not in the best interest of the public;

(2) Where the Local Board has cause to revoke a licence, it shall, in writing, notify the holder thereof and specify—

- (a) the reason for the revocation; and
- (b) the date, time and place at which a hearing into the revocation shall be held.

PART IV. *Renewal, Suspension and Revocation of Licences, contd.*

(3) The Local Board shall revoke a licence after a hearing if any of the matters referred to in paragraph (1) is proved.

(4) Where a licence is revoked pursuant to paragraph (3), the Local Board shall cause a notice to that effect to be affixed in a conspicuous place on the premises of the barbershop concerned.

(5) The Local Board may, within one week after the end of the period referred to in regulation 12 (6), revoke the licence of any holder thereof who fails to submit to a medical examination as required under that regulation.

15. Where a person ceases to operate a premises as a barbershop for a period exceeding three months, the licence in relation to that barbershop shall cease to be valid after the end of that three month period.

PART V. *General*

16.—(1) Every person who operates a barbershop shall keep at the barbershop, a register of each person employed therein as a barber or trainee.

(2) Each register shall contain—

(a) in respect of a person referred to in paragraph (1)—

- (i) his name and current address;
- (ii) particulars of each Health Certificate issued to him;
- (iii) the number of the licence issued to him; and

(b) such other information which may be prescribed by the Local Board.

(3) Each register shall be open for inspection by the Local Board during the opening hours of the barbershop.

17. The Secretary of the Local Board shall keep a register containing—

- (a) the name and address of each applicant;
- (b) the type of licence for which application is made;
- (c) the date of the application;
- (d) the date the application is granted or refused;
- (e) the reasons for refusal;
- (f) the number of the licence;
- (g) the date of renewal of the licence;
- (h) the date of suspension of the licence;

Cessation
of validity
of licence
for barber-
shop.

Register of
employees.

Local Board
to keep
register.

PART V. *General, contd.*

- (i) the reasons for suspension;
- (j) the date of withdrawal of suspension;
- (k) the date of revocation of the licence;
- (l) the reason for revocation.

18.—(1) Any person who is aggrieved by a decision of the Local Board to grant or not to grant a licence, or to suspend or revoke a licence may, in writing, appeal from that decision to the Minister.

Aggrieved
person
may
appeal.

(2) The Minister may—

- (a) dismiss the appeal and confirm the decision or order of the Local Board;
- (b) allow the appeal and set aside the decision or order;
- (c) set aside the decision or order and in substitution therefor, make such other decision or order as it thinks proper.

(3) Any person who intends to appeal to the Minister pursuant to paragraph (1) shall give notice of that intention within fourteen days of the communication of the decision or order to the Local Board, and where notice of appeal has been so given, the decision or order to which the appeal relates shall, unless the Local Board otherwise orders, pending the hearing of the appeal, not take effect until the appeal is determined.

19. A Public Health Inspector or person authorized in writing under section 20(1) of the Act may, at any time, enter premises used for the purposes of a barbershop in order to—

Power to
enter
premises.

- (a) inspect such premises;
- (b) examine any tools, equipment or appliances used or is capable of being used by the barber;
- (c) seize and detain any product found therein which he reasonably suspects to be harmful or injurious to any customer;
- (d) inspect any licence issued by the Local Board.

20. Any person who contravenes the provisions of regulations 3, 6, 7, 9, 13(4) (a) and 15, shall be liable, on summary conviction before a Resident Magistrate, to a fine not exceeding twenty thousand dollars.

Penalties.

THE PUBLIC HEALTH (BARBERS AND BARBERSHOPS) REGULATIONS, 2004

FIRST SCHEDULE (Regulations 3, 4, 5, 7, 8, 9, 10 and 12)

FORM A (Regulation 3 (2))

THE PUBLIC HEALTH ACT

Application for Licence to operate a Barbershop

Name of applicant:

Address:

Name and address or proposed address of barbershop:

Name of operator of barbershop:

Telephone: Fax No.:

Number of employees:

Date:

Signature of applicant:

N.B.: In the case of a company, a certified copy of the Certificate of Incorporation should accompany this application and be signed by a Director of the company.

FOR OFFICIAL USE ONLY

Documents submitted

1.

2.

3.

4.

Fee paid:

Date of examination of barbershop:

Remarks

.....

.....

.....

FIRST SCHEDULE, *contd.*

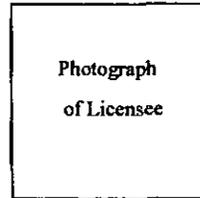
FORM B

(Regulation 5 (2))

THE PUBLIC HEALTH ACT

Licence to operate a Barbershop

Licence No.



.....
Signature of Licensee

I, Secretary of the
Local Board of Health for the parish of
hereby grant a licence to
to operate a barbershop known as
located at
in the parish of

This licence is granted subject to the following terms and conditions:

- (1) This licence is valid for a period of one year from the date hereof.
- (2) Application for renewal may be made within thirty days of the date of expiry hereof.

Dated this day of ,

Secretary for the Local Board of Health
for the parish of:

FIRST SCHEDULE, *contd.*

FORM C

(Regulation 7(2))

THE PUBLIC HEALTH ACT

Application for Licence to operate as a Barber or Trainee Barber

Name of applicant:

Address:

Date of birth:

Gender:

Educational qualifications:

.....

.....

Type of licence for which application made:

Number of years experience:

Name of employer (if employed):

Business address:

Amount of fee paid:

Date of medical examination:

FOR OFFICIAL USE ONLY

Documents submitted

- 1.
- 2.
- 3.
- 4.

Licence Number:

Fees Paid:

Recommendation:

.....
.....

FIRST SCHEDULE, *contd.*

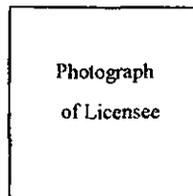
FORM D

(Regulations 7(1) and 10)

THE PUBLIC HEALTH ACT

Licence to operate as a Barber or Trainee Barber

Licence No.



.....
Signature of Licensee

This licence is hereby granted to.....
to operate as a *barber/trainee barber. This licence is granted subject to the following conditions—

- (1) This licence is valid for a period of one year from the date hereof.
- (2) Application for renewal may be made within thirty days of the date of expiry hereof.

*Strike out which is inapplicable.

Dated this day of

Secretary for the Local Board of Health
for the parish of:

FIRST SCHEDULE, *contd.*

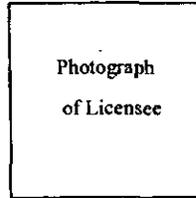
FORM E

(Regulation 9(2))

THE PUBLIC HEALTH ACT

Licence to operate as a trainee

Licence No.



.....
Signature of Licensee

This licence is hereby granted to.....

of.....

to work as a trainee to a licensed barber

..... at

(state name of licensed barber)

(state address of licensed barber)

This licence is granted subject to the following conditions—

Dated this day of

Secretary for the Local Board of Health
for the parish of:

FIRST SCHEDULE, *contd.*

FORM F

(Regulation 12(1)(a))

THE PUBLIC HEALTH ACT

Application for Renewal of Licence to operate a Barbershop

Name of Barbershop:

Address of Barbershop:

Name of operator of Barbershop:

Address of operator of Barbershop:

Number of licence:

Date licence granted:

Was licence suspended?

If yes, state reasons for and date of suspension and date of withdrawal of suspension:

.....
.....
.....

Date Signature

FOR OFFICIAL USE ONLY

Documents submitted

- 1.
- 2.
- 3.
- 4.

New Licence Number:

Fee paid:

Date of examination of Barbershop:

Recommendation:

Date:

Signature of Authorized Officer

FIRST SCHEDULE, *contd.*

FORM G

(Regulation 12(1)(b))

THE PUBLIC HEALTH ACT

Application for Renewal of Licence to operate as a Barber

Name:

Address:

Name of Barbershop where you operate as a barber:

Address of Barbershop:

Number of licence:

Date licence granted:

Was licence suspended?

If yes, state reasons for and date of suspension and date of withdrawal of suspension:

Date Signature

FOR OFFICIAL USE ONLY

Documents submitted

1.

2.

3.

New Licence Number:

Fee paid:

Recommendation:

Date:

Signature of Authorized Officer

FIRST SCHEDULE, *contd.*

FORM I

(Regulation 8(2))

THE PUBLIC HEALTH ACT

Application for Health Certificate for Barbers

Name:

Address:

Age: Sex:

Occupation:

Name of Employee:

Business Address of Employer:

Have you ever applied for Health Certification?

Was application granted or refused?

If refused state reason:

Number of last Health Certificate:

Date: Signature:

FOR OFFICE USE ONLY

Amount of Fee Paid:

Date of Medical Examination:

Permit Granted/Refused:

Reason why Refused:

Permit No.:

.....
Date

.....
Signature
Medical Officer (Health)

FIRST SCHEDULE, *contd.*

FORM J

(Regulation 8(3))

THE PUBLIC HEALTH ACT

Health Certificate for Barbers

Permit No.....If you have

- Boil
- Cold
- Cough
- Fever
- Skin rash
- Diarrhoea & Vomitting
- Infected sores

Parish:

Seek treatment at your health centre or at your Doctor. Remember these conditions can be spread to other persons.

Please keep this card clean and in a safe place.

FRONT

BACK

Name:

Date

Date

Expiratory

Initial

Age: Sex:

of

of

date

Home Address:

Exam.

Education

Occupation:

Employer:

Business Address:

I hereby certify that the abovenamed person was examined on the dates initialized by me and has been granted a permit to work in a Barbershop.

Keep your appointment at the Clinic every year. See a Health Worker or your Doctor if you are ill.

.....
Medical Officer (Health)

SECOND SCHEDULE

(Regulations 3, 7, 8, 9, 10 and 12)

Fees

Licence to operate as a barber	.. ..	\$2,500.00
Renewal of licence to operate as a barber	.. ..	\$2,500.00
Licence to operate as a trainee	.. ..	\$ 500.00
Renewal of licence to operate as a trainee	.. ..	\$ 500.00
Fee for Health Certificate	.. ..	\$ 500.00
Licence to operate premises as a barbershop	.. ..	\$3,500.00
Renewal of licence to operate premises as a barbershop	.. ..	\$3,500.00
Licence to operate premises as a barbershop in which hairdressing, beauty therapy or cosmetology takes place	.. ..	\$5,000.00