

S.I. 1969 No. 233

Health Services

CAP. 44

HEALTH SERVICES (BUILDING) REGULATIONS, 1969

Made by the Minister under section 10 of the *Health Services Act*, Cap. 44.

1. These Regulations may be cited as the Health Services (Building) Regulations, 1969.
2. For the purposes of these regulations—
 - “building” means any structure used for the purposes of human habitation or in which any person is employed and includes a hospital, market or school;
 - “construction” in relation to a moveable building includes the pulling down, removing and re-erecting thereof on another site;
 - “convenience” means any receptacle for human excreta together with the structure comprising such convenience and the fittings and apparatus connected therewith and includes a bath tub, shower, wash basin or any other similar sanitary convenience.

[1976/21]

- 3.(1) A person who desires to construct, extend or effect any material alteration to any building shall apply in writing to the Minister.
- (2) The application shall be accompanied by scale drawings prepared in duplicate, showing details of the proposed construction, extension or material alteration and of the proposed drainage and sanitary facilities.
- (3) Notwithstanding paragraphs (1) and (2), if any enactment requires any application for the construction, extension or material alteration of any building

to be submitted to the Chief Town Planner, the applicant need not, but the Chief Town Planner shall, submit such plans for the Minister's approval.

(4) For the purposes of this regulation, a material alteration of a building shall include any alteration in which—

- (a) a building or a part thereof which was originally constructed for use as a house or which though so constructed has been used for other purposes, becomes used as a house; or
- (b) a building, or a part thereof which was originally constructed for use as a house by one family becomes occupied by two or more families.

(5) A person shall not construct, extend or effect any material alteration to any building without having obtained the Minister's approval to do so.

4. The Minister may, in respect of an application made under these regulations—

- (a) refuse the application; or
- (b) attach such conditions to the grant of the application as he thinks fit;

and where he refuses the application he shall within forty-two days after receipt of such application give to the applicant notice of his refusal or conditional approval, as the case may be, and any notice of the latter shall specify the conditions which need to be satisfied before approval may be granted.

5. A person shall not erect a building on any ground which has been filled with any material impregnated with faecal, animal or vegetable matter, or upon which any such matter has been deposited, unless in the opinion of the Medical Officer of Health, such matter has been properly removed or rendered innocuous.

6. A person shall not erect a building on any ground which is below the level of the land or street adjacent, or on any land which is in a swampy condition, or which is flooded or liable to become so, unless such land shall have been graded and drained to the satisfaction of the Medical Officer of Health.

7.(1) In any building used or intended to be used for the habitual employment of persons in any manufacture, trade or business, the lower or lowest floor in every part of the building shall, unless the condition of the site or the ground renders the requirement unnecessary, adequately resist the seepage of moisture from the ground.

(2) The requirements of paragraph (1) shall be satisfied if—

- (a)* a floor which is constructed of some material other than timber is impervious to moisture or there is inserted within the thickness of the floor a damp-proof layer; or
- (b)* in the case of a timber floor, there is between the underside of the lowest timbers in the floor and the ground, a space of not less than nine inches in height affording thorough ventilation, and the floor is protected from moisture seeping through any wall, pier, column or chimney, into which or in contact with which it is built.

8. Every building shall be so constructed as to prevent the entry of rain water into the building, through the roof, and if such building be nearer than twelve feet to any other building, it shall be constructed of or be covered with some incombustible material.

9. All receptacles for the storage of rain or other water shall be water-tight, and properly covered and maintained in a sanitary condition to the satisfaction of the Medical Officer of Health.

10. All eaves, gutters and drain-pipes attached to any building shall have sufficient fall to permit the ready run-off of rain water, and shall be maintained in good repair.

11.(1) The owner of premises shall provide such premises with a proper drainage system so constructed as shall, in the opinion of the Medical Officer of

Health, be adequate to carry away all surface or waste water in the interests of the public health.

(2) All gutters and drains shall be so graded as to prevent water collecting in any part thereof, and shall be maintained in a clean and sanitary condition.

12. A person shall not discharge any sullage or any waste matter into any street or into any public place except as approved by the Medical Officer of Health.

13. Each bathroom, kitchen or other habitable room shall be provided with a window or other opening, including a door, which shall be so constructed that a total of not less than one-fifth of the floor area of such room may open to the open air, or, if it forms part of a building, to an open gallery.

14.(1) A person shall not construct or use any room for sleeping purposes unless an area of at least forty-four square feet is provided for each adult occupant.

(2) For the purposes of paragraph (1)—

- (a) a person over the age of ten years shall occupy not less than the same floor area as an adult occupant;
- (b) a person of ten years of age or under shall occupy not less than half the floor area of an adult occupant; and
- (c) the floor area of a room over which the height of the ceiling over the floor is less than eight feet shall not be taken into consideration.

15.(1) The owner of an occupied building shall provide that building with conveniences and other sanitary facilities of such description and construction as the Medical Officer of Health may direct.

(2) In providing conveniences in any hotel, lodging-house, barracks, factory, workshop or any other place where persons are employed in any trade or business, regard shall be had to the number of persons employed or engaged therein; and

where persons of both sexes are employed or engaged therein, separate and adequate accommodation shall be provided for each sex.

16.(1) In any area where sewers are provided, a person shall not erect any building unless suitable conveniences are provided and connected to the sewer.

(2) If premises within an area where sewers have been laid are not provided with conveniences connected thereto, the owners shall provide such connection on notice being given by the Minister, within the time specified in the notice.

17.(1) A convenience the entrance to which opens directly to the open air shall be provided with openings for lighting and ventilation as near the ceiling as practicable and communicating directly with the open air; the total area of such openings shall be not less than two square feet or one-tenth of the floor area of the convenience, whichever is greater.

(2) A convenience the entrance to which opens directly to the inside of a building shall be suitably lighted and ventilated and shall satisfy the following requirements—

- (a) in the case of a convenience not provided with mechanical means of ventilation—
 - (i) the convenience shall be provided with windows or roof lights opening directly to the open air;
 - (ii) the total area of such openings shall be not less than one-tenth of the floor area of the convenience; and
 - (iii) the total area of windows or roof lights shall not be less than two square feet;
- (b) in the case of a convenience which is provided with mechanical means of ventilation—
 - (i) the convenience shall be suitably lighted either by a window in an external wall or by a roof light through which natural light may enter, or by artificial lighting; and

- (ii) the mechanical means of ventilation shall be capable of infusing fresh air into the convenience and expelling stale air therefrom at a minimum rate of 750 cubic feet per hour per soil pan or basin.

18.(1) A convenience shall not—

- (a) open directly into a room, other than a bedroom or dressing room, that is used principally for human habitation; or
- (b) except with the written approval of the Chief Medical Officer, open directly into a room used for the manufacture, preparation or storage of food for human consumption.

(2) Where in any building a convenience communicates with a bedroom or dressing room and there is not in the building another convenience which does not communicate, the convenience shall be so constructed that it can be entered otherwise than from the bedroom or dressing room.

[1977/179]

19. A convenience shall be—

- (a) fly-proof, and
- (b) provided with a hinged and fly-proof seat cover.

20. A convenience shall not be constructed within a distance of one hundred feet of any well, spring or stream or in any position which, in the opinion of the Medical Officer of Health, is liable to cause pollution of any water which is used or likely to be used for domestic or industrial purposes.

21.(1) A pipe for conveying rain water from a roof shall not be used for the purpose of conveying the waste or drainage from any convenience.

(2) A pipe for conveying surface water from any premises shall not be used as a ventilating shaft to any drain or sewer conveying foul water.

(3) A soil pipe, drain, sewer, convenience, receptacle or place for the deposit of waste on any premises shall not be permitted by the owner or occupier thereof to be in such a state as to be prejudicial to the public health, or so as to cause a nuisance.

(4) If it appears to a Medical Officer of Health that the owner or occupier of premises contravenes this regulation, he may by notice in writing require such owner or occupier within the time specified in the notice to remedy the matter.

22. The owner of any building and the builder or contractor of any construction operation shall—

- (a) provide the workmen with temporary conveniences which shall be constructed in a manner approved by the Medical Officer of Health; and
- (b) on completion of the work, arrange for the cleaning and removal of such conveniences, and, if they are pit toilets, for the proper filling in and covering of such pits.

23.(1) The owner or occupier of premises shall—

- (a) keep all conveniences in a sanitary condition and in good repair;
- (b) protect all conveniences from the entry of storm water;
- (c) cause the convenience to be emptied, cleaned, disinfected or otherwise treated as the Medical Officer of Health or Public Health Inspector may direct.

(2) He shall not permit the convenience to be used as a place for storing food, agricultural implements or any other articles, or to accommodate animals.

24. Where a notice requires any person to vacate any premises and he fails to do so, a Medical Officer of Health or Public Health Inspector may apply to the magistrate of the district within which such person resides for an eviction order.

[1978/111]

25. A person who fails to comply with these regulations or with any notice issued thereunder, shall be guilty of an offence, and shall, on summary conviction, be liable to a fine of five thousand dollars or to imprisonment for twelve months, or to both such fine and imprisonment, and in the case of a continuing offence to a further fine of two hundred dollars for each day or part thereof during which the offence continues after a conviction is first obtained.

26. Where these regulations impose the doing of an act or the observance of a prohibition, the duty of seeing that such act is done or prohibition observed shall, unless otherwise provided in these regulations, rest, in the case of a building or parts of a building under construction, on the builder or contractor, and in the case of completed buildings, on the owner.