

**CHAPTER 295 THE PUBLIC HEALTH ACTCHAPTER 295**

**THE PUBLIC HEALTH ACT**

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**CHAPTER 295**

**PUBLIC HEALTH**

**An Act to provide for the prevention and suppression of diseases and generally to regulate all matters connected with public health in Zambia.**

[11 *th* April, 1930]

12 *of* 1930  
34 *of* 1930  
1 *of* 1931  
36 *of* 1933  
9 *of* 1934  
9 *of* 1937  
38 *of* 1938  
9 *of* 1939  
14 *of* 1941  
27 *of* 1941  
64 *of* 1953  
17 *of* 1957  
44 *of* 1957  
12 *of* 1961  
47 *of* 1963  
51 *of* 1963  
57 *of* 1964  
36 *of* 1965  
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25 *of* 1969  
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*Government Notices*  
291 *of* 1964  
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500 *of* 1964  
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*Act No.*  
13 *of* 1994  
22 *of* 1995

**PART I**

**PRELIMINARY**

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

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"adult" means a person who is over or appears to be over eighteen years of age;

"approved" and "prescribed" mean respectively approved or prescribed by the Minister or the Board or by the appointed officers or by the regulations framed under this Act, as the case may be;

"basement" includes any cellar, vault or underground room;

"Board" means the Central Board of Health constituted under this Act;

"building" includes any structure whatsoever, whether permanent or temporary;

"burial" means the burial in earth, interment or any other form of sepulture or the cremation or any other mode of disposal of a dead body, and "buried" has a corresponding meaning;

"child" means a person who is under or appears to be under eighteen years of age;

"dairy" includes any farm-house, cow-shed, milk-stall, milk-shop or other place from which milk is supplied or in which milk is kept or used for purposes of sale or manufactured into butter, cheese, dried milk or condensed milk for sale;

"dairyman" includes any cow-keeper, purveyor of milk, or occupier of a dairy, and in cases where a dairy is owned by a corporation or company the secretary or other person actually managing such dairy;

"district" means, in relation to a Local Authority, the area which is under the jurisdiction of that Local Authority;

"drain" means any drain used for the drainage of one building only, or of premises within the same curtilage and made merely for the purpose of communicating therefrom with a cesspool or other like receptacle for drainage, or with a sewer, into which the drainage of two or more buildings or premises occupied by different persons is conveyed;

"dwelling" means any house, room, shed, hut, cave, tent, vehicle, vessel or boat or any other structure or place whatsoever, any portion whereof is used by any human being for sleeping or in which any human being dwells;

"factory" means any building or part of a building in which machinery is worked by steam, water, electricity or other mechanical power, for the purposes of trade;

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"food" means any article used for food or drink other than drugs or water, and any article intended to enter into or be used in the preparation of such food, and flavouring matters and condiments;

"guardian" means any person having, by reason of the death, illness, absence or inability of the parent or any other cause, the custody of a child;

"Health Inspector" means a Health or Sanitary Inspector in the employment of the Government or of any Local Authority, and includes any person appointed by the Director of Medical Services to act as such within the district of one or more Local Authorities;

"infected" means suffering from, or in the incubation stage of, or contaminated with the infection of, any infectious disease;

"infectious disease" means any disease (not including any venereal disease except gonorrhoeal ophthalmia) which can be communicated directly or indirectly by any person suffering therefrom to any other person;

"isolated" means the segregation and the separation and the interdiction of communication with others of persons who are or are suspected of being infected; and "isolation" has a corresponding meaning;

"keeper of a lodging-house" means any person keeping an hotel or lodging-house;

"land" includes any right over or in respect of land or any interest therein;

"latrine" includes privy, urinal, earth closet and water closet;

"Local Authority" means-

- (a) in the area of a city council, a municipal council, township council, such council;
- (b) in any other area, the District Secretary for the District in which such area is situate;

"lodging-house" includes an hotel and any building or part of a house including the verandah thereof, if any, which is let or sublet in lodgings or otherwise, either by storeys, by flats, by rooms, or by portions of a room;

"medical observation" means the segregation and detention of persons under medical supervision;



"Medical Officer of Health" means the Director of Medical Services, any Government Medical Officer, any medical practitioner appointed by the Director of Medical Services to act as Medical Officer of Health in any area specified in such appointment, and the Medical Officer of Health of a city council, municipal council or township council;

"medical practitioner" means a person registered under the Medical and Allied Professions Act; Cap. 296

"medical surveillance" means the keeping of a person under medical supervision. Persons under such surveillance may be required by the Medical Officer of Health or any duly authorised officer to remain within a specified area or to attend for medical examination at specified places and times;

"occupier" includes any person in actual occupation of land or premises without regard to the title under which he occupies and, in case of premises subdivided and let to lodgers or various tenants, the person receiving the rent payable by the lodgers or tenants whether on his own account or as an agent for any person entitled thereto or interested therein;

"offensive trade" includes the trade of blood-boiler, bone-boiler, fellmonger, soap-boiler, tallow-melter, tripe-boiler and any other noxious or offensive trade, business or manufacture declared by the Minister, by statutory notice, to be a noxious or offensive trade;

"owner", as regards land or any interest therein, includes any person, other than the President, receiving the rent or profits of any lands or premises from any tenant or occupier thereof or who would receive such rent or profits if such land or premises were let whether on his own account or as agent for any person, other than the President, entitled thereto or interested therein. The term includes any lessee or licensee from the State and any superintendent, overseer or manager of such lessee or licensee residing on the holding;

"parent" includes the father and mother of a child, whether legitimate or not;

"premises" includes any building or tent together with the land on which the same is situated and the adjoining land used in connection therewith, and includes any vehicle, conveyance or vessel;

"public building" means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public worship or as a hospital, college, school, theatre, public hall or as a place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose;

"public latrine" means any latrine to which the public are admitted on payment or otherwise;

"Sanitary Inspector" means a Health or Sanitary Inspector in the employment of the Government or of any Local Authority, and includes any person appointed by the Director of Medical Services to act as such within the district of one or more Local Authorities;

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"slaughter-house" means the premises set apart for the purpose of a slaughter-house by a Local Authority; "pig slaughter-house" means the premises set apart by a Local Authority for the slaughtering of pigs; and "meat inspector" means the person employed by any Local Authority to act as meat inspector or other qualified person authorised by it to act in that behalf;

"stock" means and includes all domesticated animals of which the flesh or milk is used for human consumption;

"street" means any highway, road or sanitary lane, or strip of land reserved for a highway, road or sanitary lane, and includes any bridge, footway, square, court, alley or passage whether a thoroughfare or not or a part of one;

"trade premises" means any premises (other than a factory) used or intended to be used for carrying on any trade or business;

"verandah" includes any stage, platform or portico projecting from the main wall of any building;

"Veterinary Officer" means a veterinary surgeon in the employment of the Government;

"workshop" means any building or part of a building in which manual labour is exercised for purposes of trade.

*(As amended by Acts No. 34 of 1930, No. 9 of 1939, No. 27 of 1941, No. 64 of 1953, No. 51 of 1963, G.N. No. 291 of 1964, No. 69 of 1965, S.I. No. 163 of 1965 and No. 14 of 1966)*

PART II

ADMINISTRATION

3. Repealed by Act No. 22 of 1995.
4. Repealed by Act No. 22 of 1995.
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6. Repealed by Act No. 22 of 1995.
7. Repealed by Act No. 22 of 1995.
8. Repealed by Act No. 22 of 1995.

PART III

NOTIFICATION OF INFECTIOUS DISEASES

**9.** (1) The provisions of this Act, unless otherwise expressed, shall, so far as they concern notifiable infectious diseases, apply to anthrax, blackwater fever, epidemic cerebro-spinal meningitis or cerebro-spinal fever, asiatic cholera, diphtheria or membranous croup, dysentery, enteric or typhoid fever (including para-typhoid fever), erysipelas, glanders, leprosy, plague, acute anterior poliomyelitis, puerperal fever (including septicaemia, pyaemia, septic pelvic cellulitis or other serious septic condition occurring during the puerperal state), rabies, relapsing fever, scarlatina or scarlet fever, sleeping sickness or human trypanosomiasis, smallpox or any disease resembling smallpox, typhus fever, all forms of tuberculosis which are clinically recognisable apart from reaction to the tuberculin test, undulant fever and yellow fever.

Notifiable infectious diseases

(2) The Minister may, by statutory notice-

- (a) declare that any infectious disease other than those specified in subsection (1) shall be notifiable diseases under this Act;
- (b) declare that only such provisions of this Act as are mentioned in such notice shall apply to any notifiable infectious disease;
- (c) restrict the provisions of this Act, as regards the notification of any disease, to the district of any Local Authority or to any area defined in such notice.

*(As amended by No. 9 of 1937 and No. 51 of 1963)*

**10.** (1) Where an inmate of any building in Zambia used for human habitation is suffering from any notifiable infectious disease, unless such building is a hospital in which persons suffering from any notifiable infectious diseases are received, the following provisions shall have effect:

Notification of infectious diseases

- (a) the head of the family to which such inmate (in this Act referred to as "the patient") belongs, and in his default the nearest relatives of the patient present in the building or in their default the person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he becomes aware that the patient is suffering from any notifiable infectious disease to which this Act applies, send notice thereof to the nearest Medical Officer of Health;
- (b) whenever any child attending any school, orphanage or like institution, or any person residing in any hotel, boarding-house or other like institution, shall be known to be suffering from any infectious disease (whether such infectious disease is specified in this Act or not) the principal or person in charge of such school, orphanage or other like institution, or the manager or proprietor or person in charge of such hotel, boarding-house or other like institution shall forthwith send notice thereof to the nearest Medical Officer of Health and shall furnish to him on his request a list of scholars or residents thereat, together with their addresses;

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- (c) every medical practitioner attending on or called in to visit a patient shall forthwith, on becoming aware that the patient is suffering from any notifiable infectious disease to which this Act applies, send to the nearest Medical Officer of Health a certificate stating the name of the patient, the situation of the building and the notifiable infectious disease from which, in the opinion of such medical practitioner, the patient is suffering;
- (d) in any case in which a medical practitioner has been called in, the obligation to notify an infectious disease shall rest on such medical practitioner only;
- (e) every medical practitioner who becomes aware, by post-mortem examination or otherwise, that any person has died of a notifiable infectious disease shall immediately furnish a written certificate thereof to the nearest Medical Officer of Health and shall also inform the head of the household or the occupier of the premises or any person who has been in attendance on such diseased person of the infectious nature of the disease and the precautions to be taken to prevent its conveyance to others.

(2) Every person required by this section to give a notice or certificate who fails to give the same, shall be liable to a penalty not exceeding one hundred and twenty penalty units:

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

*(As amended by Act No. 13 of 1994)*

**11.** Every Medical Officer of Health shall at the end of each month and on a form to be prescribed, transmit to the Director of Medical Services particulars of all cases of infectious diseases notified to him during the month, and all information which he may possess as to the outbreak or prevalence of any infectious communicable or preventable disease in his district.

Medical Officers of Health to transmit return of notifications

*(As amended by No. 9 of 1937)*

**12.** The Minister may, in respect of the notification of infectious disease, by statutory instrument, make regulations as to-

Regulations for the notification of infectious diseases

- (a) the duties of owners or occupiers of land, the owners or managers of mines, employers of labour and all chiefs or headmen or others in regard to reporting the occurrence of any infectious disease;
- (b) the duties of the person in charge of any school, orphanage or similar institution in regard to the reporting of such diseases or any other communicable disease specified in the regulations to the Local Authority;
- (c) the circumstances in which notification of particular infectious diseases shall not be required;
- (d) the duties of the Local Authority in respect of the keeping of registers and records of such notifications;
- (e) the duties of Registrars of Deaths in respect of furnishing the Local Authority with notification of return of deaths notified with such Registrars;
- (f) the forms to be used and the particulars to be furnished by medical practitioners when making such notifications to the Medical Officer of Health;
- (g) the forms to be used and the particulars to be furnished by the Medical Officer of Health when transmitting returns and reports to the Director of Medical Services;

and generally for better carrying out the provisions and attaining the objects and purposes of this Part. Any person who contravenes or fails to comply with any such regulation shall be guilty of an offence.

*(As amended by No. 9 of 1937)*

**13.** The Local Authority where such is a city council, a municipal council, or a township council and in all other cases the Government shall pay to every medical practitioner, other than a Government Medical Officer, for each certificate duly sent in by him in accordance with this Act a fee of twenty-five ngwee if the case occurs in his private practice. For the purposes of this section, private practice does not include practice among agricultural or industrial employees or their dependants in cases where the employer pays to the medical practitioner a whole or part-time salary or retaining fee for his services to such employees or their dependants.

Fees for certificates

*(No. 9 of 1937 as amended by No. 51 of 1963 and No. 69 of 1965)*

**14.** A notice or certificate to be sent to a Medical Officer of Health in pursuance of this Act, may be sent by being delivered to the officer or being left at his office or residence, or may be sent by post addressed to him at his office or his residence.

Notices and certificates

#### PART IV

#### PREVENTION AND SUPPRESSION OF INFECTIOUS DISEASES

**15.** A Medical Officer of Health may at any time enter and inspect any premises in which he has reason to believe that any person suffering or who has recently suffered from any infectious disease is or has recently been present, or any inmate of which has recently been exposed to the infection of any infectious disease, and may medically examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any such disease.

Inspection of infected premises and examination of persons suspected to be suffering from infectious diseases

**16.** (1) Where any Medical Officer of Health is of opinion that the cleansing and disinfecting of any building or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious disease, it shall be his duty to give notice in writing to the owner or occupier of such building or part thereof specifying the steps to be taken to cleanse and disinfect such building or part thereof and articles within a specified time in such notice.

Duty of Local Authority to cause premises to be cleansed and disinfected

(2) If a person to whom notice is given fails to comply therewith, he shall be liable to a penalty not exceeding three hundred penalty units for every day during which he continues to make default: and the Local Authority or Medical Officer of Health may cause such building or part thereof and articles to be cleansed and disinfected, and may recover, by civil process, the expenses incurred from the owner or occupier in default.

(3) Where the owner or occupier of any such building or part thereof is from poverty or otherwise unable, in the opinion of the Local Authority or the Medical Officer of Health, effectually to carry out the requirements of this section, such authority may, without enforcing such requirements on such owner or occupier, with or without his consent enter, cleanse and disinfect such building or part thereof and articles and defray the expenses thereof.

*(As amended by Act No. 13 of 1994)*

**17.** Any Local Authority may direct the destruction of any building, bedding, clothing or other articles which have been exposed to infection from any infectious disease, or which in the opinion of the Medical Officer of Health are infected, and any such direction shall be sufficient authority for a Medical Officer of Health or Sanitary Inspector or person authorised thereto to destroy the same, and a Local Authority may with the approval of the Minister give compensation for any building, bedding, clothing or other articles destroyed in pursuance of any direction under this section.

Destruction of infected bedding, etc.

**18.** Any Local Authority may provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing or other articles which have become infected, and may cause any articles brought for disinfection to be disinfected free of charge.

Provision of means of disinfection

**19.** Any Local Authority may provide and maintain a carriage or carriages for the conveyance of persons suffering from any infectious disease, and may pay the expenses of conveying therein any person so suffering to a hospital or other place of destination.

Provision of conveyance for infected person

**20.** Where in the opinion of the Medical Officer of Health any person certified by a medical practitioner to be suffering from an infectious disease, or any person suffering from venereal disease in a communicable form, is not accommodated or is not being treated or nursed in such manner as adequately to guard against the spread of the disease, such person may, on the order of the Medical Officer of Health, be detained in or removed to hospital or any temporary place which in the opinion of the Medical Officer of Health is suitable for the reception of the infectious sick and there detained until such Medical Officer of Health or any medical practitioner duly authorised thereto by the Minister is satisfied that he is free from infection or can be discharged without danger to the public health.

Removal to hospital of infected person

*(As amended by Act No. 38 of 1938)*

**21.** Any person detained in accordance with an order of the Medical Officer of Health made under the provisions of the preceding section who escapes or attempts to escape shall be guilty of an offence and shall be liable to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a period not exceeding three months, or to both.

Penalty for escaping when detained

*(No. 14 of 1941 as amended by Act No. 13 of 1994)*

**22. (1)** Any person who-

Penalty on exposure of infected persons and things

- (a) while suffering from any infectious disease wilfully exposes himself without proper precautions against spreading the said disease in any street, public place, shop, inn, or public conveyance or enters any public conveyance without previously notifying the owner, conductor or driver thereof that he is so suffering; or
- (b) being in charge of any person so suffering so exposes such sufferer; or
- (c) gives, lends, sells, transmits or exposes, without previous disinfection, any bedding, clothing, rags or other things which have been exposed to infection from any such disease;

shall be liable to a penalty not exceeding four hundred and fifty penalty units or three months' imprisonment with or without hard labour, or to both; and a person who, while suffering from any such disease, enters any public conveyance without previously notifying to the owner or driver that he is so suffering, shall in addition be ordered by the court to pay such owner and driver the amount of any loss and expenses they may incur in carrying into effect the provisions of this Act with respect to disinfection of the conveyance:

Provided that no proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags or other things for the purpose of having the same disinfected.

(2) For the purposes of this section, "public conveyance" includes any railway coach, tramcar, omnibus, cab, motor car or any vehicle whatsoever, or any boat or other vessel, or any aircraft, if the conveyance plies for hire or is used by members of the public.

*(As amended by Act No. 13 of 1994)*

**23.** Every owner or driver of a conveyance shall immediately provide for the disinfection of such conveyance after it has to his knowledge conveyed any person suffering from an infectious disease, and if he fails to do so he shall be liable to a penalty not exceeding six hundred penalty units; but no such owner or driver shall be required to convey any persons so suffering until he has been paid a sum sufficient to cover any loss or expenses incurred by him in carrying into effect the provisions of this section.

Penalty on failing to provide for disinfection of public conveyance

*(As amended by Act No. 13 of 1994)*

**24.** Any person who knowingly lets for hire any dwelling or premises or part thereof in which any person has been suffering from an infectious disease, without having the same and all articles therein liable to retain infection efficiently disinfected to the satisfaction of a Medical Officer of Health as testified by a certificate signed by him, shall be liable to a penalty not exceeding one thousand five hundred penalty units. The provisions of this section shall apply to any owner or keeper of an hotel or boarding-house who lets any room or part thereof to any person.

Penalty for letting infected house

*(As amended by Act No. 13 of 1994)*

**25.** Any person letting for hire or showing for the purposes of letting for hire any dwelling or premises or part thereof who, on being questioned by any person negotiating for the hire of such house as to the fact of there being or within six weeks previously having been therein any person suffering from any infectious disease, knowingly makes a false answer to such question shall be liable to a fine not exceeding one thousand five hundred penalty units.

Duty of person letting house lately infected to give true information

*(As amended by Act No. 13 of 1994)*

**26. (1)** In every case of death from an infectious disease it shall be the duty of the occupier of the premises in which the death has occurred immediately to notify the Local Authority of the death and the cause thereof, and to make the best arrangements practicable, pending the removal of the body and the carrying out of thorough disinfection, for preventing the spread of such disease.

Notification to Local Authority of persons dying of infectious disease

**(2)** It shall be an offence against this Act for the occupier of any premises to keep any dead body in any room in which any person lives, sleeps, or works, or in which food is kept or prepared or eaten, or to keep the body of any person who is known to the occupier to have died of an infectious disease for more than twenty-four hours in any place other than a mortuary or other place set apart for the keeping of dead bodies, without first obtaining the sanction in writing of the Local Authority.

Removal of bodies of persons dying of infectious disease

**(3)** Where any person dies of an infectious disease it shall be an offence against this Act to remove the body except to a mortuary or for the purpose of immediate burial; and it shall be the duty of any person who removes the body to take it direct to the mortuary or to the place of interment for burial.

**(4)** Nothing in this section shall be deemed to prevent the removal by due authority of any dead body from a hospital to a mortuary.

*(As amended by No. 9 of 1937)*

**27. (1)** When-

Removal and burial of bodies of persons who have died of an infectious disease

- (a)** the body of a person who has died of an infectious disease is retained in a room in which any person lives, sleeps or works, or in which food is kept or prepared or eaten; or
- (b)** the body of a person who has died of an infectious disease is retained without the sanction of the Local Authority for more than twenty-four hours elsewhere than in a mortuary or other place reserved for the keeping of dead bodies; or
- (c)** any dead body is retained in any dwelling or place under circumstances which in the opinion of the Local Authority are likely to endanger health; or



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- (d) any dead body found within any city, municipality or township is unclaimed or where no competent person undertakes to bury it;

any magistrate or a police officer of or above the rank of Sub-Inspector, may, on a certificate signed by a medical practitioner, direct that the body be removed to a mortuary and be buried within a time to be specified in such order or, if the body is that of a person certified to have died of an infectious disease, may order that the body be buried immediately without removal to a mortuary. Unless the friends or relatives of the deceased undertake to, and do, bury the body within the time so specified, the cost of so doing shall be defrayed by the Local Authority, and may be recovered by it by action in any competent court from any person legally liable to pay the expenses of interment.

(2) Any person who obstructs the execution of any order or direction given under this section shall be guilty of an offence.

*(As amended by No. 9 of 1937 and No. 69 of 1965)*

**28.** The Minister may, by statutory instrument, make regulations applicable to all infectious diseases or only to such infectious diseases as may be specified therein regarding the following matters:

Regulations regarding infectious diseases

- (a) the imposition and enforcement of quarantine or of medical observation and surveillance in respect of persons suffering or suspected to be suffering from infectious disease who are not removed to a hospital or place of isolation, the premises in which such persons are accommodated, those in charge of or in attendance on such persons, and other persons living in or visiting such premises or who otherwise may have been exposed to the infection of any such disease;
- (b) the duties, in respect of the prevention of infectious disease and in respect of persons suffering or suspected to be suffering therefrom, of owners of land on which persons reside, and of employers of labour, and of chiefs or headmen and others;
- (c) the measures to be taken for preventing the spread of or eradicating cholera, smallpox, yellow fever, typhus fever, typhoid fever, plague, acute anterior poliomyelitis, tuberculosis or any other infectious disease requiring to be dealt with in a special manner;
- (d) the conveyance by rail or otherwise of persons suffering from, or the bodies of persons who have died of, an infectious disease;
- (e) the prevention of the spread from any animal or the carcass or product of any animal to man, of rabies, glanders, anthrax, plague, tuberculosis, trichinosis or any other disease communicable by any animal or the carcass or product of any animal to man;
- (f) the prevention of the spread and the eradication of malaria, the destruction of mosquitoes, and the removal or improvement of conditions permitting or favouring the multiplication or prevalence of mosquitoes, and the provision and proper upkeep of mosquito nets in the sleeping apartments of hotels, boarding-houses, lodging houses and all public buildings where persons are accommodated for payment;
- (g) the prevention of the spread of disease by flies and other insects, and the destruction of and the removal or improvement of conditions permitting or favouring the prevalence or multiplication of such flies or insects;
- (h) the destruction of rodents and other vermin, the removal or improvement of conditions permitting or favouring the harbourage or multiplication thereof;
- (i) the prevention of the spread of ankylostomiasis, bilharziasis or other disease in man caused by any animal or vegetable parasite;
- (j) the prevention of the spread of any infectious, contagious or loathsome disease by the carrying on of any business, trade or occupation;
- (k) the prevention of the spread of any infectious disease by persons who, though not at the time suffering from such disease, are "carriers" of and liable to disseminate the infection thereof, and the keeping under medical surveillance and the restriction of the movements of such persons;
- (l) the prohibition of spitting in public places or in public conveyances, except into receptacles provided for the purpose;
- (m) the regulation and restriction of any trade or occupation entailing special danger to the health of those engaged therein, whether from infectious disease or otherwise, and the institution of measures for preventing or limiting such danger;
- (n) cleansing stations and the cleansing of dirty or verminous persons, the disinfection or fumigation of premises, clothing or other articles which have been exposed to or are believed to be contaminated with the infection of any infectious disease, or which are dirty or verminous, and prohibiting the carrying out of any fumigation which involves the use of poisonous gas except under licence;
- (o) rag flock manufacture and the trade in rags and in bones and in second-hand clothing, bedding or any similar article, and requiring the disinfection of any such article before its importation, removal, sale or exposure for sale or use in any manufacturing process;
- (p) the disposal of any refuse, waste matters or other matter or thing which has been contaminated with or exposed to the infection of any infectious disease;
- (q) the regulation or restriction and, where deemed necessary, the prohibition of the

PART V

SPECIAL PROVISIONS REGARDING FORMIDABLE EPIDEMIC DISEASE

**29.** The provisions of this Act, unless otherwise expressed, in so far as they concern formidable epidemic, endemic or infectious diseases, shall be deemed to apply to smallpox, plague, asiatic cholera, yellow fever, typhus, sleeping sickness or human trypanosomiasis and any other disease which the Minister may declare, by statutory notice, to be a formidable epidemic disease for the purposes of this Act.

Formidable epidemic, endemic or infectious diseases

*(As amended by No. 51 of 1963)*

**30.** Whenever any part of Zambia appears to be threatened by any formidable epidemic, endemic or infectious disease, the Minister may declare it an "infected area" and may, by statutory instrument, make regulations for all or any of the following purposes, namely:

Regulations for prevention of disease

- (a) for the speedy interment of the dead;
- (b) for house to house visitation
- (c) for the provision of medical aid and accommodation, for the promotion of cleansing, ventilation and disinfection and for guarding against the spread of disease;
- (d) for preventing any person from leaving any infected area without undergoing all or any of the following: medical examination, disinfection, inoculation, vaccination or revaccination or passing a specified period in an observation camp or station;
- (e) for the formation of hospitals and observation camps or stations, and for placing therein persons who are suffering from or have been in contact with persons suffering from infectious disease;
- (f) for the destruction or disinfection of buildings, furniture, goods or other articles, which have been used by persons suffering from infectious disease, or which are likely to spread the infection;
- (g) for the removal of persons who are suffering from an infectious disease and persons who have been in contact with such persons;
- (h) for the removal of corpses;
- (i) for the destruction of rats, the means and precautions to be taken on shore or on board vessels for preventing them passing from vessels to the shore or from the shore to vessels, and the better prevention of the danger of spreading infection by rats;
- (j) for the regulation of hospitals used for the reception of persons suffering from an infectious disease and of observation camps and stations;
- (k) for the removal and disinfection of articles which have been exposed to infection;
- (l) for prohibiting any person living in any building or using any building for any other purpose whatsoever if in the opinion of the Medical Officer of Health any such use is liable to cause the spread of any infectious disease: any regulation made under this paragraph may give a Medical Officer of Health power to prescribe the conditions on which such a building may be used;
- (m) for any other purpose, whether of the same kind or nature as the foregoing or not, having for its object the prevention, control or suppression of infectious diseases;

and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any Local Authority and such district or part or parts thereof shall be deemed an infected area and to apply to any vessels on inland waters within the territorial jurisdiction of Zambia.

**31.** The Local Authority of any area within which or part of which regulations so issued by the Minister are declared to be in force, shall do and provide all such acts, matters and things as may be necessary for mitigating any such disease, or aiding in the execution of such regulations, or for executing the same, as the case may require. Moreover, the Local Authority may from time to time direct any prosecution or legal proceedings for or in respect of the wilful violation or neglect of any such regulations.

Local Authority to see to the execution of regulations

*(As amended by No. 9 of 1937)*

**32.** The Director of Medical Services and his officers shall have power of entry on any premises or vessels for the purpose of executing or superintending the execution of any regulations so issued by the Minister as aforesaid.

Power of entry

**33.** The Minister may, if he thinks fit, by order authorise or require any two or more Local Authorities to act together for the purposes of the provisions of this Act relating to preventions of epidemic, endemic or infectious diseases, and may prescribe the mode of such joint action and of defraying the costs thereof.

Minister may combine Local Authorities

**34.** (1) Every person who becomes aware of any unusual sickness or mortality among rats, mice, cats, dogs or other animals susceptible to plague or other formidable epidemic diseases, not due to poison or other obvious cause, shall immediately report the fact to the Medical Officer of Health.

Notification of sickness or mortality in animals suspected of plague

(2) Any such person who fails so to report shall be guilty of an offence.

*(As amended by No. 9 of 1937)*

**35.** Every Medical Officer of Health shall immediately report to the Director of Medical Services, by telegraph or other expeditious means, particulars of every notification received of a case or suspected case of any formidable epidemic disease, or of any unusual sickness or mortality in animals made under the last preceding section.

Medical Officers of Health to report notification of formidable epidemic diseases by telegraph

*(As amended by No. 9 of 1937)*

**36.** (1) Where an outbreak of any formidable epidemic disease exists or is threatened, it shall be lawful for the Director of Medical Services to require any person owning or having charge of any land or any buildings or dwellings not occupied, or any person owning or having charge of tents, transport, bedding, hospital equipment, drugs, food or other appliances, materials or articles urgently required in connection with the outbreak, to hand over the use of any such land or building or to supply or make available any such article, subject to the payment of a reasonable amount as hire or purchase price.

Director of Medical Services may requisition buildings, equipment, etc.

(2) Any person who, without reasonable cause, fails or refuses to comply with any such requirement shall be guilty of an offence.

## PART VI

### PREVENTION OF THE SPREAD OF SMALLPOX

**37.** For the purposes of this Part

Interpretation of terms in Part VI

"public vaccinator" shall include a public vaccinator appointed by the Director of Medical Services and any person appointed by the Director of Medical Services to assist or act for a public vaccinator, and includes any Government Medical Officer, or Medical Officer of Health;

"unprotected person" includes a child and means a person who has not been protected from smallpox by having had the disease, either naturally or by inoculation or by having been successfully vaccinated, and who has not been certified under the provisions of this Act to be insusceptible to vaccination.

**38.** No person shall be permitted to enter Zambia unless he is in possession of, and produces to an immigration officer at the port of entry, a valid international certificate of vaccination or revaccination against smallpox; and such certificate shall comply with the requirements of the Sanitary Regulations of the World Health Organisation.

Vaccination certificates

(No. 61 of 1967)

**39.** (1) Every unvaccinated adult person or the parent or guardian of every unvaccinated child in Zambia, who has not been vaccinated at the \*(1)commencement of Act No. 61 of 1967, shall cause himself or such child to be vaccinated within three years from that date.

Vaccination every three years

\* 15th December, 1967.

(2) Every adult person or the parent or guardian of every child in Zambia shall cause himself or such child to be revaccinated at intervals of three years from the date of his last successful vaccination.

(No. 61 of 1967)

**40.** In the event of the occurrence or threatened outbreak of smallpox in any area-

Emergency vaccination of population in areas threatened with smallpox

- (a) the Local Authority or any Government Medical Officer may require any person to be forthwith vaccinated or revaccinated who has or is suspected to have been in any way recently exposed to smallpox infection or may require the parent or guardian of any child who has or is suspected to have been so exposed to have such child vaccinated or revaccinated forthwith. Any person failing to comply with such requirement shall be guilty of an offence;
- (b) the Local Authority may, or when instructed by the Minister on the advice of the Board so to do shall, require all persons within an area defined to attend at centres according to instructions issued and to undergo inspection, vaccination or revaccination, as circumstances may require. Such instructions may be issued by notice in the Press, or by notices posted in public places, or otherwise as may be deemed sufficient by the Local Authority. Non-attendance shall be deemed to be an offence;
- (c) any Medical Officer of Health, public vaccinator or medical practitioner duly authorised by the Director of Medical Services may require any person in such area to furnish satisfactory proof (including the exhibition of vaccination scars) that he has been successfully vaccinated within three years immediately preceding the date of such requirement. Any person who fails to furnish such proof as regards himself or as regards any child of which he is the parent or guardian, and refuses to allow himself or such child to be vaccinated, shall be guilty of an offence.

(As amended by No. 9 of 1937 and No. 61 of 1967)

**41.** (1) If any public vaccinator or medical practitioner shall be of opinion that any adult or child is not in a fit state to be vaccinated, he shall give to the adult or to the parent or guardian of the child a certificate under his hand in Form 1 in the Schedule, or to the like effect, that the adult or child is then in a state unfit for vaccination.

If adult or child be unfit for vaccination, certificate to be given

(2) The said certificate shall remain in force for six months only but shall be renewable for successive periods of six months until the public vaccinator or medical practitioner shall deem the adult or child to be fit for vaccination when the adult or child shall with all reasonable despatch be vaccinated.

**42.** (1) If any public vaccinator or medical practitioner shall find that any adult or child whom he has three times unsuccessfully vaccinated is insusceptible of successful vaccination, or that the adult or child coming or brought to him for vaccination has already been successfully inoculated or had smallpox, he shall deliver to the adult or to the parent or guardian of the child a certificate under his hand in Form 2 in the Schedule.

Certificate of insusceptibility to be given

(2) A certificate of insusceptibility to vaccination shall only be given by a public vaccinator or other medical practitioner after three unsuccessful attempts at vaccination at intervals of not less than one month have been made by him with calf vaccine lymph of known efficiency.

**43.** Every public vaccinator or medical practitioner who shall have performed the operation of vaccination upon any adult or child, and shall have ascertained that the same has been successful, shall deliver to such adult or to the parent or guardian of such child a certificate in Form 3 in the Schedule, or to the like effect, certifying that the said adult or child has been successfully vaccinated.

Certificate to be given for successful vaccination

**44.** (1) No fee or remuneration shall be charged to the person vaccinated by any public vaccinator for any certificate granted under this Act, or for any vaccination done by him in pursuance of this Act.

No fee to be charged for a certificate or for vaccination by public vaccinator

(2) A public vaccinator or medical practitioner giving any certificate under this Act shall enter therein a description of the person in respect of whom the certificate is given sufficient for the purpose of identification.

Description of person to be entered in certificate

**45.** Every superintendent or person in charge of a leper asylum or mental hospital, gaol, prison, reformatory, penitentiary or other similar institution, shall cause to be vaccinated within fourteen days following his admission to such institution every inmate thereof who, being in a fit state of health to undergo vaccination, has not been successfully vaccinated within the three years immediately preceding: if such person is at the time unfit to undergo vaccination, he shall be vaccinated as soon as he is so fit.

Vaccination of inmates of institutions

*(As amended by No. 25 of 1969)*

**46.** (1) No child shall be admitted to or attend any school until there has been produced to the person in charge thereof a certificate or other satisfactory evidence that the provisions of this Part in respect of such child have been complied with.

School attendance

(2) For the purpose of ascertaining whether the provisions of subsection (1) are being observed, every Medical Officer of Health is hereby authorised and required, whenever instructed by the Director of Medical Services, to visit any school and make therein such inspection of the children attending thereat as will enable him to furnish prescribed particulars to the Director of Medical Services as to the children who are unvaccinated.

**47.** Any person who inoculates himself or any other person with material taken from a person suffering from smallpox or from a vaccine vesicle on another person or by any method not prescribed in regulations shall be guilty of an offence.

Supply of vaccine lymph and inoculation from arm to arm, etc., forbidden

**48.** The Minister on the advice of the Board may, by statutory instrument, make regulations-

Regulations under Part VI

- (a) prescribing forms of certificate, notices, returns, and books of record to be used in connection with public vaccination, and defining the information to be furnished therein, and requiring the furnishing and prescribing the manner of use thereof by Registrars of Births, public vaccinators, Local Authorities, medical practitioners, parents or guardians of children, persons in charge of schools, employers of labour and others;
- (b) conferring powers and imposing duties, in connection with the carrying out or enforcement of vaccination, on magistrates, police officers, or other Government officers, Local Authorities, persons in charge of schools, employers of labour, chiefs, headmen, and others;
- (c) prescribing the conditions under which vaccine lymph may be supplied free of charge to medical practitioners, Local Authorities and others;
- (d) providing for the vaccination or revaccination of persons and assigning, where deemed desirable, the responsibility for the carrying out of such vaccination or revaccination to Local Authorities or employers of labour;
- (e) as to the application and enforcement of the provisions of this Part to persons entering Zambia and for requiring, where deemed necessary, the vaccination or revaccination of any person before so entering.

*(As amended by G.N. No. 500 of 1964)*

## PART VII

### PREVENTION OF INTRODUCTION OF DISEASE

**49.** (1) The Minister may, by statutory notice, prohibit, restrict or regulate the immigration or importation into Zambia of any person, animal, article or thing likely, in his opinion, to introduce any infectious disease, or impose restrictions or conditions as regards the examination, detention, disinfection, or otherwise of any such person, animal, article or thing.

Introduction of infectious disease

(2) Any person who contravenes or fails to comply with any such notice shall be guilty of an offence, and shall be liable to a fine not exceeding three thousand penalty units or to imprisonment with or without hard labour for a period not exceeding six months, or to both.

*(As amended by No. 51 of 1963 and Act No. 13 of 1994)*

**50.** (1) Where any person arriving in Zambia by railway train or other conveyance is found to be suffering from any infectious disease, and in the opinion of the Medical Officer of Health cannot be accommodated or cannot be nursed and treated so as to guard against the spread of the disease or to promote recovery, the Medical Officer of Health may order the removal of such person to a hospital or place of isolation for such period as may be necessary in the interests of the patient or to prevent spread of infection.

Removal of infected persons from railway trains

(2) All expenses necessarily incurred in dealing with a patient under this section shall be a charge against the said patient and may be recovered from him in the manner prescribed by law. In the case of a person unable to pay any or all of such expenses necessarily incurred on his behalf, such expenditure or balance thereof shall be a charge on the general revenues of the Republic.

**51.** (1) Where any person arriving by railway train or other conveyance within Zambia is believed to have been recently exposed to the infection, or may be in the incubation stage of any notifiable disease, the Medical Officer of Health may require such person to be removed to some hospital or place of isolation until considered free from infection, or alternatively may allow such person to proceed to his place of destination and there report himself to the Local Authority for medical surveillance by such Local Authority until considered free from infection.

Surveillance or isolation of persons exposed to infection

(2) The Medical Officer of Health shall in each instance notify the Medical Officer of Health of the district where such person's destination is of the fact that such person is believed to have been recently exposed to infection and has been allowed to proceed to his destination.

*(As amended by No. 9 of 1937)*

**52.** (1) Any Medical Officer of Health may at any time board any railway train or other conveyance arriving within Zambia, and may inspect any portion thereof or anything therein, and may medically examine any person travelling by such train and require any such person to answer any question for the purpose of ascertaining if such person is infected by or has recently been exposed to the infection of any notifiable infectious disease.

Powers of authorised medical officers to inspect railway trains and medically examine passengers

(2) Any person who refuses to allow any such officer to board any railway train or other conveyance or to make any inspection or medical examination as aforesaid or otherwise obstructs or hinders any such officer in the execution of his duty, or who fails or refuses to give any information which he may lawfully be required to give, or who gives false or misleading information to any such officer, knowing it to be false or misleading, shall be guilty of an offence.

**53.** The Minister may, when he may consider it necessary for the prevention of the spread of any infectious disease, appoint special medical officers to inspect railway trains or other conveyances and any article or thing therein, and to examine any persons travelling by train or other conveyance, whether entering or leaving or travelling within Zambia.

Special medical officers to inspect railway trains, etc.

**54.** (1) When it is considered necessary for the purpose of preventing the introduction of infectious disease into Zambia, the Minister may, by statutory notice-

Powers to enforce precautions at borders

- (a) regulate, restrict or prohibit the entry into Zambia at its borders or any specified part thereof of any person, or of persons of any specified class or description, or from any specified locality or area;



- (b) regulate, restrict or prohibit the introduction into Zambia at its borders or any specified part thereof of any animal, article or thing;
- (c) impose requirements or conditions as regards the medical examination, detention, quarantine, disinfection, vaccination, isolation or medical surveillance or otherwise of persons entering Zambia, or the examination, detention or disinfection or otherwise of any article or thing introduced into Zambia at its borders or any part thereof;
- (d) apply with or without modifications any particular provisions of this Part to persons, animals, articles or things entering or introduced into, departing or removed from Zambia by means of aircraft.

(2) Any person who contravenes or fails to comply with any such notice shall be guilty of an offence.

*(As amended by No. 51 of 1963)*

**55.** The President may enter into agreements with the Government of the United Kingdom, or with the Government of any British Dominion or possession or of any foreign country, providing for the reciprocal notification of outbreaks of any formidable epidemic or other disease or any other matter affecting the public health relations of Zambia with other countries.

Agreements with other Governments regarding reciprocal notification of outbreaks

*(As amended by No. 51 of 1963, G.N. No. 291 of 1964 and S.I. No. 163 of 1965)*

**56.** Wherever under this Part powers are exercised by the Minister or other officer in accordance therewith and with the regulations and by reason of the exercise of such powers-

- (a) any vessel, person, article or thing is delayed or removed or detained; or
- (b) any article or thing is damaged or destroyed; or
- (c) any person is deprived of the use of any article or thing;

Government not to be liable to pay compensation in exercise of powers of Act if reasonable precautions used

the Government shall not be liable to pay compensation, provided due care and reasonable precautions have been taken to avoid unnecessary delay or damage or destruction.

*(As amended by No. 51 of 1963)*

## PART VIII

### VENEREAL DISEASES AND LEPROSY

**57.** The provisions of this Act, unless otherwise expressed, in so far as they concern venereal disease and leprosy, shall be deemed to apply to syphilis, gonorrhoea, gonorrhoeal ophthalmia, soft chancre, venereal warts and venereal granuloma.

Venereal diseases and leprosy

**58.** (1) Every person who, while suffering from any venereal disease or leprosy in a communicable form, accepts or continues in employment in domestic service or in or about any factory, shop, hotel, restaurant, house, or other place in any capacity entailing the care of children or the handling of food utensils or food intended for consumption or use by any other person shall be guilty of an offence, unless he proves that he did not know or suspect, and had no reasonable means of knowing or suspecting that he was so suffering, and shall be liable to a fine not exceeding seven hundred and fifty penalty units or to imprisonment for a period not exceeding three months, or to both.

Infected employees

(2) Every person shall be guilty of an offence who employs or continues to employ any person in domestic service suffering from any venereal disease or leprosy in a communicable form, or if, by reason of any employment, such person is required or is permitted to have the care of children or to handle any food utensils or food intended for consumption or use by any person other than the person employed, unless the employer proves that he did not know or suspect, and had no reasonable means of knowing or suspecting that the person so employed by him was suffering from such disease.

*(As amended by No. 14 of 1941 and Act No. 13 of 1994)*

**59.** Every person who wilfully or by culpable negligence infects any other person with venereal disease or leprosy, or does or permits or suffers any act likely to lead to the infection of any other person with any such disease, shall be guilty of an offence, and shall be liable to a fine not exceeding six thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

Conveyance of infection  
an offence

*(As amended by Act No. 13 of 1994)*

**60.** (1) Where any person sentenced to imprisonment under this Act or any other written law is suffering from a venereal disease or leprosy in a communicable form, he may, by order of a magistrate, be removed to a special hospital or place of accommodation, and be detained under treatment therein until the expiry of his sentence, and the magistrate, on the representation of the medical practitioner treating such person, and if satisfied that the public health cannot otherwise adequately be safeguarded and that such person when released is unlikely to undergo treatment by a medical practitioner for such disease, may order that he be detained in such hospital or place either for a specified period after the expiry of his sentence or until he is cured or free from the disease in a communicable form.

Detention in hospital of  
infected person

(2) Any person so detained in a hospital or other place of accommodation who escapes or attempts to escape therefrom shall be guilty of an offence.

*(As amended by No. 36 of 1933)*

**61.** Any person detained in hospital under this Part shall be entitled to arrange, at his own expense, for his examination by any medical practitioner, and a report of such examination shall be furnished to the magistrate, who may thereupon cause to be made any further examination of such person which he may deem necessary. No person shall be detained in hospital under this Part who is not, or is no longer, suffering from a venereal disease or leprosy in a communicable form.

Rights of persons  
detained in hospital

**62.** (1) No person shall publish any advertisement or statement intended to promote the sale of any medicine, appliance or article for the alleviation or cure of any venereal disease or disease affecting the generative organs or functions or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse.

Publication of  
advertisements of cures

(2) Any person who publishes any such advertisement or statement by printing it in any newspaper or exhibiting it to public view in any place or delivering or offering or exhibiting it to any person in any street or public place or in any public conveyance or who sells, offers or shows it or sends it by post to any person, shall be guilty of an offence. For the purposes of this section, "advertisement" or "statement" includes any paper, document, or book containing any such advertisement or statement.

(3) This section shall not apply to publication by the Government or by any Local Authority, public hospital, or other public body in the discharge of its lawful duties or by any society or person acting with the authority of the Minister first obtained, or to any books, documents or papers published in good faith for the advancement of medical science.

(4) No prosecution under this section shall be instituted except on information laid by the Director of Medical Services.

*(As amended by No. 51 of 1963)*

**63.** (1) The Minister may, by statutory instrument, make regulations-

Regulations under Part  
VIII

- (a) prescribing forms of certificates, notices, orders or returns and books of record to be used in connection with venereal disease, and defining the information to be furnished therein, and requiring the furnishing and prescribing the manner of use thereof by Government Medical Officers, Local Authorities, Medical Officers of Health and others;
- (b) conferring powers and imposing duties in connection with venereal disease on Government Medical or other officers, Local Authorities, Medical Officers of Health, employers of labour, owners of land on which persons reside, and chiefs or headmen;
- (c) adapting, within such area as may be defined, the provisions of this Part and the procedure thereunder to the understanding and the special circumstances of persons of particular nationalities or different classes of persons;
- (d) providing for the effective enforcement of this Part as regards persons of particular nationalities or different classes of persons, and assigning, where deemed desirable, responsibility in connection therewith to Local Authorities or employers of labour;
- (e) as to the management, maintenance and inspection of hospitals or other institutions for the purposes of this Part and the appointment and duties of persons employed therein or otherwise in connection with the carrying out or enforcement of this Part;
- (f) as to the classification, treatment, control and discipline of persons treated or detained in such hospitals or institutions and prescribing compulsory work for such persons where deemed desirable;

- (g) prescribing the procedure of and precautions to be taken by persons suffering from, or attending on or having the care or charge of persons suffering from, venereal disease;

and generally for better carrying out the provisions and attaining the objects and purposes of this Part.

(2) Any person who contravenes or fails to comply with any regulation made under this section shall be guilty of an offence.

*(As amended by G.N. No. 500 of 1964 and No. 25 of 1969)*

## PART IX

### SANITATION AND HOUSING

**64.** No person shall cause a nuisance or shall suffer to exist on any land or premises owned or occupied by him or of which he is in charge any nuisance or other condition liable to be injurious or dangerous to health.

Nuisances prohibited

**65.** It shall be the duty of every Local Authority to take all lawful, necessary and reasonably practicable measures for maintaining its district at all times in clean and sanitary condition, and for preventing the occurrence therein of, or for remedying or causing to be remedied, any nuisance or condition liable to be injurious or dangerous to health, and to take proceedings at law against any person causing or responsible for the continuance of any such nuisance or condition.

Duties of Local Authorities to maintain cleanliness and prevent nuisances

**66.** It shall be the duty of every Local Authority to take all lawful, necessary and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions liable to be injurious or dangerous to health arising from the erection or occupation of unhealthy dwellings or premises, or the erection of dwellings or premises on unhealthy sites or on sites of insufficient extent, or from overcrowding, or from the construction, condition or manner of use of any factory or trade premises, and to take proceedings under the law or rules in force in its district against any person causing or responsible for the continuance of any such condition.

Duty of Local Authorities to prevent or remedy danger to health arising from unsuitable dwellings

**67.** (1) The following shall be deemed to be nuisances liable to be dealt with in the manner provided in this Part:

What constitutes a nuisance

- (a) any vessel, and any railway carriage or other conveyance in such a state or condition as to be injurious or dangerous to health;
- (b) any dwelling or premises or part thereof which is or are of such construction or in such a state or so situated or so dirty or so verminous as to be, in the opinion of the Medical Officer of Health, injurious or dangerous to health, or which is or are liable to favour the spread of any infectious disease;

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- (c) any street, road or part thereof, any stream, pool, ditch, gutter, water-course, sink, water tank, cistern, water closet, earth closet, privy, urinal, cesspool, soak-away pit, septic tank, cesspit, soil-pipe, waste-pipe, drain, sewer, garbage receptacle, dustbin, dung-pit, refuse-pit, slop-tank, ash-pit, manure heap so foul or in such a state or so situated or constructed as, in the opinion of the Medical Officer of Health, to be offensive or to be injurious or dangerous to health;
- (d) any well or other source of water supply or any cistern or other receptacle for water, whether public or private, the water from which is used or is likely to be used by man for drinking or domestic purposes or in connection with any dairy or milk-shop, or in connection with the manufacture or preparation of any article of food intended for human consumption, which is, in the opinion of the Medical Officer of Health, polluted or otherwise liable to render any such water injurious or dangerous to health;
- (e) any noxious matter, or waste water, flowing or discharged from any premises, wherever situated, into any public street, or into the gutter or side channel of any street, or into any water-course, irrigation channel or bed thereof not approved for the reception of such discharge;
- (f) any stable, cow-shed or other building or premises used for keeping of animals or birds which is so constructed, situated, used or kept as to be offensive or which is injurious or dangerous to health;
- (g) any animal so kept as to be a nuisance, or injurious to health;
- (h) any accumulation or deposit of refuse, offal, manure or other matter whatsoever which is offensive or which is injurious or dangerous to health;
- (i) any accumulation of stones, timber, or other building material if such, in the opinion of the Medical Officer of Health, is likely to harbour rats or other vermin;
- (j) any premises in such a state or condition and any building so constructed as to be likely to harbour rats;
- (k) any dwelling or premises which is so overcrowded as to be injurious or dangerous to the health of the inmates or is dilapidated or defective in lighting or ventilation, or is not provided with or is so situated that it cannot be provided with sanitary accommodation to the satisfaction of the Medical Officer of Health;
- (l) any public or other building which is so situated, constructed, used or kept as to be unsafe, or injurious or dangerous to health;
- (m) any occupied dwelling for which such a proper, sufficient and wholesome water supply is not available within a reasonable distance as under the circumstances it is possible to obtain;

- (n) any factory or trade premises not kept in a cleanly state and free from offensive smell arising from any drain, privy, water closet, earth closet, or urinal, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein;
- (o) any factory or trade premises causing or giving rise to smells or effuvia which are offensive or which are injurious or dangerous to health;
- (p) any area of land kept or permitted to remain in such a state as to be offensive, or liable to cause any infectious communicable or preventable disease or injury or danger to health;
- (q) any chimney sending forth smoke in such quantity or in such manner as to be offensive or injurious or dangerous to health;
- (r) any cemetery, burial-place or place of sepulture so situated or so crowded or otherwise so conducted as to be offensive or injurious or dangerous to health;
- (s) any act, omission, or thing which is, or may be offensive, dangerous to life, or injurious to health.

(2) The author of a nuisance means the person by whose act, default or sufferance, nuisance is caused, exists or is continued, whether he be the owner or occupier or both owner and occupier or any other person.

**68.** The Local Authority, if satisfied of the existence of a nuisance, shall serve a notice on the author of the nuisance or, if he cannot be found, then on the occupier or owner of the dwelling or premises on which the nuisance arises or continues, requiring him to remove it within the time specified in the notice, and to execute such work and do such things as may be necessary for that purpose and if the Local Authority think it desirable (but not otherwise) specifying any work to be executed to prevent a recurrence of the said nuisance:

Notice to remove  
nuisance

Provided that-

- i(i) where the nuisance arises from any want or defect of a structure or character, or where the dwelling or premises are unoccupied, the notice shall be served on the owner;
- (ii) where the author of the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act or default or sufferance of the occupier or owner of the dwelling or premises, the Local Authority shall remove the same and may do what is necessary to prevent the recurrence thereof.

(As amended by No. 9 of 1937)

**69.** (1) If the person on whom a notice to remove a nuisance has been served as aforesaid fails to comply with any of the requirements thereof within the time specified, the Local Authority shall cause a complaint relating to such nuisance to be made before a magistrate and such magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

Procedure in case owner  
fails to comply with  
notice

(2) If the court is satisfied that the alleged nuisance exists, the court shall make an order on the author thereof, or the occupier or owner of the dwelling or premises, as the case may be, requiring him to comply with all or any of the requirements of the notice or otherwise to remove the nuisance within a time specified in the order and to do any works necessary for that purpose.

(3) The court may by such order impose a fine not exceeding three hundred penalty units on the person on whom the order is made and may also give directions as to the payment of all costs incurred up to the time of the hearing or making of the order for the removal of the nuisance.

(4) If the nuisance although removed since the service of the notice in the opinion of the Medical Officer of Health or Local Authority is likely to recur on the same premises, the Local Authority shall cause a complaint relating to such nuisance to be made before a magistrate and the magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

(5) If the court is satisfied that the alleged nuisance although removed is likely to recur on the same premises, the court shall make an order on the author thereof or the occupier or owner of the dwelling or premises, as the case may be, requiring him to do any specified work necessary to prevent the recurrence of the nuisance and prohibiting its recurrence.

(6) In the event of the person on whom such order as is specified in subsection (4) and (5) not complying with the order within a reasonable time, the Local Authority shall again cause a complaint to be made to a magistrate, who shall thereupon issue a summons requiring such person to appear before him and on proof that the order has not been complied with may impose a fine not exceeding three hundred penalty units, and may also give directions as to the payment of all costs up to the time of the hearing.

(7) Before making any order, the court may, if it thinks fit, adjourn the hearing or further hearing of the summons until an inspection, investigation or analysis in respect of the nuisance alleged has been made by some competent person.

(8) Where the nuisance proved to exist is such as to render a dwelling unfit, in the judgment of the court, for human habitation, the court may issue a closing order prohibiting the use thereof as a dwelling until, in its judgment, the dwelling is fit for that purpose; and may further order that no rent shall be due or payable by or on behalf of the occupier of that dwelling in respect of the period in which the closing order exists; and, on the court being satisfied that it has been rendered fit for use as a dwelling, the court may terminate the closing order and by a further order declare the dwelling habitable, and from the date thereof such dwelling may be let or inhabited.

(9) Notwithstanding any such last mentioned order, further proceedings may be taken in accordance with this section in respect of the same building in the event of any nuisance occurring or of the dwelling being again found to be unfit for human habitation.

*(As amended by No. 9 of 1937 and Act No. 13 of 1994)*

**70.** (1) Any person who fails to obey an order to comply with the requirements of the Local Authority or otherwise to remove the nuisance, shall, unless he satisfies the court that he has used all diligence to carry out such order, be liable to a fine not exceeding one hundred and twenty penalty units for every day during which the default continues; any person wilfully acting in contravention of a closing order issued under the last preceding section shall be liable to a fine not exceeding one hundred and twenty penalty units for every day during which the contravention continues.

Penalties in relation to nuisances

(2) The Local Authority may in such a case enter the premises to which any such order relates, and remove the nuisance and do whatever may be necessary in the execution of such order, and recover in any competent court the expenses incurred from the person on whom the order is made.

*(As amended by No. 9 of 1937 and Act No. 13 of 1994)*

**71.** Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or that the owner or occupier of the premises is not known or cannot be found, the court may at once order the Local Authority to execute the works thereby directed and the cost of executing the same shall be a charge on the property on which the said nuisance exists.

Court may order Local Authority to execute works in certain cases

**72.** The Local Authority or any of its officers or the Medical Officer of Health, or any Sanitary Inspector, or, on the order of a magistrate, any police officer of or above the rank of Assistant Inspector may enter any building or premises for the purpose of examining as to the existence of any nuisance therein at all reasonable times; and the Local Authority or any of its officers may if necessary open up the ground of such premises and cause the drains to be tested, or such other work to be done as may be necessary for the effectual examination of the said premises:

Examination of premises

Provided that, if no nuisance is found to exist, the Local Authority shall restore the premises at its own expense.

*(As amended by No. 47 of 1963)*

**73.** (1) Where under section *sixty-seven* a nuisance is proved to exist with respect to a dwelling and the court is satisfied that such dwelling is so dilapidated or so defectively constructed or so situated that repairs to or alterations of the same are not likely to remove the nuisance and make such dwelling fit for human habitation, the court may order the owner thereof to commence to demolish the dwelling and other structures on the premises on or before a specified day, being at least one month from the date of issuing the order, and to complete the demolition and to remove the materials which comprised the same from the site before another specified day.

Demolition of unfit dwellings

(2) The court shall give notice to the occupier of a dwelling in respect of which such an order has been issued requiring him to move therefrom within a time to be specified in such notice, and if any person fails to comply with such notice or enters the dwelling or premises after the date fixed except for the purpose of demolition, he shall be guilty of an offence.

(3) If any person fails to comply with such an order for demolition, he shall be guilty of an offence and be liable to pay the daily fine provided in section *seventy*, and the Local Authority may cause the dwelling and any other structures on the premises to be demolished and may recover from the owner the expense incurred in doing so after deducting the net proceeds of the sale of the materials, which the Local Authority may sell by auction.



(4) No compensation shall be paid by the Local Authority to the owner or occupier of any dwelling or other structure in respect of the demolition thereof as aforesaid, and from the date of the demolition order no rent shall be due or payable by or on behalf of the occupier in respect of such dwelling or structure.

**74.** (1) Within any area to which the Minister may, by statutory notice, apply the provisions of this section, it shall not be lawful for any person after the commencement of this Act-

Prohibitions in respect of back-to-back dwelling, and rooms without through ventilation

- (a) to erect any dwelling constructed on the back-to-back system; or
- (b) to erect any room intended to be used as a sleeping or living or work room which is not sufficiently lighted by a window or windows of a total area of not less than one-tenth of the floor area, and sufficiently ventilated by two or more ventilation openings or by windows capable of being wholly or partly opened, such windows or openings being so placed as to secure through or cross ventilation; or
- (c) to erect any dwelling on made ground containing street sweepings, refuse, rubbish or other matter liable to decomposition until the approval of the Local Authority has been obtained and until also such measures for safeguarding health have been taken as the Local Authority may require; or
- (d) to let or use for habitation any dwelling or room erected anywhere after the commencement of this Act in contravention of paragraph (a), (b) or (c).

(2) Any person who contravenes any provision of this section shall be liable on conviction to a fine not exceeding one thousand five hundred penalty units, and to a further fine not exceeding sixty penalty units every day during which such contravention continues after the date fixed in any written notice in respect thereof from the Local Authority.

*(As amended by G.N. No. 291 of 1964 and Act No. 13 of 1994)*

**75.** The Minister may, by statutory instrument, make regulations and may confer powers and impose duties in connection with the carrying out and enforcement thereof on Local Authorities, owners and others as to-

Regulations under Part IX

- (a) the inspection of land, dwellings, buildings, factories and trade premises, and for securing the keeping of the same clean and free from nuisance and so as not to endanger the health of the inmates or the public health;
- (b) the construction of buildings, the provision of proper lighting and ventilation, and the prevention of overcrowding;
- (c) the periodical cleansing and whitewashing or other treatment of dwellings and the cleansing of land attached thereto and the removal of rubbish or refuse therefrom;
- (d) the drainage of land, streets or premises, the disposal of offensive liquids and the removal and disposal of rubbish, refuse, manure and waste matters;
- (e) the standard or standards of purity of any liquid which, after treatment in any purification works, may be discharged therefrom as effluent;
- (f) the keeping of animals or birds and the construction, cleanliness and drainage of places where animals or birds are kept;
- (g) the establishment and carrying on of factories or trade premises which are liable to cause offensive smells or effluvia, or to discharge liquid or other material liable to cause such smells or effluvia, or to pollute streams, or are otherwise liable to be a nuisance or injurious or dangerous to health, and for prohibiting the establishment or carrying on of such factories or trade premises in unsuitable localities or so as to be a nuisance or injurious or dangerous to health;
- (h) the subdivision and general layout of land intended to be used as building sites, the level construction, number, direction and the width of streets and thoroughfares, the limitation of the number of dwellings or other buildings to be erected on such land, the proportion of any building site which may be built upon and the establishment of zones within which different limitations shall apply and zones within which may be prohibited the establishment or conduct of occupations or trades likely to cause nuisance or annoyance to persons residing in the neighborhood;
- (i) the inspection of the district of any Local Authority by that Local Authority with a view to ascertaining whether the lands and buildings thereon are in a state to be injurious or dangerous to health and the preparation, keeping, and publication of such records as may be required.

*(As amended by Act No. 17 of 1957 and G.N. Nos. 291 and 500 of 1964)*

## PART X

### PROTECTION OF FOODSTUFFS

**76.** (1) All warehouses or buildings of whatever nature used for the storage of foodstuffs shall be constructed of such materials and in such manner as shall, in the opinion of the Medical Officer of Health, render such warehouse or building rat-proof.

Construction and regulation of buildings used for the storage of foodstuffs

(2) Where any warehouse or building intended for the storage of foodstuffs aforesaid has fallen into a state of disrepair, or does not, in the opinion of the Medical Officer of Health, afford sufficient protection against rat invasion by reason of the materials used in the construction of the same being defective, the Local Authority may by written notice require the owner to effect such repairs and alterations as the notice shall prescribe within a time to be specified in the said notice, and if such requirement is not complied with the Local Authority may enter upon the premises and effect such repairs and alterations, and may recover all costs and expenses incurred from the owner.

(3) Where, in the opinion of the Medical Officer of Health, any foodstuffs within a warehouse or building are insufficiently protected, the owner thereof shall observe all written instructions and directions of the Local Authority within a time to be specified in the notice for the better protection of the same:

Provided that in the case of any prosecution under this section, the court may in its discretion acquit the accused if it is satisfied that all reasonable steps have been taken to exclude rats having regard to all the circumstances of the case.

*(As amended by No. 9 of 1937)*

**77.** (1) No person shall reside or sleep in any kitchen or room in which foodstuffs are prepared or stored for sale.

No person shall reside or sleep in any room in which foodstuffs are stored, etc.

(2) If it appears to the Medical Officer of Health that any such kitchen or room is being so used contrary to the provisions of this section, or that any part of the premises adjoining the room in which foodstuffs are stored or exposed for sale is being used as a sleeping apartment under such circumstances that the foodstuffs are likely to be contaminated or made unwholesome, the Local Authority may serve upon the offender or upon the owner of the house, or upon both, a notice calling for such measures to be taken as shall prevent the improper use of such kitchen and premises within a time to be specified in the notice, and if such notice be not complied with the party upon whom it was served shall be guilty of an offence.

*(As amended by No. 9 of 1937)*

## PART XI

### WATER AND FOOD SUPPLIES

**78.** It shall be the duty of every Local Authority to take all lawful, necessary and reasonably practicable measures-

Duty of Local Authority as to pollution of water supplies

- (a) for preventing any pollution dangerous to health of any supply of water which the public within its district has a right to use and does use for drinking or domestic purposes (whether such supply is derived from sources within or beyond its district); and
- (b) for purifying any such supply which has become so polluted;

and to take measures (including, if necessary, proceedings at law) against any person so polluting any such supply or polluting any stream so as to be a nuisance or danger to health.

**79.** No person shall sell or expose for sale or bring into Zambia or into any market or have in his possession without reasonable excuse any food for any animal in an unwholesome state or unfit for its use, and any Medical Officer of Health, Veterinary Officer, Sanitary Inspector, Meat Inspector or police officer of or above the rank of Sub-Inspector may seize any such food, and any District Secretary on the recommendation of the Medical Officer of Health or Veterinary Officer may order it to be destroyed or to be so disposed of as to prevent it from being used as food for animals.

Sale of unwholesome food prohibited

*(No. 22 of 1972)*

**80.** Any Medical Officer of Health, or other person duly authorised by the Local Authority in writing, may, at any time between the hours of 6 a.m. and 6 p.m., enter any shop or premises used for the sale or preparation for sale, or for the storage of food, to inspect and examine any food found therein which he shall have reason to believe is intended to be used as human food, and should such food appear to such officer to be unfit for such use, he may seize the same, and any Administrative Officer may order it to be disposed of as in the foregoing section. The proof that such food was not exposed or deposited for any such purpose shall rest with the person charged.

Seizure of unwholesome food

*(As amended by G.N. No. 500 of 1964)*

**81.** Any person in whose possession there shall be found any food liable to seizure under sections *seventy-nine* and *eighty* shall further be liable to a penalty not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

Penalty

*(As amended by Act No. 13 of 1994)*

**82.** The Minister may, by statutory instrument, make regulations regarding all or any of the following matters:

- (a) the inspection of dairy stock and of animals intended for human consumption, and of dairies, stock-sheds or yards, milk-shops, milk-vessels and slaughter-houses, and of factories, stores, shops and other places where any article of food is manufactured or prepared or kept;
- (b) the taking and examination of samples of milk, dairy produce, meat or other articles of food and the removal or detention, pending examination or inquiry, of animals or articles which are suspected of being diseased or unsound or unwholesome or unfit for human consumption, and the seizure and destruction or treatment or disposal, so as not to endanger health, of any such article which is found to be unwholesome or unsound or diseased or infected or contaminated, and of diseased animals sold or intended or offered or exposed for sale for human consumption; such regulations may empower a Medical Officer of Health, or (in the case of meat) a Veterinary Officer, to detain, seize or destroy any diseased, unsound or unwholesome article of food, but shall not confer on any other person any power beyond that of detention of such article for the purpose of examination by a Medical Officer of Health, or (in the case of meat) a Veterinary Officer;
- (c) fixing standards of milk contents and cleanliness of milk and prescribing the warning to be given to any cow-keeper, dairyman or purveyor of milk that any milk sold or kept or transmitted or exposed for sale by him has been found to be below any such standard, and the issue of orders prohibiting the sale or keeping or exposure for sale of milk from any particular animal or animals, or requiring the closing of any dairy, stock-shed or yard or milk-shop, the milk from which is found after analysis and official warning to be below any such standard;
- (d) the conveyance and distribution of milk and the labelling or marking of receptacles used for the conveyance of milk;
- (e) the veterinary inspection of dairy stock;
- (f) the duties of cow-keepers, dairymen and purveyors of milk in connection with the occurrence of infectious disease amongst persons residing or employed in or about their premises and the furnishing by them of the names and addresses of their customers, and of cow-keepers in connection with reporting the occurrence, in animals on the premises or any dairy cattle, of diseases which are communicable to man and of any disease of the udder;
- (g) the inspection and examination of, and the regulation, inspection and supervision of the manufacture, preparation, storage, keeping and transmission of any article of food intended for sale or for export from Zambia and the prohibition of the manufacture, preparation, storage, keeping, transmission, sale or export from Zambia of any such article which is, or contains an ingredient which is diseased or unsound or unfit for human consumption, or which has been exposed to any infection or contamination;
- (h) the establishment, locality, supervision, equipment, maintenance and management of slaughter-houses and places in which animals awaiting slaughter are kept and the disposal of the waste products of slaughtering and the inspection of slaughter-houses and the animals therein, and prohibiting, restricting or regulating the slaughtering of animals.

*(As amended by No. 1 of 1931, No. 17 of 1957  
and No. 22 of 1972)*

**83.** The Minister, on the advice of the Board, may make orders-

Minister's power to make orders on advice of Board

- (a) requiring the medical examination of any person in any premises in which any milk or dairy produce or other article of food intended for sale is collected, kept, sold, or exposed for sale, or of any person who has been engaged in the collection, preparation, keeping, conveyance or distribution of any such milk or produce or article;
- (b) prohibiting the employment by any cow-keeper, dairyman or purveyor of milk or other person in connection with the collection, preparation, storage, distribution or sale of milk, or dairy produce or any article of food, of any person who has been proved to be a carrier of the infection of typhoid or enteric fever or other infectious disease, while so infected;
- (c) requiring the closing of any stock-shed or yard, dairy or milk-shop, or the exclusion from any stock-shed or dairy premises of any animal the milk from which is believed to have conveyed or to be liable to convey any infectious disease;
- (d) prohibiting the sale or exposure for sale of milk by any cow-keeper, dairyman or purveyor of milk who has been three times convicted of offences under any laws or rules regarding the milk trade.

## PART XII

### PREVENTION AND DESTRUCTION OF MOSQUITOES

**84.** For the purposes of this Act-

Breeding places of mosquitoes to be nuisances

- (a) any collection of water, sewerage, rubbish, refuse, ordure, or other fluid or solid substance, which permits or facilitates the breeding or multiplication of animal or vegetable parasites of men or domestic animals, or of insects or of other agents, which are known to carry such parasites or which may otherwise cause or facilitate the infection of men or domestic animals by such parasites;
- (b) any collection of water in any well, pool, gutter, channel, depression, excavation, barrel, tub, bucket, or any other article, and found to contain any of the immature stages of the mosquito;
- (c) any cesspit, latrine, urinal, dung-pit or ash pit found to contain any of the immature stages of the mosquito;

shall be nuisances liable to be dealt with in the manner hereinbefore provided for the treatment of nuisances.

**85.** The occupier or owner of any premises shall keep such premises free from all bottles, whole or broken, whether fixed on wall or not, tins, boxes, calabashes, earthenware vessels, shells, or any other articles which are kept so that they are likely to retain water. Any occupier or owner of any premises failing to comply with the provisions of this section shall be liable to a fine not exceeding one hundred and fifty penalty units.

Yards to be kept free from bottles, whole or broken, etc.

*(As amended by Act No. 13 of 1994)*

**86.** A person shall not within a township permit any premises or lands owned or occupied by him or over which he has control to become overgrown with bush or long grass of such nature as, in the opinion of the Medical Officer of Health, to be likely to harbour mosquitoes.

Clearing of bush or long grass

**87.** It shall not be lawful for any person to keep, or for the occupier or owner of any premises to allow to be kept thereon, any collection of water in any well, barrel, tub, bucket, tank or other vessel intended for the storage of water, unless such well, barrel, tub, bucket, tank or other vessel is fitted with a sufficient cover, the said cover to be kept in good repair and properly protected or screened to the satisfaction of the Medical Officer of Health so as to prevent the ingress of mosquitoes into the same. Any person offending against the provisions of this section shall be liable to a fine not exceeding one hundred and fifty penalty units, and after notice received from a local authority to a further fine not exceeding thirty penalty units for each day during which he shall make default.

Wells, etc., to be covered

*(As amended by No. 9 of 1937 and Act No. 13 of 1994)*

**88.** The occupier or owner of any premises upon or attached to which is any cesspit shall cause such cesspit to be properly protected or screened to the satisfaction of the Medical Officer of Health so as to prevent the ingress of mosquitoes into the same, and in default he shall be liable to a fine not exceeding one hundred and fifty penalty units and to a further fine not exceeding thirty penalty units for each day during which he shall continue to make such default after notice received from that local authority to comply with the provisions of this section.

Cesspits to be screened

*(As amended by Act No. 13 of 1994)*

**89.** Where any of the immature stages of the mosquito are found on any premises in any collection of water in any cesspit, well, pool, channel, barrel, tap, bucket, tank or any other vessel or any bottle, whole or broken, whether fixed on the wall or not, tin, box, calabash, shell, or any other article, it shall be lawful for the Medical Officer of Health, to take immediate steps to destroy any such immature stages of the mosquito by the application of oil or larvicide or otherwise, and to take such action as is necessary to prevent the recurrence of the nuisance and to render any pools or collections of water unfit to become breeding places for mosquitoes.

Larvae, etc., may be destroyed

**90.** Notwithstanding any provisions of this Act, the occupier or owner of any house or premises, or the owner or person having the charge of any vessel, timber, cask, or other article in all about which there is any collection of water, found by the Medical Officer of Health or a health inspector to contain any of the immature stages of the mosquito, shall be liable in respect of each and every such collection of water to a fine not exceeding one hundred and fifty penalty units or in default to be imprisoned with or without hard labour for seven days.

Mere presence of mosquito larvae an offence

*(As amended by No. 14 of 1966 and Act No. 13 of 1994)*

### PART XIII

#### CEMETERIES

**91. (1)** It shall be lawful for the Minister to select and appoint within Zambia and to notify in the *Gazette* sufficient and proper places to be the sites of and to be used as cemeteries-and save as in sub-section (2) provided, it shall be obligatory where such cemeteries exist to bury the dead in such cemeteries.

Cemeteries to be appointed

**(2)** It shall not be lawful for any person to export any corpse from Zambia or to cremate any corpse within Zambia without the express permission in writing of the <sup>\*</sup>(2)Minister first had and obtained only subject to such conditions as the Minister may impose or by regulation prescribe.

\*Powers delegated to Provincial Medical Officer by S.I. No. 36 of 1964.

The Laws of Zambia

(As amended by G.N. No. 291 of 1964 and No. 69 of 1965)

**92.** All cemeteries now being used as such and such other cemeteries as may be authorised by the Minister, notice whereof shall be published in the *Gazette*, shall be deemed authorised cemeteries.

List of authorised cemeteries

(As amended by G.N. No. 291 of 1964)

**93.** (1) Subject to the provisions of section *ninety-four*, it shall not be lawful to exhume any body or the remains of any body which may have been interred in any authorised cemetery or any other cemetery, burial ground or other place without a permit granted in manner hereinafter provided.

Permit to exhume

(2) Such permit shall be granted only to the legal Personal representative or next of kin of the person buried, or to his or their duly authorised agent.

Conditions of permit to exhume

(3) Such permit may be granted by the Minister in respect of any body or the remains of any body interred in any cemetery or burial ground or any other place.

(4) The permitting authority may prescribe such precautions as he may deem fit as the condition of the grant of such permit, and any person who shall exhume any body or the remains of any body contrary to this Act, or who shall neglect to observe the precautions prescribed as the condition of the permit, shall be liable to a fine not exceeding two thousand two hundred and fifty penalty units:

Provided always that nothing herein contained shall be deemed to affect the right of a magistrate to order the exhumation of a body or the remains of any body for the purpose of holding an inquiry into the cause of death of any person.

Magistrate to make order of exhumation

(As amended by Acts No. 36 of 1933, No. 44 of 1957 and G.N. No. 291 of 1964 and Act No. 13 of 1994)

**94.** (1) It shall be lawful for the Minister-

Directions for removal or covering over of graves for public or mining purposes

(a) whenever he shall deem it expedient for the execution of any public work or for any public, mining or industrial purpose, to direct in writing under his hand the removal, in such manner as he shall think fit, of any body or the remains of any body from any grave, whether in an authorised cemetery or elsewhere; or

(b) whenever he shall deem it expedient for any purpose connected with or ancillary to mining operations, to direct in writing under his hand the covering over of any grave or graves and related monuments, whether in an authorised cemetery or elsewhere, by means of any substance including earth, stones, rock or mining overburden.



(2) Neither such direction shall be made in respect of any grave situated in an authorised cemetery until six months' notice of the intention to make it shall have been given by notification in the *Gazette*. Copies of such notice (which may include reference to and particulars of more than one grave) shall be posted at or near the grave or graves involved, and copies shall be sent by post in a registered letter to the legal personal representative or next of kin of the person buried, if his or their address can be ascertained.

(3) When a direction is made ordering a removal from, or the covering over of, a grave situate elsewhere than in an authorised cemetery, six months' notice of such direction shall, so far as it is possible to do so, be given to the legal personal representative or next of kin of the person buried before the work of removal or covering over is undertaken.

(4) Due regard shall be given to the wishes of the legal personal representative or next of kin concerning reinterment, if known or forthcoming as a result of the said notices or otherwise, and where, but for such wishes the Minister would have made a direction for, or work would have commenced on, the covering over of any graves, he may instead make a direction for removal as regards any particular grave or graves.

(5) The Government shall make proper and fitting arrangements for the reinterment in an authorised cemetery of any body or the remains of any body removed under this section, and for the removal and re-erection of any monument, all charges in connection therewith being defrayed out of the public revenue.

(No. 49 of 1970)

**95.** There shall be kept a record of every permit granted and of every direction made under the provisions of the last two sections. Such record shall contain particulars, so far as the same can be ascertained, of the name, sex, and age of the persons buried, date of burial and of the place of original burial and of reburial or removal. Such record shall be open during office hours to inspection by any person.

Record of permit for exhumation

(As amended by Act No. 49 of 1970)

**96.** It shall be lawful for the Minister to notify in the *Gazette* that any cemetery or burial ground shall, from a time in such notification to be specified, be closed, and the same shall be closed accordingly, and whosoever, after the said specified time, shall bury any body or the remains of any body in the said cemetery or burial ground, shall be liable to a fine not exceeding one hundred and fifty kwacha.

Closing of cemeteries by Minister

(As amended by No. 44 of 1957 and G.N. No. 291 of 1964)

**97.** All reasonable expenses incurred by the Board in consequence of any default in complying with any order or notice issued under the provisions of this Act shall be deemed to be money paid for the use and at the request of the person on whom the said order or notice was made, and shall be recoverable from him at the suit of the Board as a civil debt recoverable summarily. The provisions of this section shall apply to any orders or notices issued under any rules by the Local Authority.

Reimbursement of expenses to Board

#### PART XIV

#### GENERAL

- 98.** It shall not be lawful to live in, occupy or use or to let or sublet, or to suffer or permit to be used any basement for habitation, nor shall it be lawful, without the written permission of the Local Authority, to use such basement as a shop, workshop, or factory, or for the preparation or storage of food, and no basement shall be used unless it is well lit and ventilated and is free from damp and is rendered rat-proof to the satisfaction of the Medical Officer of Health.
- Basements not to be occupied without permission
- 99.** The Minister may, by statutory instrument, make regulations for the conduct and inspection of lodging-houses and no person shall open or keep open a lodging-house unless the house is registered and the keeper thereof is licensed by the Local Authority.
- Lodging-houses to be registered and the keeper licensed
- (As amended by No. 17 of 1957 and G.N. No. 291 of 1964)*
- 100.** (1) A person shall not open or keep open a nursing home, convalescent home, private hospital, infirmary or any institution where invalids or convalescents are treated or received upon payment of fees or charges unless the house is registered and the keeper thereof licensed by the Director of Medical Services.
- Nursing homes to be licensed
- (2) The Director of Medical Services may authorise a medical practitioner on his behalf to visit any such premises as in this section mentioned to report to him upon any matter or thing connected with the premises or the use thereof.
- Nursing homes may be inspected
- (3) Any person who knowingly obstructs an authorised medical practitioner in any such inspection as is authorised by the Director of Medical Services and in rules shall be guilty of an offence.
- Obstructing an inspection
- 101.** When in the opinion of the Local Authority additional public latrine accommodation is required in any locality upon unalienated State Land, the Local Authority shall apply in writing to the Minister, specifying the site upon which it desires the erection of a public latrine, and the accommodation to be provided by such latrine, and the Minister shall, after due inquiry, give his decision on the matter.
- Board may apply to Minister for land for additional public latrines
- (As amended by G.N. No. 291 of 1964)*
- 102.** (1) If the Minister, upon the advice of the Board, is satisfied that it is necessary for the protection of public health within the boundaries of a township so to do, he may, by statutory order, prohibit or restrict the growing of any crop or the irrigation of any land within any area within 4.827 kilometers of the boundary of such a township.
- Control of crops and irrigation
- (2) The Minister may, by statutory instrument, make regulations for ensuring that the health of the inhabitants of a district may be safeguarded in respect of-
- (a) the prevention of pools of standing water;
- (b) the drainage and control of such pools when they exist;
- (c) the inspection, repair and cleansing of open channels, canals and drains.
- (As amended by No. 64 of 1953 and No. 69 of 1965)*

**103.** (1) The Minister may provide for the inspection, sampling and examination, by officers of the Department of Health, of vaccines, vaccine lymphs, sera, and similar substances imported into or manufactured in Zambia and intended or used for the prevention or treatment of human diseases, and may prohibit the importation, manufacture, or use of any such substance which is considered to be unsafe or to be liable to be harmful or deleterious.

Supervision of importation or manufacture of vaccines, etc.

(2) The Minister may, by statutory instrument, make such regulations as he may consider necessary for properly carrying out the provisions of this section.

## PART XV

### MISCELLANEOUS PROVISIONS

**104.** Notices, orders, and other documents under this Act, may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the Board, or a Local Authority, the signature thereof respectively by the secretary, Town Clerk, Sanitary Inspector or District Secretary, as the case may be, shall be sufficient authentication.

Notices, etc. may be printed or written

(As amended by No. 9 of 1937)

**105.** Notices, orders and other documents required or authorised to be served under this Act may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises by delivering the same, or a true copy thereof, to some person on the premises, or if there be no person on the premises who can be served by fixing the same on some conspicuous part of the premises; they may also be served by post by a prepaid letter, and if served by post shall *prima facie* be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service it shall be sufficient to prove that the notice, order or other document was properly addressed and put in the post.

Service of notices

**106.** The Deputy Director of Medical Services, the Chief Health Officer, any Health Officer, Medical Officer of Health, Port Health Officer or Government Medical Officer may, with the authority and on behalf of the Director of Medical Services, discharge any of the duties or functions of the Director of Medical Services, and any duties imposed or powers conferred by this Act on Medical Officers of Health, Port Health Officers, or Medical Officers may be carried out or exercised by the Director of Medical Services, Deputy Director of Medical Services, Chief Health Officer or any Government Medical Officer designated by the Director of Medical Services for that purpose.

Powers and duties of officers of Health Department

**107.** No defect in the form of any notice or order made under this Act shall invalidate or render unlawful the administrative action, or be a ground for exception to any legal proceedings which may be taken in the matter to which such notice or order relates, provided the requirements thereof are substantially and intelligibly set forth.

Defect in form not to invalidate notices, etc.

**108.** (1) Any Medical Officer of Health or Sanitary Inspector, or Port Health Officer, or any police officer of or above the rank of Sub-Inspector, or any other person generally or specially authorised in writing by the Director of Medical Services, Medical Officer of Health, or Local Authority, may, at any hour reasonable for the proper performance of the duty, enter any land or premises to make any inspection or to perform any work or to do anything which is required or authorised by this Act or any other written law to be done, if such inspection, work or thing is necessary for or incidental to the performance of his duties or the exercise of his powers.

Powers of entry and inspection of premises and penalties for obstruction

(2) Any person who fails to give or refuses access to any officer, inspector or person mentioned in or authorized under subsection (1), if he requests entrance on any land or premises, or obstructs or hinders him in the execution of his duties under this Act, or who fails or refuses to give information that he may lawfully be required to give to such officer, inspector or person, or who gives to such officer, inspector or person false or misleading information knowing it to be false or misleading, or who prevents the owner or any of his servants or workmen from entering any land or dwelling or premises for the purpose of complying with any requirement under this Act, shall be guilty of an offence.

*(As amended by Act No. 47 of 1963)*

**109.** Any person guilty of an offence against or contravention of, or default in complying with, any provision of this Act shall, if no penalty is expressly provided for such offence, contravention or default, be liable on conviction to a fine not exceeding seven hundred and fifty penalty units, and if the offence, contravention, or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default provided that, where the offence is in respect of any building or premises for which a licence is required under any law for the time being in force, the court before which any such conviction is obtained may in addition to or in substitution for any of the aforesaid penalties revoke or suspend such licence.

Penalties where not expressly provided

*(As amended by Act No. 13 of 1994)*

**110.** Where a contravention of any of the provisions of this Act is committed by any company or corporation, the secretary or manager thereof may be summoned and shall be held liable for such contravention and the consequences thereof.

Liability of secretary or manager of company

**111.** Where proceedings under this Act are competent against several persons in respect of the joint act or default of such persons, it shall be sufficient to proceed against one or more of them without proceeding against the others.

Proceedings against several persons

**112.** A Local Authority may, by any of its officers, or by any person generally or specially authorised in writing by the Mayor or chairman thereof, prosecute for any contravention of, or offence against, or default in compliance with any provision of this Act or any regulation made or deemed to be made thereunder, if the contravention, offence, or default is alleged to have been committed within or to affect its district.

Prosecutions

*(As amended by No. 36 of 1965)*

**113.** Nothing in any law specially governing any Local Authority shall be construed as preventing such Local Authority from exercising any power or performing any duty under this Act by reason only that in exercising such power or performing such duty it must do some act or thing or incur expenditure outside its district.

Power of Local Authority outside its district

The Laws of Zambia

**114.** The Minister shall have power, by statutory instrument, to make regulations generally for the carrying out of the purposes of this Act. Regulations

*(As amended by Act No. 51 of 1963)*

**115.** For the purposes of Part IX, where the nuisance within the district of a Local Authority appears to be wholly or partially caused by some act or default committed or taking place without its district, the Local Authority may take or cause to be taken against any person in respect of such act or default any proceedings in relation to nuisances and authorised by this Act, with the same incidence and consequences, as if such act or default were committed or took place wholly within its district. Power to proceed where cause of nuisance arises without district

*(No. 34 of 1930)*

**116.** Where in any district no Medical Officer of Health is immediately available and where the circumstances render immediate action necessary for the prevention of the spread of disease or generally for safeguarding the health and well-being of the community, the Local Authority may exercise the powers conferred and perform the duties imposed by this Act on a Medical Officer of Health. Emergency powers of Local Authority

*(No. 34 of 1930)*

SCHEDULE

PRESCRIBED FORMS

CERTIFICATE OF UNFITNESS FOR VACCINATION

I, the undersigned, hereby certify that in my opinion..... is not now in a fit and proper state to be vaccinated, and I do hereby recommend that the vaccination be postponed for the period of six months from this date.

Dated this.....day of.....19.....

.....  
*Medical Practitioner or Public  
Vaccinator*

CERTIFICATION OF INSUSCEPTIBILITY TO SUCCESSFUL VACCINATION

I, the undersigned, hereby certify that I have three times unsuccessfully vaccinated.....(or that.....has already had smallpox as the case may be) and I am of opinion that the said..... is insusceptible of successful vaccination.

Dated this.....day of.....19....

.....  
*Medical Practitioner or Public  
Vaccinator*

CERTIFICATE OF SUCCESSFUL VACCINATION

I, the undersigned, hereby certify that.....has been successfully vaccinated by me.

Dated this.....day of.....19....

.....  
*Medical Practitioner or Public  
Vaccinator*



**SUBSIDIARY LEGISLATION**

**PUBLIC HEALTH**

**SECTION 3-THE CENTRAL BOARD OF HEALTH REGULATIONS**

*Regulations by the President*

*Government Notices*  
27 of 1931  
128 of 1939  
7 of 1950  
178 of 1954  
291 of 1964  
497 of 1964  
*Act*  
51 of 1963

1. These Regulations may be cited as the Central Board of Health Regulations.  
*(As amended by Act No. 128 of 1939)*

Title

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

Interpretation

"chairman" means the chairman of the Board;

"member" means a member of the Board;

"secretary" means the secretary of the Board.

3. The functions of the Board shall be to advise the Minister on all matters affecting the public health.

Functions of the Board

*(As amended by Act No. 291 of 1964)*

4. The Board shall meet for the despatch of business as often as may be necessary, but not less than once in every six months.

Number of meetings

*(As amended by Act No. 7 of 1950)*

5. The chairman may at any time call a meeting of the Board and shall, on the request in writing of not less than four members, call a special meeting of the Board to be held within fourteen days of the presentation of such request. Every meeting shall be convened by notice signed by the secretary and circulated by him among all the members.

Convening of meetings

6. No business except that of adjournment shall be transacted unless there shall be present at least three members, of whom the Director of Medical Services shall be one.

Quorum

*(No. 128 of 1939 as amended by Acts No. 178 of 1954  
and No. 51 of 1963)*

7. All questions brought forward for consideration by the Board shall be decided by a majority of votes, and the chairman shall have an original vote in common with other members, and also a casting vote if upon any question the votes shall be equal.

Decision of questions by a majority

8. Minutes shall be regularly kept by the secretary of all the proceedings of the Board, and at each meeting the minutes of the last preceding meeting shall be confirmed or amended, as the case may require, and signed by the chairman or deputy chairman before proceeding to the despatch of any other business.

Minutes of proceedings to be kept

9. An allowance in accordance with Government rates as laid down from time to time shall be payable to every member who is not a public officer for every day spent away from his place of business in the transaction of the business of the Board.

Allowances payable to members

(Act No. 51 of 1963)

10. Any member appointed to the Board by the President may vacate his membership by notice in writing to the President.

Vacating of membership

#### SECTION 9 (2)-NOTIFIABLE DISEASES

The following are hereby declared to be notifiable diseases under the Act:

Government Notice  
85 of 1944

acute encephalomyelitis, acute polioencephalitis, acute bulbar polioencephalitis, acute bulbar paralysis, encephalitis lethargica and Landry's paralysis (or acute ascending paralysis).

It is hereby declared that-

Federal Government  
Notice  
96 of 1961

- (a) malaria shall be a notifiable disease under the Act;
- (b) only the provisions of paragraphs (c), (d) and (e) of subsections (1) and of subsection (2) of section *ten* and of sections *thirteen* and *fourteen* of the Act shall apply to such notifiable disease;
- (c) the provisions of the Act, as regards the notification of malaria, shall be restricted to the City of Lusaka and the City of Ndola.

#### THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Responsibility for notification of infectious diseases
3. Responsibility of chief or headman
4. Schools
5. Private practitioner's certificate
6. Penalty for failure to give notice
7. Register to be kept
8. Inspection of register
9. Returns by Registrars of Births and Deaths
10. Returns to Director of Medical Services
11. Powers for the control of infectious disease
12. Powers of search
13. Duty of police and Local Authority
14. Infected area
15. Medical inspection of travellers
16. Disinfection of clothing
17. Persons resident in infected areas
18. Conditions precedent to departure from an infected area
19. Period of observation
20. Closing of premises
21. Removal of property from infected premises
22. Disposal of bodies
23. Infected clothing, etc.
24. Police to assist Medical Officer of Health
25. Assistance by police and Local Authority
26. Duty to notify mortality among rodents
27. Chiefs and headmen to report
28. Instructions to be given
29. Control of public meetings, etc.
30. Destruction of rats and mice
31. Penalty
32. Power of Local Authority or Medical Officer of Health to take measures for destruction of rats and mice
33. Powers of entry
34. Instructions by Medical Officer of Health to be obeyed
35. Rat-proof buildings
36. Disinfection of bodies of dead rats
37. Disposal of refuse and sewage
38. Erection of temporary dwellings by rural councils
39. Disease in animals communicable to man
40. Notification of infectious disease in animals

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Exclusion from school on account of infectious disease

SECTIONS 12, 28, 103 AND 114-THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

*Regulations by the Minister*

*Government Notices*

143 of 1931

198 of 1933

12 of 1937

281 of 1941

229 of 1943

198 of 1948

179 of 1951

176 of 1954

59 of 1957

178 of 1957

291 of 1964

497 of 1964

500 of 1964

*Federal Government  
Notices*

135 of 1961

262 of 1961

*Act*

51 of 1963

*Statutory Instrument*

154 of 1968

*Act*

13 of 1994

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

Title

2. Every owner or occupier of land, manager of a mine and employer of labour, on becoming aware that any person residing on his premises or in his employ is suffering from any notifiable infectious disease, shall immediately give notice thereof to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority.

Responsibility for  
notification of infectious  
diseases

3. The chief or headman of any village shall forthwith, on becoming aware or having reason to suspect that any person residing in that village is suffering from any notifiable infectious disease, give notice thereof to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority.

Responsibility of chief or  
headman

4. (1) Every person in charge of a school, orphanage or other similar institution shall immediately report to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority the occurrence in such institution of any case of any notifiable infectious disease or of German measles, infective parotitis or mumps, venereal disease, acute conjunctivitis, acute or granular ophthalmia or any disease of the skin or scalp which appears to be infectious or communicable.

Schools

(2) Such reports shall be in writing and shall state, as regards each case, the name, age, sex, nationality and home address of the patient, the nature of the disease, the date of the onset of illness, and any available information as to the probable place and source of infection.

5. Every medical practitioner attending on or called in to visit any patient shall forthwith, on becoming aware or having reason to suspect that the patient is suffering from any notifiable infectious disease, send to a Medical Officer of Health or, in a district for which no such officer has been appointed, to the Local Authority a certificate in Form 1 in the First Schedule, or in such other form as may from time to time be substituted thereof by the Director of Medical Services, stating the name of the patient, the situation of the building and the disease from which, in the opinion of such medical practitioner, the patient is suffering.

Private practitioner's certificate

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

6. Every person required by these Regulations to give notice or to give a certificate who fails to give the same shall be liable on conviction to a fine not exceeding one hundred and twenty penalty units.

Penalty for failure to give notice

*(As amended by Act No. 13 of 1994)*

7. Every Medical Officer of Health and, where no such officer has been appointed, every Local Authority shall keep a register of the notifications of cases of notifiable infectious disease received, and showing, in respect of each case, the name, age, sex, nationality and address of the patient, the nature of the disease, the date of the onset of illness, where employed or what school attended, probable place and source of infection, name of the medical practitioner notifying and action taken by the responsible authority.

Register to be kept

8. Every register under the last preceding regulation shall be available for inspection by the Director or Deputy Director of Medical Services or any officer authorised thereto by them.

Inspection of register

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

9. Every Registrar of Births and Deaths shall-

Returns by Registrars of Births and Deaths

- (a) furnish forthwith to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority particulars of every death from notifiable infectious disease registered with him;
- (b) furnish on every Monday to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority particulars of every birth and death registered with him during the week ending the previous Saturday.

10. Every Medical Officer of Health or, where no such officer has been appointed, the Local Authority shall transmit to the Director of Medical Services on Monday of each week a return in Form 2 in the First Schedule of the notifiable diseases occurring in his or its district for the preceding week, and shall at the same time forward any information he or it may possess as to the outbreak or prevalence of any infectious disease in such district. Where no notifiable infectious diseases have occurred, a "nil" return shall be similarly transmitted.

Returns to Director of Medical Services

*(As amended by Acts No. 179 of 1951, No. 176 of 1954 and No. 51 of 1963)*

**11.** When any case of infectious or suspected infectious disease is notified to a Medical Officer of Health, he may immediately visit and inspect, or appoint some fit and proper person to visit and inspect, the individual alleged to be suffering from the infectious disease, and if, as a result of such visit and inspection, the Medical Officer of Health has reason to believe that such individual may be suffering from an infectious disease, he may order such individual and all individuals who have been in contact with the case to remain on the premises where the case was at the time of infection, or he may cause them to be removed to an Infectious Disease Hospital, or other suitable place provided for the reception of cases suffering from infectious disease or for the segregation of contacts.

Powers for the control of infectious disease

*(As amended by F.G.N. No. 262 of 1961)*

**12.** A Medical Officer of Health or any Health Inspector or other person acting on the written instructions of a Medical Officer of Health may enter any premises to search for any case of infectious disease, or to inquire whether there is or has been on such premises any case of infectious disease. If a Health Inspector or other person as aforesaid shall find any case or suspected case of infectious disease, he shall report the same to the Medical Officer of Health.

Powers of search

**13.** The officer in charge of the police in any place and every Local Authority shall afford every assistance to a Medical Officer of Health in effecting the isolation of infected cases, suspects or contacts.

Duty of police and Local Authority

**14.** (1) Whenever an infectious disease shall have broken out in any place and it is deemed necessary for preventing the spread of or eradicating such infectious disease, the Minister may, by statutory notice, declare such place or any portion thereof to be an infected area, and may in like manner order the evacuation of the whole or any part of such infected area.

Infected area

(2) It shall not be lawful for any person to reside or carry on business within any infected area or portion thereof which is comprised in an order for evacuation, or to enter or be therein, except when passing along a thoroughfare allowed to remain open to the public, without an order in writing to that effect signed by a Medical Officer of Health and upon such conditions as such Medical Officer of Health may in such order direct.

*(As amended by Act No. 291 of 1964)*

**15.** (1) Every person travelling by land, water or air from a declared infected area may, if it be considered necessary by a Medical Officer of Health, be subjected to medical inspection or examination by him or by anyone authorised in writing by him prior to being permitted to proceed on his journey.

Medical inspection of travellers

(2) A person who refuses to submit to medical examination shall not leave the infected area.

(3) Any persons discovered with suspicious symptoms shall be detained and dealt with as a Medical Officer of Health may direct.

**16.** The clothing and effects of any person proceeding from a declared infected area may be disinfected at the discretion of a Medical Officer of Health.

Disinfection of clothing

**17.** All persons residing in a declared infected area shall undergo such medical inspection or examination as a Medical Officer of Health may direct. The Medical Officer of Health may place all or any persons in such area under observation in a place decided upon by him or under surveillance, as he may consider necessary.

Persons resident in infected areas

**18.** (1) Every person permitted to leave a declared infected area under surveillance shall comply with the following conditions:

Conditions precedent to departure from an infected area

- (a) he shall satisfy a Medical Officer of Health as to his name, intended destination and his place of residence thereat, and that such is conveniently situated for medical supervision;
- (b) he shall present himself for medical supervision during the prescribed period; and he may be required by a Medical Officer of Health to deposit a sum not exceeding ten kwacha, which may be forfeited if he fails so to present himself.

(2) If the Medical Officer of Health be not satisfied as herein required or if the person fail to comply with paragraphs (a) and (b) of sub-regulation (1), the Medical Officer of Health shall detain him under observation or direct him to proceed to a specified place and there remain under observation during the prescribed period. In the latter case, the provisions of paragraph (b) of sub-regulation (1) may, at the discretion of the Medical Officer of Health, be applied to such person.

**19.** When any person from a declared infected area is placed under observation or surveillance, the period of observation or surveillance shall be as follows:

Period of observation

- (a) when observation is resorted to, the period shall not exceed seven days in the case of plague and cholera, six days in the case of yellow fever or cerebro-spinal meningitis, and fourteen days in the case of smallpox;
- (b) when surveillance is resorted to, the period shall be the same as that of observation; save in the case of plague, when it may be extended to a period not exceeding ten days.

In applying these measures, the period of observation or surveillance may extend from the date of removal from the infected area, but only if no subsequent case has occurred among those under observation or surveillance.

If any further case of the same disease occur, the period of observation may date from the day of the isolation of the last case;

- (c) a Medical Officer of Health shall prescribe the periods of observation and surveillance in the event of any other infectious disease.

**20.** A Medical Officer of Health may close any premises whereon there has been a case or suspected case of infectious disease, until he considers the place fit for human occupation, and may also close, until he considers the same to be disinfected, any buildings, latrines, wells, dustbins, dumping grounds and any place which, by reason of the existence of infectious disease, he may deem it advisable to close.

Closing of premises

**21.** No person shall remove any property from any infected premises, or from any premises whereon a suspected case of infectious disease has occurred, without the written permission of a Medical Officer of Health.

Removal of property from infected premises

- 22.** The bodies of all persons who have died from an infectious disease shall be disposed of in conformity with the directions of a Medical Officer of Health. Disposal of bodies
- 23.** All clothing, bedding and any other articles worn or taken by the persons ordered to evacuate an infected area shall be disinfected. Infected clothing, etc.
- 24.** The police shall furnish every assistance to a Medical Officer of Health in effecting the evacuation of any infected area and in the necessary measures pertaining thereto. Police to assist Medical Officer of Health
- 25.** On the occurrence of an infectious disease in any place, a Medical Officer of Health may call on the police or Local Authority or both to assist in the establishing of a cordon round such place for the purpose of preventing all or any persons entering or leaving such place. Assistance by police and Local Authority
- 26.** Every person who becomes aware of any apparently unnatural mortality among rats or mice on any land or premises shall forthwith report the same to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority. Duty to notify mortality among rodents
- 27.** The chief or headman of a village shall forthwith, on becoming aware or having reason to suspect that any apparently unnatural mortality is occurring among the rats or mice in that village, give notice thereof to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority. Chiefs and headmen to report
- 28.** For the carrying into effect of the last two preceding regulations, a Local Authority or Administrative Officer shall, if required by a Medical Officer of Health, notify the chiefs, headmen and people residing in any town, village or district that it is their duty to report all cases of sickness or death among rats or mice and instruct them as to the officer to whom such report shall be made. Instructions to be given
- (As amended by Act No. 500 of 1964)*
- 29.** (1) When it may appear to a Medical Officer of Health that the holding of public meetings, funeral ceremonies or customs is likely to tend to the spread of any infectious disease, any police officer of or above the rank of Assistant Inspector or Local Authority shall, if requested by the Medical Officer of Health, prohibit such meetings, funeral ceremonies or customs. Control of public meetings, etc.
- (2) Any person who is present at or takes part in any meeting, ceremony or custom which has been prohibited shall be liable to a fine of one hundred and fifty penalty units
- (As amended by Acts No. 500 of 1964 and No. 13 of 1994)*
- 30.** It shall be the duty of every Local Authority to cause to be made, from time to time, inspection of its district with a view to ascertaining whether any lands or premises within such district are infested with rats or mice, and to enforce their destruction. Destruction of rats and mice



**31.** Any person who shall fail to take such steps or carry out such orders for the destruction of rats or mice on or in any land or premises as may from time to time be directed or given by a Local Authority or by a Medical Officer of Health shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding three hundred penalty units. Penalty

*(As amended by Act No. 13 of 1994)*

**32.** Where a Local Authority or Medical Officer of Health is of opinion that the owner or occupier of any land or premises in the district has failed to take such steps or carry out such orders as may be directed or given by any Local Authority or Medical Officer of Health, such Local Authority or Medical Officer of Health may either serve a notice on the owner or occupier requiring him to take such steps or execute such works as are prescribed in the notice within a time specified therein, or, after not less than twenty-four hours' previous notice to the owner or occupier, enter upon the land or premises and take such steps as are necessary and reasonably practicable for the purpose of destroying the rats and mice on the land or premises or of preventing the land or premises from becoming infested with rats and mice, and may recover any reasonable expenses so incurred from the owner or occupier as a civil debt. Power of Local Authority or Medical Officer of Health to take measures for destruction of rats and mice

**33.** A Medical Officer of Health, Health Inspector or any person duly authorised in writing by the Local Authority or a Medical Officer of Health may enter any land or premises for the purpose of ascertaining whether the steps required by regulation 32 are being taken, or of carrying out these Regulations in any other respect. Powers of entry

**34.** When any infectious disease occurs, a Medical Officer of Health may prescribe any measures which he considers necessary to ensure the destruction of rats, mice and other kinds of vermin and of mosquitoes, their larvae and pupae, fleas, bugs or any other such parasites, and all persons shall obey any instruction given by a Medical Officer of Health in this behalf. Instructions by Medical Officer of Health to be obeyed

**35.** (1) To prevent the spread of plague, the owner or occupier of any premises shall, if required by a Medical Officer of Health, render all roofs, partitions, floors and plinths of houses rat-proof. Rat-proof buildings

(2) No foodstuffs attractive to rats shall be kept in inhabited premises unless such foodstuffs are effectively protected against rats and mice to the satisfaction of a Medical Officer of Health.

**36.** On the occurrence of plague in any locality, all rats and mice caught or killed or found dead on any premises in the vicinity of that locality shall, as soon as possible, be placed by the owner or occupier in a strong solution of disinfectant, and the bodies of such rats or mice shall be subsequently removed and disposed of to the satisfaction of a Medical Officer of Health. Disinfection of bodies of dead rats

**37.** When an infectious disease occurs in any place, the occupiers of premises in such place shall comply with any directions given by a Medical Officer of Health with regard to the disposal of refuse and sewage. Disposal of refuse and sewage

**38.** On the occurrence of an outbreak of infectious disease, a Local Authority may, if requested by a Medical Officer of Health, require any rural council within its district to make an order for the erection of temporary dwellings, mortuaries and similar buildings, as he may deem necessary. Erection of temporary dwellings by rural councils

**39.** (1) When an animal is suffering from a contagious or infectious disease which can be transmitted to human beings, or a carcass, whether the animal has died or been slaughtered, has been found on examination to be infected with such disease, the place occupied by such animal or carcass shall be forthwith disinfected by and at the expense of the owner or occupier of such place, to the satisfaction of the Medical Officer of Health or a Veterinary Officer.

Disease in animals communicable to man

(2) The owner of the infected animal, the owner of the place which was occupied by such animal or carcass, and the person, if any, who slaughtered the animal shall inform a Veterinary Officer on becoming aware of the presence of such disease.

**40.** Any Veterinary Officer or private veterinary practitioner, on becoming aware of the occurrence of any infectious or contagious disease in animals which can spread from animals to human beings, shall forthwith notify a Medical Officer of Health and shall at the same time inform him of what action he is taking to prevent such spread.

Notification of infectious disease in animals

**41.** (1) A Local Authority, upon production of a certificate signed by a Medical Officer of Health that any person has been bitten by any animal suffering from the disease of rabies and that such person is, in the opinion of such Medical Officer of Health, liable to develop the disease of rabies and that it is advisable that he may be subjected to treatment and/or observation, may make an order compelling such person to reside in any segregation hospital or any other place until discharged by the Medical Officer of Health in charge of that area, and such person shall be deemed to be suffering from such disease and be subject to all rules and regulations made in pursuance of the Act.

Rabies

(2) The Local Authority shall, in making any order under the provisions of sub-regulation (1), forthwith report the same to the Director of Medical Services, who shall have power to vary or rescind the same.

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

**42.** (1) In this regulation, "carrier" means a person who, though not at the time presenting the clinical symptoms of an infectious disease, has been proved or is believed on reasonable grounds to be harbouring the infection of, and consequently liable to cause the spread of, such disease.

Carriers

(2) Any person believed or suspected on reasonable grounds by a Medical Officer of Health to be a carrier shall afford to such officer or any person authorised by him in writing every facility for obtaining specimens of blood, excreta, discharges or other material required for examination and investigation, and shall take any medicine prescribed by such officer for that purpose.

Inspection and treatment of carriers

(3) Where it is certified by a Medical Officer of Health that any person is believed or suspected on reasonable grounds to be a carrier and that the necessary examinations and investigations cannot be properly carried out at such person's house or place of residence, an Administrative Officer may make an order requiring such person to proceed or be removed to a hospital or other suitable place for the purpose of examination and investigation and to remain or be detained therein for such reasonable period as may be required for that purpose.

Removal to hospital of carriers

(4) Every carrier shall at all times observe and give effect to all reasonably practicable instructions given to him by a Medical Officer of Health in regard to the disposal of his excreta, and cleansing of articles used by him or other precautions for preventing the spread of infection.

Preventive measures

(5) Every carrier shall inform a Medical Officer of Health or, where no such officer has been appointed, the Local Authority of his intention to change his place of residence or work and of his intended new place of residence or work. Such information shall, when possible, be furnished not less than seven days before the change and, if his new place of residence or work is within the district of another Medical Officer of Health or Local Authority, the Medical Officer of Health or Local Authority of the district in which the carrier at the time resides shall inform that Medical Officer of Health or Local Authority of the facts of the case and the carrier's intention.

Notification of change of residence of carrier

(6) Where, on the certificate of a Medical Officer of Health, it appears to an Administrative Officer that a person is a carrier, the Administrative Officer, on the application of such Medical Officer of Health and after due inquiry, may, having regard to the nature of the infection and any material assistance which the Local Authority or the Government is prepared to give to mitigate hardship to the individual or his dependants, make, and may from time to time modify, alter, extend or rescind, an order or orders requiring such person-

Powers of Administrative Officers to make orders as to carriers

- (a) to proceed or be removed to and to remain or be detained for a period to be specified in such order in a hospital or other suitable place for the purpose of medical treatment;
- (b) to attend regularly for medical treatment or examination at times and places specified in such order;
- (c) to proceed to and remain in a specified locality or area under medical surveillance for a period specified in such order and (if considered necessary) to attend or report himself at times and places specified in such order;
- (d) not to handle or otherwise come in contact with food or vessels or articles containing or used to contain, or which come in contact with, food intended for consumption by others, or to engage in any occupation entailing the handling or coming in contact with such food, vessels or articles;
- (e) to comply with such other requirements specified in such order as the Administrative Officer, on the application of such Medical Officer of Health, may deem necessary for safeguarding the public health.

(7) The parent or guardian or person in charge of a child who is, or is believed or suspected on reasonable grounds to be, a carrier shall assist in every possible manner in the carrying out of these Regulations or any order made thereunder in respect of such child.

Duty of parent of carrier

(8) It shall be the duty of all Medical Officers of Health and Administrative Officers to ensure that these Regulations are carried out sympathetically and without more hardship to any person than is necessary and unavoidable in the public interest.

Sympathetic enforcement of regulations

(9) Any person found guilty of a contravention of or failure to comply with this regulation or any order made thereunder, or of failure to assist in their enforcement, shall be liable to the penalties provided by the Act.

Penalty

*(As amended by Acts No. 198 of 1933 and No. 500 of 1964)*

**43.** When it appears from the certificate of a Medical officer of Health that the conditions on any land or premises favour the multiplication or prevalence of mosquitoes, and that the occurrence or spread of malaria or other disease is likely to be favoured thereby, a Local Authority may and, if called on to do so by the Director of Medical Services, shall give written notice to the owner or occupier thereof requiring him to remove or improve any such condition.

Malaria and mosquito prevention

*(As amended by Acts No. 281 of 1941, No. 176 of 1954 and No. 51 of 1963)*

**44.** (1) Every notice under the last preceding regulation shall specify the land or premises concerned and the measures required to be carried out.

Particulars of notice

(2) Such notice may require the owner or occupier to clear bush or other vegetation, canalise streams, spruits or dambos, drain swamps and pools or low-lying areas, regularise or stem water furrows, repair or remove tanks or other water containers, and take measures for the destruction of mosquitoes and for preventing their multiplication to the satisfaction of a Medical Officer of Health, and may impose a time limit for the completion of the work or the carrying out of the measures therein specified.

*(As amended by Act No. 281 of 1941)*

**45.** If any owner or occupier refuses to carry out the measures specified in any notice under these Regulations, or fails to do so within the time limit imposed, a Local Authority may and, if so instructed by the Director of Medical Services, shall, by persons duly authorised thereto, carry out such measures. The costs incurred in so doing shall be recoverable by the Local Authority from the person upon whom the notice was served.

Power of Local Authority to carry out remedial measures

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

**46.** Any person who fails to carry out or comply with the terms of a notice served under regulation 44 shall be liable, on conviction, to the penalties provided by the Act.

Penalties

**47.** (1) Any owner or occupier of any building provided with roof gutters shall so construct and maintain them as to be self-draining and capable of remaining dry between rainfalls.

Roof gutters

(2) Where gutters are found not to be self-draining, a Medical Officer of Health may serve a notice upon the owner of the building calling on him to remove or repair or perforate such roof gutters within a specified time. Failure to comply with the terms of the notice shall render the owner liable to a penalty of one hundred and fifty penalty units in addition to a further penalty of thirty penalty units for each day the nuisance continues.

*(As amended by Acts No. 281 of 1941 and No. 13 of 1994)*

**48.** The landlord of any hotel, boarding-house, lodging-house and any building where persons are accommodated for payment shall provide and keep in good order and repair and in a state of cleanliness a mosquito net for each bed in each room used for sleeping purposes.

Hotels, etc., to supply mosquito nets

**49.** No person shall permit any manure or garbage on his premises or land, so as to be a nuisance or dangerous to health by affording facilities for breeding by flies or other insects, and the owner or occupier of any premises or land omitting to remove or remedy the nuisance, when duly notified of its existence, shall, at the expiration of such period as may be prescribed in writing by a Medical Officer of Health, be guilty of an offence.

Manure and garbage

**50.** No person shall expose for sale any food to be eaten in the state in which it is sold, except with due care for the prevention of flies or other vermin having access to it. Food protection

**51.** (1) Any Medical Officer of Health, or other officer specially authorised thereto by the Director of Medical Services, may inspect, take samples of and examine or may require the furnishing for examination of samples of any vaccine, vaccine lymph, serum or similar substance imported into or manufactured in Zambia and intended or used for the prevention or treatment of human disease. Inspection of vaccine, etc.

(2) The Director of Medical Services may, by statutory notice, or by order on the person concerned pending the publication of such notice, prohibit the importation, manufacture, sale or use of any such vaccine, vaccine lymph, serum or similar substance which is considered to be unsafe or to be liable to be harmful or deleterious. Power to prohibit importation of harmful vaccines

(3) In order to enable the proper carrying out of these Regulations, it shall not be lawful for any person to import, manufacture, sell or use any such vaccine, vaccine lymph, serum or similar substance unless the bottle, package or container bears or has affixed to it a label stating the name and address of the manufacturer and either the date of manufacture or the date after which the substance is not recommended for use. Particulars required to be stated on vaccine containers

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

**52.** No person shall import, convey or transmit into Zambia any culture or preparation of any pathogenic micro-organism or other material capable of causing disease in man without first obtaining the written permission of the Director of Medical Services therefor. Such permission may be general or special and shall be subject to such conditions or requirements as may be specified therein. Importation of cultures without permission prohibited

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

**53.** No person shall keep, transmit or use any culture or preparation of any pathogenic micro-organism or other material capable of causing any disease without first obtaining the written permission of the Director of Medical Services therefor. Such permission may be general or special and shall be subject to such conditions or requirements as may be specified therein. This regulation shall not apply to diagnostic examination by medical practitioners or approved veterinary surgeons, or to the transmission from places within Zambia of specimens or material for such examination. Use of cultures without permission prohibited

*(As amended by Act No. 51 of 1963)*

**54.** Every person transmitting, keeping or using any culture or preparation of any pathogenic micro-organism or other material capable of causing disease in man shall be responsible for the taking at all times of effective measures to ensure the proper and safe keeping, transmission or use of such material and to prevent or guard against any accidental contamination with or dissemination of the infection. Precautions to be observed in keeping cultures

**55.** Any Medical Officer of Health, or other officer specially authorised thereto by the Director of Medical Services, may at any time make any inspection or examination in order to ascertain whether the requirements of these Regulations or the conditions of any permit issued thereunder are being properly complied with. Where it appears to the said Director that any person has not properly complied with any such requirement or condition, the said Director may make an order prohibiting such person from importing, conveying, transmitting, keeping or using any culture or preparation of any pathogenic micro-organism or other material capable of causing disease in man, and for the seizure or destruction by a Government Medical Officer of any such culture, preparation or material in the possession or custody of such person.

Powers of Director of Medical Services and other officers

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

**56.** Nothing in regulations 51 to 55 inclusive shall prevent the Director of Veterinary Services from giving permission for the importation, manufacture, sale or distribution of sera, vaccines, lymph or similar substances or for the importation, conveyance or transmission of any pathogenic micro-organisms or other material, whether for diagnostic, experimental, prophylactic or other use, for veterinary purposes only.

Director of Veterinary Services may authorise importation of vaccines, etc., for veterinary purposes

**57.** Where a cleansing station is provided within the district of a Local Authority or within a reasonable distance therefrom, any person within that district certified by a Medical Officer of Health, School Medical Inspector or other medical practitioner or by a Health Inspector to be dirty or verminous may, on the order of a Medical Officer of Health, be removed, together with his clothing and bedding, to such cleansing station and be cleansed therein.

Cleansing of verminous persons

**\*(3)58.** (1) Every consignment (exclusive of the personal effects of travellers) of bedding, blankets, body linen or other articles of clothing which have been in use, or any rags, or flock made of rags, or any used sacks, carpets, or canvas or any similar article which has been in use, which is brought into any place in Zambia shall be declared as second-hand by the importer to the Customs, and a certified statement submitted by him showing the place of origin and precise composition of the consignment.

Importation and disinfection of used clothing

\*Note-This regulation has been suspended by G.N. No. 229 of 1943 in so far as it relates to seconds-hand clothing.

(2) Every such consignment or any portion thereof intended for sale or disposal in Zambia shall be accompanied by a sufficient certificate furnished by a recognised Public Authority at the port of shipment or place of origin of the package to the effect that the articles mentioned therein are clean and have been sufficiently disinfected to the satisfaction of such Authority, and stating in detail the method of disinfection and the apparatus used, together with a certificate or other satisfactory evidence that, since the issue of the certificate of disinfection, the package has not been opened nor its contents in any way added to or tampered with. Every such consignment, whether accompanied by the above-mentioned certificates or not, shall be detained by the Customs pending its inspection or examination or authorisation for importation by a Medical Officer of Health or by any person authorised by him to carry out such inspection or examination. For the purposes of carrying out such inspection or examination, the Medical Officer of Health or person authorised by him may open any such consignment or require the opening of such consignment by the consignee or owner thereof.

Certificate of disinfection

(3) For the purposes of this regulation, "sufficiently disinfected" means disinfected by steam under pressure in a suitable apparatus, or other process which can be relied upon to destroy any infection or any vermin. Fumigation with hydrocyanic acid gas shall not be accepted unless some reliable germicidal process has also been carried out.

The Laws of Zambia

(4) Failing the production of satisfactory certificates as mentioned in sub-regulation (2), or if, despite the production of such certificates, the articles are found to be dirty or uncleansed, the whole of such consignment shall be disinfected to the satisfaction of the Medical Officer of Health and at the sole expense, risk and delay of the consignee.

Re-disinfection on importation

\*Note-This regulation has been suspended by G.N. No. 229 of 1943 in so far as it relates to second-hand clothing.

(5) Where a consignment or any part thereof is of such a nature that it cannot, in the opinion of a Medical Officer of Health, be satisfactorily disinfected, or where there are not available satisfactory means of disinfection, the Medical Officer of Health may destroy or order the destruction of the whole or any part of such consignment:

Destruction of consignment if disinfection impracticable

Provided that-

- (i) the Medical Officer of Health shall not destroy or order the destruction of any part of the consignment where the goods to be destroyed are of a greater value than twenty kwacha without the previous sanction in writing of the Director of Medical Services;
- (ii) where the destruction of goods to a greater value than twenty kwacha may be required, such destruction shall not be carried out if the owner or consignee shall undertake to re-export and shall so re-export the said goods within a period of four weeks from the date of the order for destruction.

(6) The recognised Authority for granting the certificate of disinfection mentioned in sub-regulation (2) shall be-

Recognised Authorities

- (a) the Port Health or Sanitary Authority of any British port at which the consignment has been shipped; or
- (b) the Local Health or Sanitary Authority for any area in the British Islands or British Colonies at which the goods have been packed; or
- (c) the Port Health or Sanitary Authority, or the Municipality or other Local Health Authority, at any foreign port, or at any place abroad at which the goods have been packed if the certificate thereof has been verified and countersigned by a British Consul.

(7) All charges for any disinfection carried out by the Government or any Local Authority under these Regulations shall be paid by the owner or consignee or his agent, who shall also be responsible for any transport, unpacking, repacking or rebaling which may be required with regard to articles to be disinfected, inspected or examined.

Charges for disinfection

*(As amended by Acts No. 176 of 1954 and No. 51 of 1963)*

59. (1) In this regulation and in the Second Schedule-

Exclusion from school on account of infectious disease

"principal", in relation to any school, means the person in charge of such school, and includes the person in charge of any department of a school where there is no person in charge of the whole school;

"pupil" means any person attending at a school for the purpose of receiving instruction thereat;

"scheduled disease" means any disease or condition mentioned in column 1 of the Second Schedule;

"school" means-

- (a) any public or private establishment at which pupils receive secular instruction;
- (b) any hostel or boarding-house kept for housing pupils at any such establishment; and
- (c) any Sunday school.

(2) The provisions of the Second Schedule shall apply to all pupils attending any school and all teachers at any school.

(3) The principal of every school shall-

- (a) immediately notify to a Medical Officer of Health or, where no such officer has been appointed, to the Local Authority every case which occurs in such school of notifiable infectious disease, venereal disease, acute ophthalmia, acute conjunctivitis, granular conjunctivitis, German measles, mumps, or any disease of skin or scalp which appears to be infectious;
- (b) exclude from the school pupils or teachers suffering from, or who have been exposed to the infection of, any scheduled disease for the periods specified in, and in accordance with the provisions of, the Second Schedule;
- (c) where a pupil who has been absent from school owing to his suffering from, or having been exposed to the infection of, a disease mentioned in paragraph (a) returns to school without a medical certificate of recovery and freedom from infection, satisfy himself by personal investigation that the pupil appears to be well and is clean in person and clothing or that, where the case has been treated by a medical practitioner, a medical certificate has been furnished in every such case;
- (d) where there is any doubt as to whether a person is an immune contact or a susceptible contact as defined in the Second Schedule, regard and deal with such person as a susceptible contact.

(4) Where any pupil has developed any disease mentioned in the Second Schedule, the parent or guardian of such pupil shall-

- (a) promptly, on such fact coming to his knowledge, notify the same to the principal of the school ordinarily attended by such pupil;



- (b) where so required by the Second Schedule and until the measures or precautions therein specified have been carried out or complied with, discontinue the attendance at school of the sick pupil or other pupils who may have been exposed to infection (contacts) for the periods specified in, and in accordance with the provisions of, the Second Schedule;
- (c) exercise due care to prevent such pupil from conveying the infection to others, either at home or elsewhere, and to keep children living in the same or any other house away from contact with the infected pupil;
- (d) after the termination of every case of scarlet fever or scarlatina, diphtheria or membranous croup, smallpox or enteric fever, and where the Local Authority has not carried out disinfection of the infected premises, bedding and clothing, wash all washable articles, freely expose to sunlight and fresh air all other clothing or bedding and thoroughly scrub the floor of the room and all woodwork and furniture with soap and water and thereafter keep the doors and windows open for at least three hours.

(5) In the case of school boarding establishments-

- (a) the person in charge of the establishment shall comply with the provisions of, and shall carry out the duties imposed on, parents or guardians of pupils by sub-regulation (4);
- (b) where a pupil is found to be suffering from a disease mentioned in the Second Schedule, the provisions of the said Schedule in respect of "contacts" shall, subject to the discretion of a Medical Officer of Health, apply only to those pupils who have been occupying the same bedroom or dormitory as the patient.

(6) Where a case of notifiable infectious disease in a pupil is notified to a Local Authority or otherwise comes to the notice of a Medical Officer of Health, that officer shall immediately notify the facts to the principal of the school concerned, and such principal, if so requested by the Medical Officer of Health, shall furnish to him without delay a complete list of the pupils attending thereat together with their names and addresses.

(7) A Medical Officer of Health may, by written notice to the parent or guardian of a pupil and to the principal of the school concerned-

- (a) reduce the period of exclusion from school of an infected pupil or of a contact, where he is satisfied, after bacteriological examination or the adoption of special measures, that this will not entail risk of spread of the disease;
- (b) increase the period of exclusion, where he has reasonable grounds for believing, on bacteriological or other evidence, that any pupil or person is a "carrier" of the infection-in a virulent form- of diphtheria, scarlet fever, epidemic cerebro-spinal meningitis, acute anterior poliomyelitis or enteric fever, and capable of conveying such disease to others.

(8) Any person failing to comply with any provision or carry out any requirements of this regulation shall be liable on conviction to a fine not exceeding one hundred and fifty penalty units.

*(No. 178 of 1957 and Act No. 13 of 1994)*

60. (1) In this regulation-

"child" means a child who is received to be looked after for reward at a day nursery;

"day nursery" means a day nursery registered under the Day Nurseries Act;

"employee" means a person regularly engaged or employed at a day nursery in the care of a child.

Application of regulation  
59 to day nurseries  
Cap. 313

(2) The provisions of regulation 59 and the Second Schedule shall apply *mutatis mutandis* to every child and every employee and for that purpose any reference therein to-

- (a) a pupil, shall be construed as a reference to a child;
- (b) a school, shall be construed as a reference to a day nursery;
- (c) a teacher, shall be construed as a reference to an employee.

(F.G.N. No. 135 of 1961)

FIRST SCHEDULE

PRESCRIBED FORMS

THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

*Certificate of Medical Practitioner*

NOTIFICATION OF INFECTIOUS DISEASE

To the Local Authority of the..... District

I hereby notify you that in my opinion the undermentioned:

\*is suffering from (a).....

\*has died on.....from (a).....

Full name.....

Age..... Sex..... Nationality.....

Address (b).....

Date of onset of illness.....

Where employed or what school attended.....

Probable place and source of infection.....

Probable date of infection.....

What facilities (if any) for isolating patient at home.....

Whether notified in private or official capacity.....

.....

Action recommended .....

Date.....19.....

.....  
*Medical Practitioner*

\*Strike out words inapplicable.

(a) Insert name of disease.

(b) Give full address where patient sickened.

Note.-A separate form should be filled in for each case.

THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

No.....19.....

REPORT OF NOTIFIABLE INFECTIOUS DISEASES

for the week ended.....19.....

Place	Disease	No. of cases previously reported	No. of cases reported during week	Deaths during week	Total deaths

.....  
*Medical Officer*  
(No. 179 of 1951)

SECOND SCHEDULE

*(Regulations 59 and 60)*

EXCLUSION FROM SCHOOL ON ACCOUNT OF INFECTIOUS DISEASE

In this Schedule-

"patient" means a person suffering from the infectious disease referred to in the context;

"contact" means a person who has been exposed to the infection of the disease referred to in the context, from having been in contact or associated with or living in the same house with a person suffering from the disease. In the case of a boarding-house or hostel or other large establishment, the Medical Officer of Health or, if there be no Medical Officer of Health, the practitioner in attendance shall decide whether all persons living therein are to be dealt with as contacts or, if not, what persons are to be exempted from restrictions;

"immune contact" means a contact who has previously had the disease and, although capable of "carrying" the infection to others, is presumably not liable to a second attack;

"susceptible contact" means a contact who has not previously had the disease and is consequently liable to contact it;

"removal from infection" means, as the case may be-

- (a) removal of the patient from, and disinfection or thorough cleansing of, the infected dwelling, bedding, clothing and articles; or
- (b) removal of the contact from the infected dwelling, with bathing of his body and disinfection or cleansing of his clothing; or
- (c) where both patient and contact remain in the infected dwelling, the complete recovery of the patient and disinfection or thorough cleansing of the infected dwelling, bedding, clothing and articles, with bathing of the bodies of both patient and contact.

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Disease	Patient may return to school	Contacts may return to school
Scarlet fever or scarlatina and no sore throat, no	After complete recovery and removal from discharge from ears or nose, and no recently enlarged glands or discharging sores. Minimum exclusion, ten days from onset.	Eight days after disinfection infection, except where patient and contacts remain in the same dwelling, in which case contacts may return to school at the same time as the last case in the dwelling.
Diphtheria.	After complete recovery and no discharge from throat, eyes, ears or nose. Minimum exclusion, four weeks from onset.	Immune contacts, after swabs of throat and nose are examined and reported negative for <i>C. diphtheriae</i> . Susceptible contacts, ten days after disinfection and removal from infection, remain in the same dwelling, in which case contacts may return to school at the same time as the last case in the dwelling.
Measles	Ten days after first appearance of rash. Where a case of measles has occurred in a class, the Medical Officer of Health may, at his discretion, close the class on or about the ninth day after the sickening of the first child for a period of seven days, or may exclude susceptible children in the class for a similar period.	Twenty-one days after last exposure to infection or at once if pupil has previously suffered from measles.
German measles (Rubella)	Seven days after first appearance of rash. Where a case of German measles has occurred in a class, the Medical Officer of Health may, at his discretion, close the class on or about the ninth day after the sickening of the first child for a period of seven days, or may exclude susceptible children from class for a similar period.	No exclusion, but fact of exposure to infection to be reported by parent or guardian to the principal.
Whooping cough	Four weeks after commencement of spasmodic cough.	Immune contacts: at once if they are kept apart from patient. Susceptible contacts: three weeks after disinfection and removal from infection.
Chickenpox	After complete disappearance of scabs. Minimum exclusion, fourteen days from onset.	As for German measles.
Smallpox	After complete disappearance of scabs. Minimum exclusion, four weeks.	Contacts who have had smallpox or have been successfully vaccinated at least ten days and

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SECTIONS 12, 28 AND 114-THE PUBLIC HEALTH (INFECTIOUS DISEASES-YELLOW FEVER)  
REGULATIONS

*Regulations by the Minister*

*Government Notices*  
4 of 1944  
168 of 1954  
*Act*  
51 of 1963

1. These Regulations may be cited as the Public Health (Infectious Diseases-Yellow Fever) Regulations. Title
2. In these Regulations, "viscerotomy" means the puncturing of a corpse for the purpose of extracting a section of an organ for examination. Interpretation
3. (1) Whenever it shall come to the notice of a medical practitioner that a person is suffering from a febrile disease without obvious diagnosis, such medical practitioner (or, if the patient shall withhold his consent, a Medical Officer of Health) shall take a specimen of blood from the patient not later than the seventh day of the illness and post it by air mail to the Director of the Yellow Fever Research Institute, Entebbe, Uganda, together with a brief description of the symptoms of the case; the medical practitioner shall send a copy of this description to the Director of Medical Services. A second specimen of blood shall be similarly taken from the patient on the fourteenth day after the commencement of the illness and the medical practitioner shall post it to the Director of the Yellow Fever Research Institute, Entebbe, Uganda. Specimen of blood to be sent to Yellow Fever Research Institute in cases of febrile disease without obvious diagnosis
- (2) In the event of the patient dying, a viscerotomy or an autopsy shall be performed on the body by the medical practitioner or such other person as the Medical Officer of Health may authorise in writing. Viscerotomy or autopsy to be performed in case of death
- (3) The person who performed the viscerotomy or autopsy shall send a specimen of the liver, packed in a solution of 10 per centum formalin in physiological saline, by air mail to the Director of the Yellow Fever Research Institute, Entebbe, Uganda, together with a completed specimen form as set out in the Schedule. A copy of the completed specimen form shall be sent to the Director of Medical Services. Specimen of liver to be sent to Yellow Fever Research Institute
- (As amended by Acts No. 168 of 1954 and No. 51 of 1963)
4. (1) If it should come to the notice of a medical practitioner that a person has died of yellow fever, or of a condition resembling yellow fever, such practitioner shall perform a viscerotomy or an autopsy on the corpse and dispose of the specimen of the liver in the manner set out in sub-regulation (3) of regulation 3. Viscerotomy or autopsy to be performed in cases where death suspected from yellow fever
- (2) A viscerotomy or an autopsy may be performed on any corpse if a Medical Officer of Health shall so require on the grounds that there is a reasonable suspicion that death was due to yellow fever, and such viscerotomy or autopsy may be performed by a Medical Officer of Health or by a Health Inspector or by any person authorised in writing by a Medical Officer of Health.
5. Where a person is suffering from a febrile disease in the circumstances described in sub-regulation (1) of regulation 3, or where a person has died in the circumstances described in regulation 3 or 4, no person shall obstruct in any way a Medical Officer of Health or a Health Inspector or a person authorised by a Medical Officer of Health in writing in obtaining any specimen of blood or performing any viscerotomy or autopsy. Offence



The Laws of Zambia

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SCHEDULE

(Regulation 3 (3))

SPECIMEN FORM

VISCEROTOMY SPECIMEN FOR PATHOLOGICAL EXAMINATION

Specimen No. ....  
Name .....  
Tribe .....  
Village .....  
Chief .....  
Boma .....  
Age .....  
Sex .....  
Locality where taken sick .....  
Date taken sick .....  
Hour and date of death .....  
Hour and date of puncture .....  
Place where death occurred .....  
Name of sender .....  
Date of despatch .....

Original to be sent to the Director of the Yellow Fever Research Institute, Entebbe, Uganda, with specimen; duplicate to be sent by post to the Director of Medical Services.

SECTIONS 49-56-THE CONTROL OF AIR AND OTHER TRAFFIC WITHIN OR ENTERING ZAMBIA FROM  
CERTAIN PLACES NOTICE

*Notice by the Minister*

*Government Notices*  
73 of 1943  
60 of 1944  
207 of 1944  
250 of 1944  
60 of 1946  
32 of 1947  
158 of 1949  
293 of 1950  
28 of 1951  
138 of 1951  
159 of 1951  
273 of 1953  
179 of 1954  
497 of 1964  
500 of 1964  
*Statutory Instrument*  
163 of 1965  
*Act*  
13 of 1994

1. This Notice may be cited as the Control of Air and other Traffic Within or Entering Zambia from Certain Places Notice. Title

2. In this Notice, unless the context otherwise requires- Interpretation

- (a) "sanitary authority" means the Director of Medical Services or any person authorised by him to perform the duties of sanitary authority;
- (b) an aircraft shall be deemed to have been in contact with another aircraft if, prior to its arrival at any place in Zambia, it has been on an aerodrome while such other aircraft was on that aerodrome;
- (c) "sanitary aerodrome" means the aerodrome situated at any place mentioned in the First Schedule;
- (d) "recognised stopping place" means any one of the sanitary aerodromes mentioned in the Second Schedule;
- (e) "scheduled place" means any country or part of a country within an endemic area as defined in the Third Schedule;
- (f) "valid inoculation certificate" means a certificate which certifies-
  - (i) that the bearer has been inoculated against yellow fever for the first time more than ten days and less than six years previously; or
  - (ii) that he has been re-inoculated against yellow fever within the past six years; or
  - (iii) that he has recovered from an attack of yellow fever and that his blood contains immune bodies against yellow fever as provided by a test carried out by an institution regularly carrying out biological tests for yellow fever.

(As amended by Nos. 60 and 207 of 1944, 159 of 1951, 273 of 1953 and 179 of 1954)

3. This Notice shall apply-

Application

- (a) to every aircraft and to the passengers and crew thereof arriving at any place in Zambia from or having during any stage of its journey landed in any scheduled place;
- (b) to every aircraft which arrives at any place in Zambia which has within six days of such arrival been in contact with another aircraft which has within six days of such contact been on the ground in any scheduled place;
- (c) to every road vehicle or railway vehicle and every person arriving at any place in Zambia by road or rail from any scheduled place.

*(As amended by Acts No. 207 of 1944 and No. 60 of 1946)*

4. (1) Every aircraft to which this Notice applies shall make its first landing in Zambia or its first landing at any place in Zambia after leaving the Zambezi District at a recognised stopping place and together with the crew and passengers shall be subject to inspection by the sanitary authority.

Aircraft, crew and passengers subject to inspection by sanitary authority

(2) No member of the crew and no passenger of any such aircraft shall have access to the public or leave the aerodrome until authorised by the sanitary authority.

(3) No person shall be deemed to have contravened or failed to comply with the provisions of this paragraph if the pilot or person in charge of the aircraft proves that accident, stress of weather or other unavoidable circumstances prevented him from making his first landing at a recognised stopping place:

Provided that-

- (i) the pilot or person in charge of any aircraft making its first landing at a place other than a recognised stopping place forthwith reports the facts of the situation by the most expeditious means to the nearest Administrative Officer or Government Medical Officer or police officer; and
- (ii) the pilot or person in charge of such aircraft if so ordered by an Administrative Officer or Government Medical Officer or police officer shall proceed with such aircraft to a recognised stopping place as soon as possible; and
- (iii) the crew and passengers of such aircraft comply with the instructions of an Administrative Officer or Government Medical Officer or police officer.

*(As amended by Acts No. 207 of 1944, No. 179 of 1954 and No. 500 of 1964)*

5. The pilot or person in charge of every aircraft to which this Notice applies shall, at the request of the sanitary authority-

Pilot to furnish information to sanitary authority

- (a) give the names and addresses at destination of all persons carried;
- (b) state the place where and the date on which each person was taken on board;
- (c) state whether the aircraft has, within the six days preceding arrival at any place in Zambia-

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- (i) been in contact with another aircraft which has, within six days of such contact, been on the ground in any scheduled place;
- (ii) been on the ground in any scheduled place;
- (d) produce his journey logbook for inspection; and
- (e) furnish any other information of a public health nature in his possession regarding persons, animals, articles or things on board.

*(As amended by Act No. 207 of 1944)*

**6.** Every person to whom this Notice applies shall, at the request of the sanitary authority, furnish any information of a public health nature concerning himself that may be required by such authority. Passengers to furnish information to sanitary authority

**7.** The sanitary authority-

- (a) may inspect any aircraft and any road or railway vehicle to which this Notice applies and the cargo thereof to ascertain whether they contain mosquitoes, and may subject the aircraft or road or railway vehicle to disinsectisation; and
- (b) may conduct or cause to be conducted a medical examination of the passengers and crew of such aircraft to ascertain whether they are free from symptoms of yellow fever.

Powers of sanitary authority

**8.** Every person to whom this Notice applies shall, if so required by the sanitary authority, submit himself to medical examination and shall be dealt with by the sanitary authority as follows: Medical examination

- (a) if such person is not in possession of a valid inoculation certificate, he shall be detained and subjected to observation in a place and under conditions approved by the sanitary authority for a period not exceeding six days reckoned from the date of leaving any scheduled place;
- (b) if such person is in possession of a valid inoculation certificate, he shall be allowed to proceed without being subjected to observation.

*(As amended by Act No. 250 of 1944)*

**9.** When in his opinion such action is necessary for the protection from yellow fever of Zambia or of any part thereof, the Director of Medical Services may order any person or group of persons in Zambia to be inoculated against yellow fever. Inoculation against yellow fever

*(As amended by Acts No. 179 of 1954 and No. 163 of 1965)*

**10.** Any expenditure in connection with any measures taken in terms of this Notice in respect of any person shall be recoverable from such person or, failing him, from the owner of the aircraft or road or rail vehicle of which he was a member of the crew or a passenger, and any such expenditure incurred in respect of such aircraft and goods or articles conveyed therein shall be recoverable from the owner thereof. Expenditure recoverable

11. If any person contravenes or fails to comply with any provision of this Notice or any instruction, order or requirement lawfully issued or made thereunder, or fails or refuses to give any information which he is lawfully required to give, or gives any false or misleading information, knowing it to be false or misleading, he shall be guilty of an offence and liable to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

Offences and penalties

*(As amended by Act No. 13 of 1994)*

FIRST SCHEDULE

*(Paragraph 2 (c))*

SANITARY AERODROMES

Lusaka  
Kasama  
Ndola  
Livingstone *(No. 32 of 1947)*

SECOND SCHEDULE

*(Paragraph 2 (d))*

RECOGNISED STOPPING PLACES

Ndola  
Kasama  
Lusaka *(No. 207 of 1944)*  
Livingstone *(No. 32 of 1947)*  
Mbala *(No. 158 of 1949)*

THIRD SCHEDULE

*(Paragraph 2 (e))*

THE AFRICAN ENDEMIC YELLOW FEVER AREA

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From the mouth of the River Senegal along that river eastwards to the 15°N. parallel of latitude; thence eastwards along that parallel to the eastern boundary of the Sudan; thence northwards along the north-western boundary of Eritrea to the Red Sea Coast; thence southwards along the eastern coast of Africa to the northern boundary of the French Somali Coast; thence along that boundary successively westwards, southwards and eastwards to the eastern coast of Africa and thence along this coast to the southern boundary of Tanzania and westwards along that boundary and the southern boundary of the Congo to the 10°S. parallel of latitude; thence westwards along that parallel to the west coast of Africa; thence northwards along the west coast of Africa to the mouth of the River Senegal; including the islands in the Gulf of Guinea. The Western Province and the Zambezi District in the North-Western Province of Zambia are also included in the endemic area. The port of Massawa in Eritrea and an area 10 kilometres in radius from the centre of the town of Asmara in Eritrea, as well as the territory of the French Somali Coast, including the port of Jibuti, are excluded from the endemic area. The continued exclusion of these area is, however, contingent on their maintenance of an *Aedes aegypti* index not exceeding 1 per centum in the port of Massawa, in and around Asmara, and in the port of Jibuti, as reported quarterly to the World Health Organisation.

(No. 138 of 1951)

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City of Lusaka.(No. 49 of 1953)

City of Kitwe.(No. 49 of 1953)

City of Ndola.(No. 93 of 1931)

Kabwe Municipality.(No. 49 of 1953)

Livingstone Municipality.(No. 101 of 1931)

Luanshya Municipality.(No. 49 of 1953)

Mufulira Municipality.(No. 49 of 1953)

### THE PUBLIC HEALTH (DRAINAGE AND LATRINE) REGULATIONS

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3. Interpretation

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122 of 1956  
125 of 1957  
291 of 1964  
*Act*  
51 of 1963  
13 of 1994

PART I

PRELIMINARY

1. These Regulations may be cited as the Public Health (Drainage and Latrine) Regulations. Title
  
2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations  

*(As amended by No. 291 of 1964)*
  
3. In these Regulations, unless the context otherwise requires- Interpretation  

"cement" means Portland cement which shall conform in every respect with the provisions of the British Standard Specification for Portland Cement, No. 12, 1925, and any specification in amendment thereof or in substitution therefor;

"closed drain" means any drain constructed of pipes or in the form of an enclosed conduit;

"domestic building" includes any building in human use, or intended for human use, whether for purposes of business or residence or amusement;

"drainage works" means the construction, installation, laying, connecting, fixing, repair or removal of any pipe, drain, gully, cesspool, septic tank, sewage filter installation, or other works for the discharge, reception or disposal of sewage in connection with any premises, or of any waste pipe, soil pipe, trap, urinal, water closet, slop-hopper, sink, bath, lavatory basin, ventilation pipe, anti-syphonage pipe, or any drain fitting or water flushing cistern, or any works connected with the discharge of liquid or soiled matter into any drain, sewer, cesspool, septic tank, sewage filter installation or other like receptacle for drainage, or otherwise connected with the drainage of any premises;

"dwelling-house" means a building or any part or portion of a building used, or constructed, adapted or designed to be used for human habitation, as a separate tenancy, or by one family only, whether detached, semi-detached, or separated by party walls, or by floors from adjoining buildings, together with such outbuildings as are reasonably required to be used or enjoyed therewith;

"earth closet" means a pail closet furnished with means for sprinkling earth, ashes or any other material for the purpose of absorbing or covering the excremental matter;

"housemaid's sink" includes a butler's sink and any fitting used or intended to be used in connection with the cleansing of toiletware but neither used nor intended to be used for the reception of any excremental liquid or substance;

"latrine" includes a privy, urinal, pail closet, pit closet, earth closet, chemical closet and water closet;

"latrine accommodation" includes a receptacle for human excreta, together with the structure containing and including such receptacle and the fittings and apparatus connected therewith;

"one pipe system" means a system of drainage above ground in which all soil and waste appliances are connected to a single pipe which discharges directly to a drain without further trapping other than traps integral with or attached to the appliances, and in which all traps are ventilated by means of connections to a separate main ventilating pipe;

"pail closet" means latrine accommodation including a movable receptacle for human excreta;

"pit closet" means latrine accommodation situated over any hole or excavation in the ground;

"plot" means any area of land being the subject of a separate conveyance, assignment or lease;

"sewage" means soil water, waste water and manufacturing or trade effluent;

"sewer" means any duct belonging to the Local Authority and constructed, acquired or maintained for the purpose of conveying sewage;

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"sewer connection" means any pipe junction, saddle or other contrivance constructed in any sewer belonging to the Local Authority for the purpose of receiving the discharges from any drain, or the drainage from one or more buildings, into such sewer;

"single stack system" means a one pipe system from which trap ventilating pipe work is omitted;

"slop-hopper" means any fitting intended for the reception of slop water from bedrooms or other waste water containing excremental liquid or substance;

"soil pipe" means any pipe fixed on or in any building for the purpose of conveying the discharges from any water closet, slop-hopper, urinal or urinette, or any waste water containing excremental liquid or substance;

"soil water" means discharges from water closets, slop-hoppers, urinals and urinettes, and all water containing any excremental liquid or substance;

"soil water fittings" means water closets, slop-hoppers, urinals and urinettes, and all water fittings adapted or designed for the reception of matters of an excremental character which are or are to be connected to any system of drainage;

"waste pipe" means any pipe for conveying waste water of a non-excremental character from baths, lavatory basins, sinks or housemaids' sinks;

"waste water" means discharges of a non-excremental character from baths, lavatory basins, sinks or housemaids' sinks;

"waste water fittings" means baths, lavatory basins, sinks and housemaids' sinks;

"water closet" means latrine accommodation adapted or designed for the reception of human excreta, of both a solid and liquid character, used or adapted or intended to be used in connection with a water carriage system, and comprising provision for the flushing of the receptacle by means of an approved water supply.

*(As amended by Acts No. 12 of 1937, No. 173 of 1954,  
No. 122 of 1956 and No. 51 of 1963)*

PART II

DRAINAGE AND SEWERAGE PROVISIONS, ETC.

4. (1) Where any building is without a drain sufficient for the effectual drainage of the same, the Local Authority shall, by written notice, require the owner of such building, within a reasonable time therein specified, to make a drain or drains emptying into any sewer belonging to the Local Authority which is at a suitable level, and which is not more than 60.96 metres distant from any part of such building, but, if no such means of drainage are within that distance, then emptying into such covered tank or other like receptacle for drainage not being under any building, or in such other manner as the Local Authority may direct; and the Local Authority may require any such drain or drains to be of such materials and size and to be laid at such level and in such manner and with such falls as may appear to the Local Authority to be necessary.

Local Authority to enforce drainage of undrained buildings

(2) Any person who fails to comply with the requirements of any notice served under this regulation within the time specified shall be guilty of an offence, and the Local Authority may, after the expiration of the time specified in the notice, do the work required, and may recover as a civil debt the expenses incurred by it in so doing from the owner:

Provided that, where, in the opinion of the Local Authority, greater expense would be incurred in causing the drains of two or more buildings to empty into an existing sewer, pursuant to this regulation, than in constructing a new sewer and causing such drains to empty therein, the Local Authority may construct such new sewer, or cause such new sewer to be constructed, and require the owners of such buildings to cause their drains to empty therein, and may apportion as it deems just the expenses of the construction of such sewer amongst the owners of the several buildings, and recover as a civil debt the sums apportioned from such owners.

5. If it appear to the Local Authority that two or more buildings which are to be connected with any sewer belonging to the Local Authority, either voluntarily or compulsorily, may be drained more economically or advantageously in combination than separately, and a sewer of sufficient size belonging to the Local Authority already exists or is about to be constructed at a suitable level and within 60.96 metres of any part of such buildings, the Local Authority may, when the drains of such buildings are first laid, order that such buildings be drained by a combined system of drainage to be constructed either by the Local Authority, if it so decide, or by the owners in such manner as the Local Authority shall direct, and the costs and expenses of the construction of such combined system of drainage and of the repair and maintenance thereof shall be apportioned between the owners of such buildings in such manner as the Local Authority shall determine, and, if paid by the Local Authority, may be recovered by it from such owners.

Two or more buildings may be drained by a combined operation

6. (1) No person shall erect a new building or re-erect any building, any two external walls of which have been pulled down or burned down or which have fallen down to or below the level of the ground floor, or occupy or, being the owner thereof, permit to be occupied, any building so newly erected or re-erected, unless a drain or drains have been constructed of such materials and size, and laid at such level, in such manner and with such fall as may appear necessary to the Local Authority for the effectual drainage of such building; and the drain or drains so to be constructed shall empty into any sewer belonging to the Local Authority which is at a suitable level and which is within 60.96 metres of any part of the site of the building to be erected or re-erected; and, if no such means of drainage are within that distance, then such drains shall empty into such covered tank or other place, not being under any building, as the Local Authority may direct, except as hereinafter provided.

New buildings must be drained

(2) Any person who causes any building to be erected or re-erected or any drain to be constructed in contravention of this regulation shall be guilty of an offence.

(3) Notwithstanding anything contained in these Regulations, no person shall cause or permit any subsoil, surface, storm or rain-water or any drain for the conveyance of such water to discharge into or communicate with any drain or sewer for the conveyance of sewage or waste water, or into any cesspool, septic tank or other receptacle for drainage, except with the written permission or by the direction of the Local Authority, and then only on the condition that such subsoil, surface, storm or rain-water drain shall discharge directly into the open air over a trapped gully and above the level of the water therein, and no person shall cause or permit any sewage or waste water drain to discharge into or communicate with any drain or sewer for the conveyance of subsoil, surface, storm or rain-water except with the written permission or by the direction of the Local Authority.

7. If it shall appear to the Local Authority that any building built before or after the commencement of these Regulations is not provided with a proper sink or drain or other necessary appliances for carrying off waste water from such building, the Local Authority may give notice in writing to the owner of such building requiring him, in the manner and within the time to be specified in such notice, to provide such sink, drain or other appliances. If the owner makes default in complying with such requirement to the satisfaction of the Local Authority within the time specified in such notice, he shall be guilty of an offence and, in case of default, the Local Authority may, if it thinks fit, itself provide such sink, drain or other appliances, and the expenses incurred by it in so doing shall be repaid to it by such owner, and may be recovered as a civil debt.

Local Authority may require sinks, drains or other necessary appliances to be provided to buildings

8. (1) Where any building is served by any privy, earth closet, pail closet, pit closet, or other closet not being a water closet (any such privy or closet being hereinafter in this regulation referred to as a non-water closet), the Local Authority may, by notice in writing addressed to the owner of the building, require the said owner, within a reasonable time to be specified in the notice, to convert the non-water closet into a water closet, and-

Conversion of latrines

(a) if the building or closet is within 60.96 metres of any sewer belonging to the Local Authority which is at a suitable level, to connect the water closet to the said sewer; or

(b) in any other case, to connect the water closet to a septic tank or covered cesspool;

and cause all such works to be constructed in accordance with the provisions of these Regulations:

Provided that no such notice as aforesaid shall be given unless there is available on the premises affected a sufficient supply of water to operate a water closet efficiently.

(2) Any notice given under this regulation may require the owner of any building to carry out the works specified therein in a manner and by the use of materials to be approved by the Local Authority.

(3) Any person who shall fail to comply with the requirements of any notice given under the provisions of this regulation within the time specified in such notice shall be guilty of an offence, and the Local Authority may, after the expiration of the time specified, execute the required work, and may recover as a civil debt the expenses incurred by it in so doing from the owner of the property.

(No. 33 of 1951)

9. (1) Where the drainage of a building discharges into any cesspool or septic tank or into any other receptacle or place whatsoever not being a sewer belonging to the Local Authority, and such building be within 60.96 metres of a sewer belonging to the Local Authority which is at a suitable level, the Local Authority may, by written notice addressed to the owner of the building, require the said owner, within a reasonable time to be specified in the notice, to cease to discharge or permit to be discharged into the said cesspool, septic tank, other receptacle or place any sewage and other waste water, and to cause all such sewage and other waste water to be discharged into the said sewer in a manner and by the use of materials to be approved by the Local Authority; and the Local Authority may, by written notice addressed to the owner, order such cesspool, septic tank, receptacle or place to be removed, filled in or otherwise suitably dealt with to its satisfaction, within a period to be specified in such notice, and the Local Authority may, after the expiration of the time specified in such notice, execute the required work and may recover as a civil debt the expenses incurred by it in so doing from the owner of the property.

Where sewer provided, cesspools or septic tanks, etc., no longer to be used for reception of drainage



(2) Any such owner who shall fail to comply with the requirements of any notice served under the provisions of this regulation within the time specified shall be guilty of an offence.

*(As amended by Act No. 125 of 1957)*

**10.** (1) The owner of any premises shall, at his own expense, maintain all drains and all drainage works constructed upon or in connection with such premises in an efficient condition and in a proper state of repair to the satisfaction of the Local Authority.

Maintenance of drains and drainage works

(2) In all cases where two or more buildings owned by more than one owner are drained by a combined system of drainage, such owners shall jointly and severally be responsible for the duty of, and for any costs and expenses incidental to, maintaining and repairing such combined system of drainage.

**11.** If it shall appear to the Local Authority that any drain, latrine, cesspool or septic tank constructed upon or in connection with any premises is in a bad state of repair, or is inefficient or is a nuisance or injurious or dangerous to health, the Local Authority may, after having given twenty-four hours' written notice to the occupier of such premises, or, in case of emergency, without notice, cause such premises to be entered, the ground to be opened and such drain, latrine, cesspool or septic tank to be examined. If the drain, latrine, cesspool or septic tank on examination is found to be in a proper, sound and efficient condition, the Local Authority shall cause the ground to be closed, and any damage done to be made good as soon as can be, and the expenses of the works shall be defrayed by the Local Authority. If the drain, latrine, cesspool or septic tank on examination appears to be in a bad, defective or inefficient condition, or to require alteration or amendment, the Local Authority shall forthwith give notice in writing to the owner of the premises requiring him forthwith or within a reasonable time therein specified to carry out such works as may be necessary; and, if the owner of such premises fails to comply with the requirements of any notice served under this regulation within the time specified, he shall be guilty of an offence, and the Local Authority may, if it think fit, after the expiration of the time specified in the notice, carry out the work required, and may recover as a civil debt the expenses incurred by it in so doing from the said owner.

Examination of drains, latrines, cesspools and septic tanks

**12.** (1) The Local Authority may, at any reasonable time, cause to be applied to any covered drain or drains, soil pipe or ventilating pipe, constructed upon or in connection with any premises, the smoke, air, chemical, coloured water or other test (not including a test by water under pressure).

Local Authority may cause drains to be tested

(2) If, on the application of the test, such drain or drains, soil pipe or ventilating pipe is or are found to be defective, the Local Authority shall, by written notice served upon the owner of such premises specifying generally the defect, require the said owner to do all works necessary for remedying it, within a reasonable time to be specified in the notice, and, if such owner fails to comply with the requirements of any notice served under this regulation within the time specified, he shall be guilty of an offence, and the Local Authority may, if it think fit, after the expiration of the time specified in the notice, carry out the works required, and may recover as a civil debt the expenses incurred by it in so doing from the owner.

(3) The owner and occupier of any premises shall give all reasonable facilities for the application of any test as provided for in this regulation, and any owner or occupier who fails to do so shall be guilty of an offence.

**13.** (1) Upon receipt of information as to a stoppage in any closed drain or drainage work constructed upon or in connection with any premises, the Local Authority may cause a written notice of stoppage to be served upon the owner of such premises requiring him forthwith to cause the stoppage to be removed. If the said owner fails to comply forthwith with the requirements of any such notice as aforesaid, or if such owner cannot immediately be found, the Local Authority may itself cause the stoppage to be removed and may recover as a civil debt the expenses incurred in so doing from the owner.

Stoppages in drains

(2) Where two or more buildings owned by more than one owner are drained by a combined system of drainage, the costs and expenses incidental to the removal of any such stoppage as aforesaid shall be apportioned between the owners of such buildings in the manner provided in regulation 5:

Provided that, where the stoppage takes place in a section of any drain used by one occupier or owner only, the costs and expenses incurred in its removal shall be borne by the owner of the building served by such section.

**14.** Any person who, without the written consent of the Local Authority-

- (a) causes any building newly to be erected over any sewer belonging to the Local Authority; or
- (b) causes any vault, arch or cellar newly to be constructed under the carriageway or footway of any street vested in the Local Authority;

Penalty on unauthorised building over sewers or under streets

shall be guilty of an offence, and the Local Authority may cause any building, vault, arch or cellar constructed in contravention of the provisions of this regulation to be altered, pulled down or otherwise dealt with as it may think fit, and may recover as a civil debt any expenses incurred by it in so doing from the offender.

**15.** Any person who shall throw or suffer to be thrown, or shall pass into any sewer belonging to the Local Authority or into any drain communicating therewith, any matter or substance by which the free flow of the sewage or other liquid waste may be interfered with, or by which any such sewer or drain may be injured, shall be guilty of an offence.

Injurious matters not to pass into sewers

**16.** (1) Where, in the opinion of the Local Authority, the introduction into any sewer belonging to the Local Authority of any solid matter, suspended matter, mud, chemical or manufacturing or trade or other refuse (inclusive of vapours or gaseous matters) or any steam, condensing water, heated water or other liquid (such water or other liquid being of a higher temperature than 57.2 degrees Celsius) whether alone or in combination with other matter or liquid, and whether directly or through any drain or channel communicating with such sewer, either does or may cause a nuisance, or involve danger to the health of persons entering the sewers, or others, or is or may be injurious to the structure or materials of the sewers or other works of the Local Authority, or to the ground used by the Local Authority, the Local Authority may, by written notice served upon the owner or occupier of any premises, absolutely prohibit from a date to be named in such notice, not being earlier than fourteen days from the date of service of such notice, any such matter or matters as aforesaid being caused or permitted to fall, flow or enter or to be carried or washed into any sewer belonging to the Local Authority, either directly or indirectly:

Power to prohibit the passing of solid matter, steam, chemical refuse, etc., into sewers

Provided that the Local Authority shall not be required to serve a notice upon the same person more than once.

(2) Any person who shall fail to comply with the requirements of any such notice after service thereof upon him shall be guilty of an offence.

**17.** The Local Authority may, in its absolute discretion, refuse to admit into any sewer belonging to the Local Authority any trade, brewery or manufacturing liquid waste, sewage or effluent unless the same has been freed of the grosser objectionable matters, and then only if the sewers in the vicinity belonging to the Local Authority are, in the opinion of such Authority, of sufficient capacity to convey the trade, brewery or manufacturing liquid waste, sewage or effluent in addition to the ordinary domestic sewage flow of the areas served by such sewers.

Brewery or  
manufacturing sewage

**18.** The Local Authority shall, in its discretion, have power to construct on any pipe or channel conveying trade or manufacturing liquid waste, sewage or effluent to any sewer belonging to the Local Authority an inspection chamber, manhole, lamphole, or other similar opening, of such dimensions as it may think fit, on any premises from which the liquid waste, sewage or effluent is derived, at the expense of the Local Authority, without payment of any compensation to the owner or occupier of such premises; and any duly authorised officer of the Local Authority shall at all times have the right of access to such chamber or other opening and may examine the character, gauge the flow and take samples of the discharge from such premises.

Power to make  
inspection chamber in  
manufacturing premises

**19.** No person shall construct or fix any rain-water pipe or trunk which may be provided in connection with any building for the purpose of conveying therefrom any water which may fall on any roof or flat thereof so as to discharge directly into a closed drain, but shall cause such rain-water pipe or trunk to be constructed or fixed so as to discharge directly into the open air, into an open channel or over a properly trapped gully, or in such gully above the level of the water in the trap thereof:

Rain-water pipes not to  
communicate directly  
with a closed drain

Provided always that the provisions of this regulation shall not apply in any case where rain-water is intended to be conveyed through a closed drain to any receptacle properly constructed and adapted for the storage of such water and approved by the Local Authority.

**20.** (1) The owner of any building who shall intend to cause any drain constructed or to be constructed in connection with such building to empty into a sewer belonging to the Local Authority shall give at least three days' notice in writing in the prescribed form to the Local Authority of his intention to make a sewer connection.

Notice to be given of  
intention to make a  
sewer connection

(2) As soon as the Local Authority is satisfied that the owner of the said building is entitled to cause such drain to empty into the said sewer and that the making of such sewer connection would not contravene any of the provisions of these Regulations, the Local Authority shall issue a written permit to such owner authorising the making of such sewer connection.

**21.** (1) No person shall make any sewer connection unless and until a written permit authorising the making of such sewer connection shall have been issued by the Local Authority, and no person shall make any sewer connection otherwise than under the direction of and in a manner to be approved by the Local Authority.

Sewer connections not to  
be made without  
permission

(2) Any person making or attempting to make any sewer connection in contravention of the provisions of this regulation shall be guilty of an offence, and the Local Authority may close, demolish or remove any sewer connection made in contravention of the provisions of this regulation and may recover as a civil debt from the person so offending any expenses incurred by it in so doing.

Unauthorised sewer  
connections

**22.** (1) Every person who shall carry out any drainage works in any street, sidewalk or other public place vested in the Local Authority shall, in the carrying out of such works, comply with the following requirements:

Drainage works in streets and other public places

- (a) He shall not disturb the surface of any street, sidewalk or other public place vested in the Local Authority, without the previous consent in writing of the Local Authority, and subject to such conditions as it may prescribe;
- (b) In any case where a sewer connection is to be made, he shall cause such sewer connection to be made at such point in the sewer as may be indicated by the Local Authority.

(2) Nothing contained in this regulation shall be held to impose any liability whatsoever on the Local Authority for any accident or damage to persons or property which may occur in the carrying out of any such drainage works as aforesaid.

**23.** It shall be lawful for the Local Authority to agree with any owner or occupier of any premises that any drainage works which such owner or occupier desires or is required by the Local Authority to construct shall be constructed by the Local Authority, and the cost of constructing such drainage works shall be repaid by such owner or occupier to the Local Authority, and, in default of payment, the Local Authority may recover the cost as a civil debt.

Local Authority may arrange with owners to carry out private drainage works

**24.** The owner of any premises outside the district of the Local Authority may, with the consent of the Local Authority and subject to the provisions of these Regulations, cause any drain constructed upon or in connection with such premises to empty into any sewer belonging to the Local Authority upon such terms and conditions as may be agreed upon between such owner or occupier and the Local Authority:

Owners outside the district may arrange with Local Authority to connect to sewers of Local Authority

Provided always that no person shall cause any such drain to empty into any such sewer until such terms and conditions have been agreed upon.

**25.** In all cases where, in accordance with the provisions of these Regulations, any work is carried out by the Local Authority in respect of which the said Authority is entitled to recover the cost from any person under the provisions of these Regulations, there may be included in the cost so claimed and recoverable such sum as the Local Authority shall prescribe to cover the cost of surveys, plans, specifications, quantities, supervision and the use of tools and plant, and there shall also be included in such cost any expenditure or labour involved in disturbing, making good and remaking any made road, street or footway or ground affected.

Charges to cover supervision, etc.

**26.** No occupier of any premises shall throw or introduce or allow others on the said premises to throw or introduce into any cesspool, drain, waste pipe, soil pipe or soil water fitting, constructed in connection with such premises, any tins, bottles, refuse or other matter laible to choke the same.

Tins, bottles, refuse, etc., not to be allowed to enter drains

**27.** (1) The owner or occupier of any premises shall maintain all openings, whether for ventilation or otherwise, to any drain, and also all traps, gullies and other drainage fittings on his premises in good order and proper repair and in a reasonably clean condition and free from obstruction.

Traps, gullies and ventilation pipes to be kept free from obstruction

(2) Any owner or occupier who fails to comply with the provisions of this regulation shall be guilty of an offence.

### PART III

#### CONSTRUCTION OF DRAINS

- 28.** Every person who shall construct any drain in connection with a building shall lay such drain and carry out any excavation necessary for the construction of such drain in the following manner: Excavation for any laying of drains
- (a) He shall cause the ground to be excavated to the required depth with all possible expedition and in a workmanlike manner;
  - (b) He shall cause to be erected and maintained during the progress of the work all such fences, hoardings, struttings, shorings and lights (kept lit throughout the night) as may be necessary to or in consequence of any of the works, for the protection of the public or workmen or of any buildings or property whatsoever near to or liable to be affected by the work;
  - (c) He shall cause any excavation to be commenced at the outfall end of each drain and continued in straight sections, the bottom of the trench to be accurately cut to the proper gradient for receiving the pipes, and the trench to be made of sufficient width to afford room for the proper laying, bedding and jointing of the pipes;
  - (d) He shall cause the laying of the pipes to be carefully performed and each pipe to be laid to a true gradient and in such manner that the body of the pipe shall have a firm bearing throughout its whole length and not upon the socket only;
  - (e) He shall cause any excavation to be filled in with earth well rammed in 15.24 centimetres layers, fine material free from stones being packed round the pipes, and the surface at ground level made good to the satisfaction of the Local Authority.
- 29.** Every person who shall construct any drain in connection with a building, other than a drain constructed for the drainage of the subsoil of the site of such building or a drain constructed for the drainage of storm water only or water from any water supply fitting only, shall, in the construction of such drain, comply with the following requirements: Construction of drains
- (a) He shall cause such drain to be constructed of good sound cylindrical pipes made of glazed stoneware or of heavy cast iron, or of other suitable material which has been approved by the Local Authority; Materials to be used in construction of drains
  - (b) He shall cause such drain to be of adequate size, to be a closed drain, to have an internal diameter of not less than 10.16 centimetres, and to be laid with a proper fall, and with watertight, socketed or other approved suitable joints; Drains to be of adequate size and to have a proper fall and watertight joints
  - (c) If such drain be constructed of stoneware pipes, he shall, if so required by the Local Authority, cause such drain to be laid on an adequate and efficient bed of good cement concrete at least 7.62 centimetres in thickness or, if such drain be constructed of approved metal pipes, he shall, if so required by the Local Authority, cause such drain to be supported upon a sufficient number of suitable piers constructed of good cement concrete: Foundation for drains

Provided that, where any such drain as aforesaid is to be laid on made or bad ground and where, in the opinion of the Local Authority, such a precaution is necessary, he shall cause such drain to be laid on a bed of good cement concrete not less than 15.24 centimetres in thickness and projecting on each side of the drain to an extent at least equal to the external diameter of such drain and shall cause good cement concrete to be filled in so that it shall extend to the full width of the cement concrete bed already prescribed and so that such drain shall be embedded to the extent of not less than half its diameter.

**30. (1)** Every person who shall construct any such drain as is described in regulation 29 shall cause such drain to be laid with a proper and sufficient gradient: Gradient of drains

Provided that-

- (i) wherever practicable, he shall cause such drain to be laid with the minimum gradient specified below:
  - Drains of 10.16 centimetres internal diameter<sup>1</sup> in 40
  - Drains of 12.70 centimetres internal diameter<sup>1</sup> in 50
  - Drains of 15.24 centimetres internal diameter<sup>1</sup> in 60;
- (ii) wherever the foregoing minimum gradient of a drain shall be found to be impracticable, the Local Authority may, if it shall consider such a precaution necessary, require that special flushing tanks and inspection chambers shall be provided to such drain.

(2) If he shall construct any such drain of cast-iron pipes jointed with socket joints, such joints shall be not less than 6.35 centimetres in depth, shall be made with tarred spun yarn and molten lead or lead wool properly caulked, and the annular space for the lead, in the case of 9.16 centimetres pipes, shall not be less than 0.635 centimetres in width and, in the case of 12.70 centimetres and 15.24 centimetres pipes, shall not be less than 0.9525 centimetres in width; if such drain shall be jointed with flange joints, he shall cause such joints to be securely bolted together and some suitable insertion for jointing placed between the flanges. Jointing of cast-iron drain pipes

(3) If he shall construct any such drain of stoneware pipes, or pipes of material other than metal, such pipes shall be jointed with socket joints properly put together with cement mortar-1 of sand to 1 of cement-a few turns of spun yarn dipped in cement grout being first put round the end of the spigot, to ensure it being concentric with the socket and tightly caulked in; or an approved composition joint may be used. Jointing of stoneware drain pipes

(4) He shall cause proper and efficient means to be employed for keeping the invert of every such drain clear of cement or other matter in the laying and jointing of pipes and shall also cause every such drain to be so laid that a badger, of 0.635 centimetres less diameter than the internal diameter of the drain, shall pass freely through the said drain and so that a fibrous mop of half the internal diameter of the drain shall pass freely through such drain. Invert of drain to be kept clear of obstruction

(5) He shall cause every such drain to be so constructed as to be watertight and to be capable of resisting a pressure of at least 0.6096 metres head of water. For the purpose of applying such pressure, he shall cause all openings to be plugged, and he shall also ascertain the locality of any leaks or defects which may be found to exist on the application of such pressure by the Medical Officer of Health or a Health Inspector or other duly authorised officer, and shall cause any such leaks or defects to be effectively repaired and made good so as to render such drain watertight and capable of resisting such pressure as aforesaid. Drains to be so constructed as to be watertight

(6) If he shall construct any such drain of cast iron, only cast-iron pipes of good quality free from imperfections and well coated internally and externally with Dr. Angus Smith's or other approved rust preventive composition shall be used, and the weight of such cast-iron pipes in proportion to the diameter shall not be less in any case than is prescribed as follows:

Sizes and weights of cast-iron drain pipes

Internal diameter: centimetres	Thickness of metal	Weight per 2.7432 metres length (including socket and spigot)
10.16	0.9525 cm's	72 kg.
12.70	0.9525 cm's	85.5 kg.
15.24	0.9525 cm's	103 kg.

(7) If he shall construct any such drain of stoneware, only the best glazed socketed stoneware pipes which are truly cylindrical in section, straight in shape and free from cracks or other imperfections shall be used, and the thickness of the pipes, the depth of the sockets and the annular space for the cement in proportion to the diameter shall not be less in any case than is prescribed as follows:

Size and thickness of stoneware drain pipes

Internal diameter: centimetres	Thickness of pipe	Depth of socket	Annular space for the cement
10.16	1.27 cm's	4.445 cm's	0.79375 cm's
12.70	1.42875 cm's	5.08 cm's	0.79375 cm's
15.24	1.5875 cm's	5.08 cm's	0.79375 cm's
32.86	1.905 cm's	5.08 cm's	1.42875 cm's

(8) He shall not construct any such drain so that any joint of such drain shall be built into any wall or foundation, except in any case where any other mode of construction is impracticable.

Joints of drains not to be built into walls or foundations

(9) He shall not construct any such drain inside so as to pass under a building, except in any case where any other mode of construction is impracticable.

Drains in or under buildings

(10) If he shall construct any such drain so as to pass under a building, he shall cause such drain to be so laid in the ground that there shall be a distance equal at the least to the full diameter thereof between the top of such drain at its highest point and the surface of the ground under such building, and he shall cause such drain to be completely embedded in and covered with good and solid cement concrete at least 15.24 centimetres thick all round:

Provided that, in any case where such drain shall be constructed of iron or other approved metal pipes, he may cause such drain to be carried above ground and to be supported upon a sufficient number of suitable piers constructed of iron or good cement concrete.

(11) He shall also cause any such drain to be laid in a direct line for the whole distance beneath such building and adequate means of access, by means of approved inspection chambers situated outside such building or, in the case of iron or other approved metal pipes carried above ground, by means of approved inspection eyes situated outside such building, to be provided at each end of such portion thereof as is beneath such building, and efficient ventilation of such drain by means of approved ventilating shafts to be provided.

(12) He shall cause all concrete used in connection with the laying and constructing of any such drain to be composed of clean gravel, hard brick broken small, or other suitable ballast, well mixed with good clean sand, free from earth, and cement in the proportion of 3 parts of sand, 1 part of cement, and 6 parts of other material.

Composition of concrete

(13) In every case where any such drain is laid beneath a wall, he shall cause such drain to be protected at the part beneath the wall by means of an arch, lintel or suitable metal support of sufficient size and strength to prevent any disturbance or other injury to such drain, and constructed at least 5.08 centimetres clear above the drain.

Protection of drains under walls

**31.** Every person who shall construct any such drain as is described in regulation 29 shall cause every inlet to such drain, not being an inlet provided in pursuance of the regulation in that behalf as an opening for the ventilation of such drain, to be properly trapped by an efficient trap so constructed as to be capable of maintaining a sufficient water seal. He shall not construct or fix in or in connection with any such drain any trap of the kind known as a bell-trap, a dip-trap, a D-trap or a U-trap or a running trap or any such trap as becomes unsealed on the removal of the cover, or any trap of a type which has not been approved by the Local Authority.

Inlets to drains to be trapped

**32.** (1) No person who shall construct any drain in connection with a building shall construct the several drains of such building in such a manner as to form in such drains any junction either vertical or horizontal nearer than 21/2 degrees to a right angle. He shall cause every branch drain or tributary drain to join another drain obliquely in the direction of the flow of such drain, and as near as practicable to the invert thereof. He shall cause all bends and turnings to be truly curved and, when directly reducing or enlarging the size of any drain, he shall cause such alteration to be properly tapered and to be of good shape.

No right-angled junctions to be made

(2) He shall also, so far as may be practicable, cause every such drain to be laid in a direct line or in a series of direct lines.

**33.** (1) Every person who shall construct any drain in connection with a building shall, where such drain shall communicate with a septic tank, cesspool or other like receptacle for drainage, not being a sewer belonging to the Local Authority, if so required by the Local Authority, cause to be provided and fixed in such drain a suitable and efficient intercepting trap at a point as distant as may be practicable from such building and as near as may be practicable to the point at which such drain may be connected with such septic tank, cesspool or other like receptacle for drainage.

Drains to be trapped from cesspools and septic tanks, etc., but not from sewers

(2) He shall cause such intercepting trap to be of an approved pattern of good glazed stoneware or of iron coated with approved material, to have the trap bend contracted in size so as to be 1.27 centimetres less than that of the pipe which discharges into it, to be provided with a drop of not less than 5.08 centimetres from the invert of the drain to the surface of the water seal, to have a water seal of not less than 5.08 centimetres in depth, and to be fixed truly level in a bed of good cement concrete.

Intercepting traps

**34.** No person shall provide or fix an intercepting trap in any drain which communicates directly with a sewer belonging to the Local Authority.

Drains not to be trapped from sewers

**35.** Every person who shall construct any closed drain in connection with a building shall cause adequate and efficient inspection chambers to be provided in the positions and in the manner hereinafter required:

Provision of inspection chambers in connection with drains



(a) (i) He shall cause an inspection chamber to be provided at every point in such drain where two or more drains shall converge;

(ii) He shall further cause access to be provided to the satisfaction of the Local Authority, in such manner that all parts of the drain can be rodded efficiently;

(iii) Where any such drain shall communicate directly with a sewer belonging to the Local Authority, he shall cause an inspection chamber to be provided to such drain on the plot on which such building stands but, wherever practicable, within 1.2192 metres of the boundary of the said plot over which such drain is or is to be constructed:

Provided that he may, with the consent in writing of the Local Authority and subject to such conditions as it may prescribe, but not otherwise, cause such inspection chamber as aforesaid to be constructed on a street or sidewalk;

(iv) He shall cause an inspection chamber to be provided at any point where an intercepting trap shall be fixed in such drain.

(b) (i) He shall cause every inspection chamber to be of such internal dimensions as the Local Authority shall require:

Construction of  
inspection chambers

(iii) Provided that no inspection chamber shall be less than 0.6096 metres in length where the depth of the half channel invert from the surface of the ground adjoining such chamber shall be greater than 18 inches;

(ii) He shall cause every inspection chamber to be constructed of not less than 22.860 centimetres brickwork or stonework built in cement, or of good cement concrete not less than 10.16 centimetres in thickness, to be so constructed as to be watertight up to the level of the adjoining ground surface, and to be rendered with cement plaster at least 1.27 centimetres in thickness and finished with a smooth surface;

(iii) He shall cause every inspection chamber to be fitted with a strong movable airtight cast-iron manhole cover of adequate size and approved design and construction fixed not lower than the surface of the adjoining ground;

(iv) He shall cause the sides of the channels in every inspection chamber to be brought up vertically to a height not less than the diameter of the drains, and shall cause benching, constructed of good cement concrete, to be provided, such benching to be sloped off from the tops of the channels at an angle of 30 degrees from the horizontal and finished with a smooth cement surface.

*(As amended by Act No. 328 of 1950)*

**36.** Every person who shall construct any closed drain in connection with a building shall, for the purpose of securing efficient ventilation of such drain, comply with the following requirements: Ventilation of drains

- (a) He shall provide at least one untrapped opening to such drain, which opening shall be situated as far distant as may be practicable from the point at which such drain communicates with a sewer, septic tank, cesspool or other like receptacle for drainage with which such drain may lawfully communicate, and shall also provide an untrapped opening at the upper extremity of every branch drain which exceeds 6.096 metres in length and which receives any soil water or waste water. Such untrapped opening shall be obtained by carrying up a pipe or shaft, vertically, to such a height and in such a position as to afford by means of the open end of such pipe or shaft a safe outlet for foul air and so as effectually to prevent any escape of foul air from such pipe or shaft into any building in the vicinity thereof, and in no case to a less height than 0.9144 metres above the eaves of any adjoining roof, or to a less height than 1.8288 metres above the top of any window, door or other opening which shall be within a distance of 6.096 metres horizontally from such pipe or shaft, or to a less height than 3.048 metres above the adjoining ground level, and such pipe or shaft, if unsupported for a length of more than 1.524 metres, shall be properly stayed:

Provided always that the soil pipe of any water closet, in every case where the situation, sectional area, height and mode of construction of such soil pipe shall be in accordance with the requirements applicable to the pipe or shaft to be carried up from such drain, may be deemed to provide the necessary opening for ventilation which would otherwise be obtained by means of such last mentioned pipe or shaft;

- (b) He shall cause any opening provided in accordance with the arrangements hereinbefore specified to be furnished with a suitable grating or other cover of approved pattern and material for the purpose of preventing any obstruction in or injury to any pipe or drain by the introduction of any substance through any such opening. He shall, in every case, cause such grating or cover to be so constructed and fitted as to secure the free passage of air through such grating or cover by means of a sufficient number of apertures, of which the aggregate extent shall be not less than the sectional area of the pipe or drain to which such grating or cover may be fitted;
- (c) He shall not, except where unavoidable, cause any bend or angle to be made in any pipe or shaft used in connection with any of the arrangements hereinbefore specified;
- (d) He shall cause every pipe or shaft which may be used in connection with any of the arrangements hereinbefore specified to have an internal diameter of not less than 8.89 centimetres;
- (e) He shall cause every pipe or shaft used in connection with any of the arrangements hereinbefore specified to be constructed in the same manner and of the same material and weight as if such pipe or shaft were a soil pipe.

*(As amended by Act No. 328 of 1950)*

**37.** No person shall, except with the approval of the Local Authority, construct any closed drain in connection with a building in such a manner that there shall be within such building any inlet to such drain, except such inlet as may be necessary from the apparatus of any water closet or soil water fitting. No inlets to drains within buildings

*(As amended by Act No. 328 of 1950)*

#### PART IV

#### SOIL PIPES

**38.** Every person who shall provide a soil pipe in connection with a building shall, in the providing and fixing of such soil pipe, comply with the following requirements: Soil pipes

- (a) He shall construct such soil pipe either in drawn lead or heavy cast iron or other suitable material which has been approved by the Local Authority; Materials for soil pipes
- (b) He shall construct such soil pipe so that its weight, if the pipe be of lead, and that its thickness and weight, if the pipe be of iron, in proportion to its length and internal diameter, shall be: Size, weight and thickness of soil pipes

Diameter	Lead		Cast Iron
	Weight per 3.048 metres length, not less than	Thickness of metal, not less than	Weight per 1.8288 metres length (including socket and beaded spigot or flanges, the socket not to be less than 0.635 centimetres thick), not less than
8.89 centimetres	29.5 kilograms	0.47625 centimetres	21.7 kilograms
10.16 centimetres	33.5 kilograms	0.47625 centimetres	24.4 kilograms

- (c) If he shall construct such soil pipe in drawn lead, he shall cause such soil pipe to be constructed with proper wiped plumbers' joints; Jointing of soil pipes
- (d) If he shall construct such soil pipe of cast iron with socket joints, he shall cause such joints to be not less than 6.35 centimetres in depth and to be made with tarred spun yarn and molten lead or lead wool properly caulked, and he shall also cause the annular space for the lead, in the case of 8.89 centimetres and 10.16 centimetres pipes, to be not less than 0.635 centimetres in width. If he shall construct such soil pipe with flanged joints, he shall cause such joints to be securely bolted together and some suitable insertion for jointing placed between the flanges;
- (e) He shall construct such soil pipe so that it shall not be connected with any rain-water pipe or with any waste pipe or waste water fitting, and so that there shall not be any trap in such soil pipe or between the soil pipe and any drain with which it is connected; Soil pipes not to be connected with waste pipes or rain-water pipes
- (f) He shall construct such soil pipe so that the bend to which it may be connected at the foot shall rest in a solid foundation of good cement concrete and, unless an inspection chamber be provided to the drain to which such soil pipe is connected within a distance of 1.8288 metres from the foot of such soil pipe, so that the bottom length of such soil pipe shall be provided with an adequate opening, fitted with screw doors and fastenings, for the purpose of access and inspection; Access for purposes of inspection to be provided at the foot of soil pipes

- (g) He shall cause such soil pipe to be circular and to have an internal diameter of not less than 8.89 centimetres, and to be continued up without diminution of its diameter, and (except where unavoidable) without any bend or angle being formed in such soil pipe, to such a height and in such a position as to afford by means of the open end of such soil pipe a safe outlet for foul air and so as effectually to prevent any escape of foul air from such soil pipe into any building in the vicinity thereof, and in no case to a less height than 0.9144 metres above the eaves of any adjoining roof, or to a less height than 1.8288 metres above the top of any window, door or other opening which shall be within a distance of 6.096 metres horizontally from such pipe or shaft or to a less height than 3.048 metres above the adjoining ground level and, if unsupported for a length of more than 1.524 metres, to be properly stayed. He shall also cause the open end of such soil pipe to be furnished with a suitable grating or other cover of approved pattern and material for the purpose of preventing any obstruction in or injury to such soil pipe by the introduction of any substance through such open end and he shall, in every case, cause such grating or cover to be constructed and fitted so as to secure the free passage of air through such grating or cover by means of a sufficient number of apertures, of which the aggregate extent shall be not less than the sectional area of the soil pipe to which such grating or cover may be fitted;
- Size of soil pipes
- (h) He shall not cause or permit any right-angled junctions to be made in such soil pipe, but shall cause every branch soil pipe to join another soil pipe obliquely in the direction of the flow of such soil pipe and shall cause all bends and turnings to be truly curved;
- No right-angled junctions
- (i) He shall cause suitable provision for the purpose of access and inspection to be provided to such soil pipe by means of an adequate opening with screw doors and fastenings or with screwed metallic cap or plug at every junction or change of direction or gradient in such soil pipe:
- Inspection eyes to be provided at all bends and junctions in soil pipes
- Provided that, where adequate means for through rodding shall have been provided in any straight section of such soil pipe by means of adequate openings at the opposite ends of such section, the said provisions of access and inspection may be omitted in the case of any junction in such straight section as aforesaid;
- (j) He shall cause the weight of all branch soil pipes leading from any soil water fitting to a soil pipe or drain, if of lead, to be not less than 3.15 kilograms per 0.3048 metres of lead.
- Weights of branch soil pipes

*(As amended by Act No. 328 of 1950)*

**39.** Any person who shall fix any soil water fitting, the soil pipe of which shall be connected with any soil pipe receiving the discharge from any other soil water fitting, shall cause the trap of every such soil water fitting to be ventilated into the external air at a point as high as the top and open end of the soil pipe, or into the soil pipe at a point above the highest soil water fitting connected with such soil pipe, and so that the ventilating pipe shall have in all parts an internal diameter of not less than 5.08 centimetres, and if more than 15.24 metres in length not less than 7.62 centimetres in diameter, and if more than 24.384 metres in length not less than 10.16 centimetres in diameter, and shall cause such ventilating pipe to be connected with the arm of the soil pipe or the trap of the soil water fitting at an approved point not less than 7.62 centimetres and not more than 30.48 centimetres from the highest part of the trap and on that side of the water seal which is nearer to the soil pipe. He shall cause the joint between the ventilating pipe and the arm of the soil pipe or the trap to be made in the direction of the flow. He shall construct such ventilating pipe in drawn lead or of heavy cast iron or other suitable material which has been approved by the Local Authority. He shall construct such ventilating pipe so that, if the pipe be of lead, its weight shall not be less than the weights specified for soil pipes in paragraph (j) of regulation 38, and, if the pipe be of cast iron, its thickness shall not be less than 0.47625 centimetres. He shall, in all cases, cause the joints in and the connection to such ventilating pipe to be made in the same manner as if such ventilating pipe were a soil pipe:

Anti-syphonage pipes to soil pipes

Provided that-

- (i) where not more than two soil water fittings are connected to an efficiently ventilated vertical soil pipe by means of branch soil pipes not exceeding 10.16 metres in length and meeting the vertical soil pipe at an angle of not more than 15 degrees with the horizontal, it shall not be necessary to ventilate the traps of such soil water fittings;
- (ii) where three or more soil water fittings are connected to an efficiently ventilated vertical soil pipe by means of a branch soil pipe, the end of which shall be carried up above the eaves of the roof in the same manner as specified for soil pipes in paragraph (g) of regulation 38, and such other additional ventilating pipes or shafts as may be necessary are provided and carried up as aforesaid, and which are, in the opinion of the Local Authority, sufficient for the purpose of maintaining the seal in the traps of the soil water fittings connected to such branch soil pipe, it shall not be necessary to provide anti-syphonage pipes as specified in this regulation.

**40.** Any person who shall connect a lead soil pipe, waste pipe, ventilating pipe or trap with an iron pipe or drain shall insert between such lead soil pipe, waste pipe, ventilating pipe or trap and such iron pipe or drain a flanged thimble of copper, brass or other suitable alloy which shall be not less than 0.3175 centimetres in thickness and 15.24 centimetres in length, so that the lead soil pipe or trap shall project slightly beyond the thimble, such projection being turned over the thimble to protect the thimble from any contact with the contents of the pipe or drain and shall connect such lead soil pipe, waste pipe, ventilating pipe or trap with such thimble by means of a wiped or overcast metallic joint, and shall connect such thimble with such iron pipe or drain by means of a joint made with molten lead properly caulked in the manner prescribed in sub-regulation (2) of regulation 30:

Connection of lead pipe with iron pipe

Provided always that it shall be sufficient if he shall connect the lead soil pipe, waste pipe, ventilating pipe or trap with the iron pipe or drain in a suitable and efficient manner, to be approved by the Local Authority.

**41.** Any person who shall connect a stoneware or semi-vitrified ware trap or pipe with a lead soil pipe, waste pipe, ventilating pipe or trap shall insert between such stoneware or semi-vitrified ware trap or pipe and such lead soil pipe, waste pipe, ventilating pipe or trap a socket of copper, brass or suitable alloy, and shall insert such stoneware or semi-vitrified ware trap or pipe into such socket, making the joint with cement, in the manner prescribed in sub-regulation (3) of regulation 30, and shall connect such socket with the lead soil pipe, waste pipe, ventilating pipe or trap, by means of a wiped or overcast metallic joint:

Connection of stoneware pipe with lead pipe

Provided always that it shall be sufficient if he shall connect the stoneware or semi-vitrified ware trap or pipe with the lead soil pipe, waste pipe, ventilating pipe or trap in a suitable and efficient manner, to be approved by the Local Authority.

**42.** Any person who shall connect a lead soil pipe, waste pipe, ventilating pipe or trap with a stoneware or semi-vitrified ware pipe or drain shall insert between such lead soil pipe, waste pipe, ventilating pipe or trap and such stoneware or semi-vitrified ware pipe or drain a flanged thimble of copper, brass or other suitable alloy, so that the lead soil pipe or trap shall project slightly beyond the thimble, such projection being turned over the thimble to protect the thimble from any contact with the contents of the pipe or drain, and shall connect such lead soil pipe, waste pipe, ventilating pipe or trap with such thimble by means of a wiped or overcast metallic joint, and shall insert the flanged end of such thimble into a socket in such stoneware or semi-vitrified ware pipe or drain, making the joint with cement in the manner prescribed in sub-regulation (3) of regulation 30:

Connection of lead pipe with stoneware pipe

Provided always that it shall be sufficient if he shall connect the lead soil pipe, waste pipe, ventilating pipe or trap with the stoneware or semi-vitrified ware pipe or drain in a suitable and efficient manner, to be approved by the Local Authority.

**43.** Any person who shall connect an iron soil pipe, waste pipe, ventilating pipe or trap with a stoneware or semi-vitrified ware pipe or drain shall insert the beaded spigot end of such iron soil pipe, waste pipe, ventilating pipe or trap into a socket on such stoneware or semi-vitrified ware pipe or drain, making the joint with cement in the manner prescribed in sub-regulation (3) of regulation 30:

Connection of iron pipe with stoneware pipe

Provided always that it shall be sufficient if he shall connect the iron soil pipe, waste pipe, ventilating pipe or trap with the stoneware or semi-vitrified ware pipe or drain in a suitable and efficient manner, to be approved by the Local Authority.

**44.** Every person who shall connect a stoneware or semi-vitrified ware trap or pipe with an iron soil pipe, waste pipe, trap or drain shall insert such stoneware or semi-vitrified ware trap or pipe into a socket on such iron soil pipe, waste pipe, trap or drain, making the joint with cement in the manner prescribed in sub-regulation (3) of regulation 30:

Connection of stoneware pipe with iron pipe

Provided always that it shall be sufficient if he shall connect the stoneware or semi-vitrified ware trap or pipe with the iron soil pipe, waste pipe, trap or drain in a suitable and efficient manner, to be approved by the Local Authority.

## PART V

### WASTE PIPES AND WASTE WATER FITTINGS

**45.** Every person who shall provide a waste pipe or a waste water fitting in connection with a building shall, in the providing and fixing of such waste pipe and such waste water fitting, comply with the following requirements:

Waste pipes and waste water fittings

- (a) He shall construct such waste pipe either of lead, steel, cast iron or wrought iron, and shall not in any case construct such waste pipe either of galvanised sheet iron or zinc;
- (b) He shall cause such waste pipe to be properly trapped at a point as near as may be practicable to the point at which such waste pipe is attached to any waste water fitting, by means of an efficient syphon trap:

Materials for waste pipes

Waste pipes to be trapped

Provided that a waste pipe which does not exceed 0.9144 metres in length, and which receives the discharge from one waste water fitting only, may be fixed without a trap;

- (c) He shall cause every trap fixed in connection with such waste pipe to be constructed either of lead, brass, gun-metal or iron and to be of an approved pattern and to be provided on the side or underside with a screwed movable plug. He shall cause every such trap to be fixed in such manner that the whole of the trap shall be easily accessible and to be provided with a water seal at least 5.08 centimetres in depth: Traps for waste pipes
- Provided that a trap fixed in connection with a waste pipe receiving the discharge from a bath only may be provided with a water seal 3.81 centimetres in depth;
- (d) He shall not fix in connection with such waste pipe any trap of the kind known as a bell-trap, a dip-trap, a D-trap or a U-trap or running trap, or any such trap as becomes unsealed on the removal of the cover. He shall cause every trap fixed in connection with such waste pipe to be of the same internal diameter as the waste pipe to which it is connected;
- (e) If he shall construct such waste pipe of iron, he shall cause such waste pipe to be constructed either of cast iron not less than 0.47625 centimetres in thickness or of wrought iron not less than 0.3175 centimetres in thickness; Iron waste pipes
- (f) If he shall construct such waste pipe of lead, he shall cause such waste pipe to be fixed by means of proper lead tacks at not more than the following distances apart: Fixing and weight of lead waste pipes
- Vertically-at 0.9144 metres centres;
- Horizontally-at 0.6858 metres centres;
- and every such waste pipe, in proportion to its internal diameter, shall be of the following minimum weight:

Internal diameter	Per linear metre
3.175 centimetres	3.15 kg.
3.81 centimetres	4.05 kg.
5.08 centimetres	5.4 kg.

- (g) He shall cause such waste pipe, wherever practicable, to be fixed above floors and, in any case where such waste pipe shall be fixed below any floor, he shall provide adequate and satisfactory means of access to such pipe for the purpose of inspection and cleansing; Waste pipes to be fixed in accessible positions
- (h) He shall cause every such waste pipe to be taken through an external wall of such building at the nearest practicable point and so constructed and fixed as to discharge into the open air, either separately or in conjunction with a common waste pipe receiving the discharge from two or more waste water fittings over an open channel not more than 45.72 centimetres in length communicating with or over a properly trapped gully or into such gully above the level of the water in the trap thereof: Disconnection of waste pipes
- Provided that, with the approval of the Local Authority and subject to such conditions as it may prescribe with regard to the construction of a floor of impervious materials, floor washings or a waste pipe from a bath or a lavatory basin may be permitted to discharge into an open channel communicating with a trapped gully inside a building where the waste water from such trapped gully as aforesaid shall discharge by means of a proper waste pipe into the open air over a trapped gully in the manner already provided for in this regulation;

- (j) He shall cause every such waste pipe from a sink to have an internal diameter of not less than 3.81 centimetres; Sizes of waste pipes

He shall cause every such waste pipe from a lavatory basin to have an internal diameter of not less than 3.175 centimetres;

He shall cause every such waste pipe from a bath to have an internal diameter of not less than 3.175 centimetres;

He shall cause every such waste pipe which shall receive the discharge from two or more waste water fittings to have an internal diameter of not less than 5.08 centimetres:

Provided that, in the case of a common waste pipe receiving the discharge from lavatory basins only and where such lavatory basins shall not exceed four in number, such a common waste pipe may be provided with an internal diameter of not less than 3.81 centimetres;

- (j) He shall cause every such waste water fitting to be fixed as near as may be practicable to an external wall of such building and the outlet for waste water from such waste water fitting shall be provided with a good and efficient brass grate of approved type, well and securely fixed, the aggregate extent of the apertures in which shall not be less than the sectional area of the waste pipe to which such waste water fitting is fixed. He shall cause every such waste water fitting to be constructed of impervious materials having rounded corners or angles, and, if provided with an overflow pipe, such overflow pipe shall be connected to the waste pipe receiving the discharge from such waste water fitting on that side of the water seal in the trap provided to such waste pipe which is the nearer to the waste water fitting, and the upper end of such overflow pipe shall be so arranged as to permit of the whole of the overflow being easily cleansed; Fixing of waste water fittings

- (k) He shall cause every trap fixed in connection with such waste pipe to be ventilated into the open air at a safe outlet for foul air by means of a pipe, which shall be connected with the highest part of such trap and on that side of the water seal which is nearer to the outgo, and which shall have in all parts an internal diameter not less, in proportion to the internal diameter of the trap which it ventilates, than is prescribed as follows: Anti-syphonage pipes for waste pipes

Internal diameter of trap	Internal diameter of vent pipe
3.175 centimetres	2.54 centimetres
3.81 centimetres	3.175 centimetres
4.1275 to 5.08 centimetres	3.81 centimetres

Provided that-

- (i) where not more than three waste water fittings are connected to an efficiently ventilated vertical waste pipe the end of which shall be carried up to a height of not less than 30.48 centimetres above the eaves of the roof, by means of branch waste pipes not exceeding 3.6576 metres in length, or, where four or more waste water fittings are connected to such ventilated vertical waste pipe by means of a branch waste pipe the end of which shall be carried up to a height of not less than 30.48 centimetres above the eaves of the roof, and such additional ventilating pipes or shafts as may be necessary are provided and carried up above the eaves as aforesaid, and which are, in the opinion of the Local Authority, sufficient for the purposes of preventing syphonic action from the traps of the waste water fittings, it shall not be necessary to ventilate the traps as specified in this regulation;



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(ii) in the case of a waste pipe not exceeding 3.6576 metres in length and which receives the discharge from one waste water fitting only and which is not connected with any other waste pipe, it shall not be necessary to ventilate the trap of the waste water fitting;

- (l) He shall cause the joints of every such waste pipe and the joints of every ventilating pipe provided in connection with any trap fixed to any such waste pipe to be made as follows: Jointing of waste pipes

If such waste pipe or ventilation pipe be constructed of lead or cast iron, the joints shall be made in the same manner as if such waste pipe or ventilation pipe were a soil pipe;

If such waste pipe or ventilation pipe be constructed of galvanised wrought iron, the joints shall be made by the pipes being butted closely together and secured by means of screwed joints and couplings, the depth of the couplings being equal at the least to half the diameter of such waste pipe or ventilation pipe;

- (m) He shall not cause or permit any right-angled junctions to be made in such waste pipe, but shall cause every branch waste pipe to join another waste pipe obliquely in the direction of the flow of such waste pipe, and shall cause all bends and turnings to be truly curved; No right-angled junctions

- (n) He shall cause every such waste pipe and every ventilation pipe fixed in connection therewith to be kept entirely separate and distinct from any soil pipe or any ventilation pipe fixed in connection with such soil pipe. Separate system required for waste pipes

**46.** Notwithstanding the provisions of regulations 38, 39 and 45, the Local Authority may in its discretion permit the use of one pipe and single stack drainage systems. Local Authority may permit one pipe and single stack drainage systems  
(No. 122 of 1956)

**47.** No person shall cause any pipe used for the purpose of carrying off rain-water from the roof of any building to be used for the purpose of carrying off soil water or waste water or to be used as a ventilating pipe to any drain, soil pipe or waste pipe. Rain-water pipes not to be used for conveying soil water or waste water

**48.** No person shall cause any overflow pipe from any water supply cistern, flushing cistern or water waste preventer, or from any safe under any soil water fitting or waste water fitting, to be connected with any drain, soil pipe, waste pipe or ventilating pipe, but shall cause such overflow pipe to discharge directly into the open air in a manner and in a position to be approved by the Local Authority. Overflow pipes from water supply cisterns or safes not to be connected with any drain, soil pipe, waste or ventilating pipe

PART VI

GULLY TRAPS

**49.** Any person who shall provide and fix a gully trap in connection with the drainage of any building shall cause such gully trap to be of good glazed stoneware, or other approved material, and to be provided with a trap having a water seal of not less than 6.35 centimetres in depth and, except where otherwise required by the Local Authority, to be of the wash-down type with the bottom of the gully well rounded. He shall also cause every such gully trap to be fitted with a suitable grating with open slots 1.27 centimetres wide, the aggregate area of which slots shall be equal to the sectional area of the pipe or drain into which the gully trap discharges. He shall also cause such gully trap to be well and securely fixed in a bed of good cement concrete.

Gully traps

## PART VII

### GREASE TRAPS

**50.** The Local Authority may, by written notice addressed to the owner of any hotel, boarding-house, eating-house, restaurant or laundry, or of any factory, workshop or other premises from which waste water or sewage of a fatty or soapy character is or is to be discharged into any drain or sewer, require such owner within a reasonable time, to be specified in such notice, to provide and fix in connection with the drainage of such premises a proper and efficient grease trap of an approved pattern and constructed of approved materials for the reception of all waste water from any kitchen or scullery connected with such premises or any waste water or sewage of a fatty or soapy character from such premises before such waste water or such sewage is discharged into such drain or sewer, and any such owner who shall fail to comply with the requirements of any such notice within the time specified shall be guilty of an offence.

Grease traps

## PART VIII

### WATER CLOSETS, SLOP-HOPPERS, URINALS, ETC.

**51.** Every person who shall construct a water closet in connection with a building shall, in the construction of such water closet, comply with the following requirements: Water closets

- (a) He shall furnish such water closet with a pan, basin or other suitable receptacle of non-absorbent material, and of such shape, capacity and mode of construction as to receive and contain a sufficient quantity of water, and to allow all filth which may from time to time be deposited in such pan, basin or receptacle to fall free of the sides thereof, and directly into the water received and contained in such pan, basin or receptacle;
- (b) He shall not construct or fix under such pan, basin or receptacle any "container" or other similar fitting. He shall not construct or fix in or in connection with the water closet apparatus any trap of the kind known as a D-trap;
- (c) He shall cause every such water closet, other than a water closet of the kind known as a trough closet, to be of the wash-down type, to be self-cleansing and to be provided with a trap having a water seal not less than 5.08 centimetres in depth, and, except in the case of an approved syphonic closet, the outlet of the trap to be not less than 8.89 centimetres or more than 10.16 centimetres internal diameter. He shall cause the pan and trap of such water closet to be of porcelainware, or well glazed stoneware, or the trap may be of strong case lead;
- (d) He shall not fix or cause to be fixed any such water closet, other than a water closet of the kind known as a trough closet, of a type which has not been tested by the Local Authority and found, on testing, to be so designed and constructed as to secure the complete clearing out of dejecta and paper according to the standard test as set out in the Schedule;
- (e) If he shall construct any water closet of the kind known as a trough closet, he shall cause such water closet to be provided with a trap having a water seal not less than 5.08 centimetres in depth and the outlet to the trap to be not less than 8.89 centimetres or more than 10.16 centimetres internal diameter, and he shall cause the trough and trap to be of glazed stoneware or other suitable and impervious material to be approved by the Local Authority:

Provided that no person shall construct a water closet of the kind known as a trough closet except with the written permission of the Local Authority and subject to such terms and conditions as it may prescribe.

**52.** Every person who shall construct a urinal shall, in the construction of such urinal, comply with the following requirements: Urinals

- (a) He shall cause such urinal to be constructed of smooth or glazed impervious material, to be fitted at floor level with a trap, which shall have a water seal not less than 5.08 centimetres in depth, and the floor of such urinal to be constructed of good cement concrete at least 10.16 centimetres in thickness or of other approved impervious materials. He shall also cause such floor, whether the urinal be of the stall or the basin type, to be laid with a proper fall towards such gully for a distance of at least 45.72 centimetres from the said gully trap;
- (b) If he shall construct a urinal of the basin type, he shall cause the soil pipe connected to the basin of such urinal to discharge directly over such gully trap or into a proper smooth or glazed channel leading thereto;
- (c) If he shall construct a range of urinals, only one gully trap shall be provided to such range and communication between each urinal and gully trap shall be provided by means of a smooth or glazed channel. He shall also cause the floor to be laid with a proper fall towards such channel for a distance of at least 45.72 centimetres from the said channel;
- (d) He shall cause every gully trap provided in connection with such urinal to be provided with a movable or hinged strong barred grate.

**53.** Every person who shall construct a slop-hopper in connection with a building shall, in the construction of such slop-hopper, comply with the following requirements: Slop-hoppers

- (a) He shall cause such slop-hopper to be composed of porcelainware, well glazed stoneware or of smooth enamelled cast iron and the outlet to be fitted with a movable enamelled cast-iron grating with parallel slots of at least 1.27 centimetres in width, such grating to be fixed above the water line of the trap of such slop-hopper, and the surface thereof shall not be less than the outgo of the spigot of such slop-hopper;
- (b) He may, if he so desire, provide a second grating to such slop-hopper to be fitted above the aforesaid first grating; if he shall provide such a second grating, he shall cause the width of the slots in such second grating to be not less than 3.81 centimetres in width, and such second grating shall be hinged or movable;
- (c) He shall not construct any such slop-hopper which is composed of two pieces unless the junction of such two pieces be constructed above the water line of the trap of such slop-hopper and the joint be of sufficient depth and strength to secure its immobility;
- (d) If he shall cause a housemaid's sink to be attached to such slop-hopper, the waste pipe from such sink shall not exceed 0.6096 metres in length and shall be so fixed as to discharge above the level of the water in the trap of such slop-hopper;
- (e) Unless such slop-hopper be fixed on a floor of good cement concrete not less than 10.16 centimetres in thickness, he shall cause such slop-hopper to be placed upon a safe constructed in the same manner and of the same materials as if the slop-hopper placed on such safe were a water closet.

**54.** Any person who shall construct a soil water fitting in connection with a building shall, in the construction of such soil water fitting, comply with the following requirements: Traps and joints of soil water fittings

- (a) He shall cause such soil water fitting to be provided with an efficient syphon trap having a water seal at least 5.08 centimetres in depth;
- (b) He shall, except in the case of an approved floor flange joint, cause the junction of such trap with any soil pipe to be above the level of the floor of the apartment in which such soil water fitting is fixed and to be so situated as to be readily accessible and exposed to view on all sides. Notwithstanding anything contained in regulations 40, 41, 42, 43 and 44, he shall, when so required by the Local Authority, cause the joint between the spigot of such trap and a soil pipe to be made with bitumen or other like material which is not liable to crack, which will quickly set hard and firm, but which is capable of removal by heating:

Provided that the provisions of this paragraph shall not apply in the case of a water closet which shall be fixed in the manner as described in regulation 62 (b) (ii), or in the case of any joint or junction between a urinal and any gully trap connected therewith.

**55.** Any person who shall construct any soil water fitting in connection with a building shall, in the construction of such soil water fitting, comply with the following requirements:

Soil water fittings to be provided with water flushing cisterns

- (a) He shall furnish such soil water fitting with an approved and separate water flushing cistern of adequate capacity, which shall be so constructed, fitted and placed as to admit of a supply of water for use in such soil water fitting without any direct connection between any service pipe upon such building and any part of the apparatus of such soil water fitting, other than such water supply cistern. He shall likewise furnish such soil water fitting with a suitable and approved apparatus for the effectual application of water to any pan, basin or other receptacle with which such apparatus may be connected and used, and for the effectual flushing and cleansing of such pan, basin or other receptacle, and for the prompt and effectual removal therefrom of any solid or liquid filth which may from time to time be deposited therein;
- (b) He shall cause such water flushing cistern to be fitted with a valveless flushing syphon and a strong approved high pressure valve connected to the water inlet, and shall also provide such cistern with an overflow pipe of drawn lead or galvanised wrought iron having an internal diameter of not less than 1.905 centimetres, which shall be carried through an external wall of such building so as to discharge into the open air in an exposed position;

- (c) He shall cause every such cistern provided in connection with a water closet to have a capacity of at least 13.638 litres:  

Provided that, in the case of any trough closet, such cistern shall have a capacity of at least 22.73 litres per seat of such trough closet;

Capacity of water flushing cisterns to water closet

- (d) He shall cause every urinal or range of urinals fixed in any public place, or in any hotel or other building which is not a private building, to be provided with an automatic water flushing cistern capable of discharging at least 4.546 litres of water per urinal for each 0.6096 metres width of stand at intervals not exceeding twenty minutes;

Capacity of water flushing cisterns to urinals

- (e) He shall cause the flushing pipe furnished to every such water flushing cistern to be either of drawn lead of the weights specified for waste pipes, or of copper, nickel or brass or of strong galvanised wrought iron, and to be fixed vertically and properly connected to such cistern and the soil water fitting in an approved and workmanlike manner;

Materials for flushing pipes

- (f) He shall, in the case of every flushing pipe of a water supply cistern furnished to any water closet other than a trough closet, cause the length of the flushing pipe, measured vertically from the discharge end to the bottom of the water supply cistern, and the internal diameter of such pipe to be as follows:

Size and length of flushing pipes to water closets

High Level Cisterns-1.362 metres or more in length, not less than 3.175 centimetres internal diameter.

Low Level Cisterns-0.6096 metres to 1.362 metres in length, not less than 3.81 centimetres internal diameter. 0.3048 metres to 0.6096 metres in length, not less than 4.445 centimetres internal diameter. Flushing pipes under 0.3048 metres in length, not less than 5.08 centimetres internal diameter;

- (g) He shall cause every water flushing cistern provided to any trough closet to be fixed at such a level that the flushing pipe furnished to such cistern shall not be less than 1.828 metres vertically in height and shall have an internal diameter not less in any case than as follows:
- 3.81 centimetres internal diameter for cisterns with a capacity of less than 90.92 litres.
- 5.08 centimetres internal diameter for cisterns with a capacity of 90.92 litres to 136.38 litres.
- 6.35 centimetres internal diameter for cisterns with a capacity of more than 136.38 litres;
- Size and length of flushing pipes to trough closets
- (h) He shall cause the flushing pipe of any water flushing cistern furnished to a urinal to be fixed with such a length as to provide a vertical height of not less than 0.9144 metres between the discharge end of such pipe and the underside of such water flushing cistern and to have an internal diameter of not less than 1.905 centimetres;
- Size and length of flushing pipes to urinals
- (i) He shall cause every water flushing cistern furnished in connection with such soil water fitting to be constructed of such materials, in accordance with the holding capacity of such cistern, as to comply with the following requirements:
- Water flushing cisterns up to 13.638 litres capacity shall be of strong galvanised cast iron or other material which has been approved by the Local Authority.
- Water flushing cisterns over 13.638 litres and up to 81.828 litres capacity may be constructed of galvanised sheet iron of No. 18 gauge.
- Water flushing cisterns over 81.828 litres capacity may be constructed of galvanised sheet iron of No. 16 gauge.
- Every such cistern constructed of galvanised sheet iron shall be well riveted and stayed together and the joints made sound and watertight.
- Materials to be used for water flushing cisterns
- 56.** No person shall construct in connection with a water closet any automatic water flushing cistern except with the written permission of the Local Authority and subject to such terms and conditions as it may prescribe, and no such automatic water flushing cistern shall be of less holding capacity than 22.73 litres.
- Automatic water flushing cisterns not to be provided to water closets without permission
- 57.** Every person who shall construct an automatic water flushing cistern in connection with a urinal and every person who, with the written permission of the Local Authority, shall construct an automatic water flushing cistern in connection with a water closet shall, in the construction of such urinal or water closet, and such automatic water flushing cistern, comply with the following requirements:
- (a) He shall cause such urinal or range of urinals, or such water closet, trough closet or set of closets, to be erected in such a manner and such a position that the automatic water flushing cistern and the stop-cocks connected thereto shall be easily accessible;
- (b) He shall also cause such cistern to be provided with two stop-cocks, one of a screw-down type for regulating, and the other for shutting off the water supply, and shall cause such cistern to be regulated in the supply of water, and the water turned off at fixed hours, in accordance with any instructions that may be given by the Local Authority.
- Automatic water flushing cisterns

**58.** The occupier of any premises on or for which any water closet is for the time being provided shall, in so far as he is able, cause such water closet at all times to be properly supplied with a sufficient quantity of water for the proper and efficient flushing thereof, and where, by the act or default of such occupier, any such water closet shall at any time be without a proper and sufficient water supply as aforesaid, such occupier shall be guilty of an offence.

Water closets to be kept provided with a sufficient supply of water

**59.** (1) Every person who shall construct a soil water fitting in connection with a building shall construct such soil water fitting in such a position that it shall be against or adjacent to an external wall.

Position of soil water fittings

(2) He shall also cause such soil water fitting to be enclosed in a suitable apartment constructed in such a manner and of such material as shall meet with the approval of the Local Authority and, in the case of any water closet, in accordance with the provisions of regulation 62 (a).

(3) He shall not construct any such soil water fitting or the apartment connected therewith so that it is approached directly from any room, other than a bedroom, used for the purpose of human habitation, or used for the manufacture, preparation or storage of food for man, or used as a factory, workshop, workplace or public building. He shall construct such soil water fitting so that on any side on which it would abut on a room, other than a bedroom, intended for human habitation, or used for the manufacture, preparation or storage of food for man, or used as a factory, workshop, workplace or public building, it shall be enclosed by a solid wall or partition of brick, stone, concrete or other suitable materials, extending the entire height from the floor to the ceiling.

Soil water fittings in buildings

**60.** (1) Every person who shall construct a soil water fitting in connection with a building, whether the situation of such soil water fitting be or be not within or partly within such building, shall construct in one of the walls of the apartment in which such soil water fitting is situated a window, the whole of which shall be made to open, of not less dimensions than 0.1858 square metres, exclusive of the frame, and opening directly upon the external air.

Apartment in which a soil water fitting is situated to be lit and ventilated

(2) Such apartment as aforesaid, in addition to such window, shall also be provided with adequate means of constant ventilation by at least one ventilating aperture, of not less dimensions than 13.3776 square metres, exclusive of any frame, built in an external wall of such apartment.

**61.** Every person who, in connection with a building, shall construct any water closet of the kind known as a trough closet shall construct such water closet so that the entrance thereto shall open directly to the external air.

Trough closets to be approached from external air

**62.** Every person who shall construct a water closet in connection with a building shall, in the construction of such water closet, comply with the following requirements:

Water closets

- (a) He shall cause the apartment in which such water closet is constructed to be substantially built of brick, stone or cement concrete, or of iron framed with iron or wood, and such apartment shall not be of less size in any case than 1.524 metres by 0.9144 metres inside measurements, and not less than 1.843 metres in height. If such apartment be built of iron framed with iron or wood, he shall cause such apartment to have a brick wall at least 11.43 centimetres in thickness, or a stone wall at least 20.32 centimetres in thickness, or a cement concrete wall at least 10.16 centimetres in thickness, built up at least 0.6096 metres above the level of the floor of the apartment and rendered with cement plaster at least 1.905 centimetres in thickness and finished with a smooth surface.

Size, materials and construction of water closet chambers

He shall cause every such apartment as aforesaid to be provided with proper doors and fastenings:

Provided that, in the case of a water closet of the kind known as a trough closet, such doors and fastenings may, with the written consent of the Local Authority, be omitted.

- (b) He shall cause such water closet to be fixed in one of the following ways, but not otherwise:

Fixing of water closets above floor level

- (i) He shall cause the whole of the pan and the trap of such water closet to be fixed entirely above the level of the floor of the apartment in which such water closet is constructed and to be provided with a seat of hardwood, hinged at the back, or some other suitable type of seat which has been approved by the Local Authority. He shall not cause or permit the pan of such water closet to be enclosed or cased round in any manner, but shall construct the same in such a manner that the whole of the pan shall be fully exposed to view.

He shall cause the floor of such apartment as aforesaid either to be constructed of good cement concrete not less than 10.16 centimetres in thickness, or of other impervious materials to be approved by the Local Authority, or, in any case where the floor of such apartment as aforesaid shall be constructed of wood or other absorbent materials, he shall, when so required by the Local Authority, cause the pan of such water closet to be placed upon a safe, constructed of lead or of other suitable impervious materials which have been approved by the Local Authority.

Floors of water closet chambers

He shall cause such safe to be securely fixed and so constructed as to be watertight, and shall provide the same with an overflow pipe of drawn lead or galvanised wrought iron, having an internal diameter of not less than 1.905 centimetres which shall discharge directly into the external air.

Safes under water closets

- (ii) He shall cause the whole of the pan of such water closet to be so sunk below the level of the floor of the apartment in which such water closet is constructed that the upper face of the flushing rim of such pan shall be at the level of the floor of the said apartment, and he shall cause the whole of the pan and the trap of such water closet to be firmly embedded in good cement concrete at least 10.16 centimetres in thickness. He shall also cause the floor of the said apartment to be constructed of good cement concrete at least 10.16 centimetres in thickness, and to be so laid with a slope on all sides of the pan of such water closet that any liquid which may fall upon such floor will flow into the pan of such water closet.

Fixing of water closets below floor level



PART IX

SEPTIC TANKS AND SEWAGE FILTER INSTALLATIONS, ETC.

- 63.** No person shall construct any septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage, except with the written permission of the Local Authority and then only subject to the following conditions, or such other conditions as it may impose:
- Septic tanks, etc.
- (a) He shall not construct any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage under any building nor so that it shall have, by drain or otherwise, any inlet for rain-water or other surface water or any outlet into or means of communication with any sewer. The situation of the septic tank shall be as approved by the Local Authority;
- Distance from buildings and plot boundaries
- (b) He shall cause any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage to be constructed in such a manner and in such a position as to afford ready means of access thereto for the purpose of cleansing the same, and of removing the contents thereof, and in such manner and in such a position as to admit of the contents thereof being removed therefrom and from the premises to which such septic tank, sewage filter installation or other works for the treatment or disposal of sewage may belong, without being carried through any building;
- Situation and means of access
- (c) He shall cause any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage to be sufficiently covered over, to be adequately and efficiently ventilated and to be so protected as to prevent any nuisance therefrom and so as to prevent the breeding of mosquitoes in connection therewith;
- To be covered and ventilated
- (d) He shall not commence the construction of any such septic tank, storage tank, sewage filter installation or other works for the treatment, reception or disposal of sewage until the Local Authority shall be satisfied that adequate and satisfactory provision has been made for the periodic emptying and cleansing of the same or for the innocuous disposal of the effluent or filtrate therefrom, as the case may be;
- Disposal of effluents and filtrates
- (e) He shall cause the walls, floors and coverings of any septic tank, sewage storage tank, effluent tank and such parts of the walls of any enclosure tank for the reception of filtering medium that may be necessary to be constructed of impervious materials and so as to be watertight.
- To be watertight

*(As amended by Act No. 328 of 1950)*

PART X

DISPOSAL OF SEWAGE

**64.** No person shall dispose of solid or liquid sewage or sewage effluent in such a manner or in such a position as to cause or be likely to cause dampness in any building or part thereof, or to endanger the purity of any water supply, or to create any nuisance:

Disposal of sewage

Provided that nothing in this regulation shall be deemed to prohibit the disposal of waste water from baths, lavatory basins or kitchen sinks by a satisfactory method of surface irrigation or sub-irrigation in such manner that no dampness of buildings, breeding of mosquitoes, pollution of water supplies or other form of nuisance is caused thereby.

## PART XI

### DEPOSIT OF DRAINAGE PLANS, GIVING OF NOTICES, ETC.

**65.** (1) Every person who shall intend to construct or to carry out any drainage works or works connected in any way with the drainage of any premises shall deposit with the Local Authority at its offices notice in writing of such intention. He shall at the same time deposit such plans, sections and particulars of the proposed works as may be required by the Local Authority.

Notice to be given and plans deposited of new drainage works

(2) He shall cause such plans and sections to be clearly and indelibly made on linen to a scale of not less than 2.540 centimetres to every 4.8768 metres, and shall, amongst other things, show thereon every floor of any building in connection with which such pipes or drains are to be used, and the position, form, levels and arrangements of the several parts of such building, including the roof thereof, and the size, gradient and position of every drain, and the size, position and mode of construction of every septic tank, cesspool or other receptacle for drainage, manhole or inspection chamber, and the size and position of every gully, soil pipe, waste pipe, ventilating pipe and rain-water pipe, and of any drain passing under such building, and the position of every bath, water closet apparatus, slop-hopper, slop sink, urinal, lavatory basin or apparatus, sink and trap in connection with the foregoing.

(3) He shall also show thereon the position of all windows and other openings into the building within a distance of 6.096 metres from the open end of a soil pipe or ventilating pipe.

(4) He shall at the same time deposit with the Local Authority at its offices a detailed description in writing of the intended mode of constructing, jointing and fixing any such drain, septic tank, cesspool or other receptacle for drainage, manhole or inspection chamber, gully, soil pipe, waste pipe, ventilating pipe, bath, water closet apparatus, slop-hopper, slop sink, urinal, lavatory basin or apparatus, sink or trap.

(5) He shall at the same time deposit with the Local Authority at its offices a block plan of the premises upon which any such building is or is to be situated, or any such work is to be carried out (drawn to a scale of not less than 2.540 centimetres to every 4.8768 metres) and he shall show thereon-

- (a) the block plan of such building;
- (b) the position of the whole of the buildings on the premises, and so much of the properties adjoining thereto as may be affected by the proposed work;

- (c) the names of the streets or thoroughfares immediately adjoining the premises, and the number or designation of the premises;
- (d) the difference of the level between the lowest floor of such building and the adjoining ground;
- (e) the level of any yard, area or ground, or open space belonging to such premises;
- (f) the lines of drainage, with the size, depth and inclination of the proposed drainage, fall of the ground and depth of the connection to any sewer, septic tank, cesspool or other receptacle for drainage, and, so far as can be ascertained without opening the ground, the lines, size, depth and inclination of the existing drainage, the surface drains (if any) and the arrangement for the ventilation of the drains, the existing pipes and drains and the proposed pipes and drains to be distinctly indicated by different colours;
- (g) the position, form and depth of every existing or proposed manhole or inspection chamber, gully, junction, bend, intercepting trap, or any connection with a sewer, septic tank, cesspool or other receptacle for drainage;
- (h) the points of the compass:

Provided that, where the plans, sections and particulars deposited in accordance with the requirements of sub-regulation (1) clearly show the particulars hereinbefore required to be shown on a block plan, it shall not be necessary to deposit a block plan.

(6) The plans, sections, particulars and detailed descriptions hereinbefore mentioned shall be deposited with the Local Authority twenty-eight days at least before the work is proposed to be commenced, and, in the case where a building is to be erected, before commencing the erection of such building.

(7) Such person shall sign such plans, sections and particulars, or cause the same to be signed by his duly authorised agent.

**66.** Every person who shall make any addition to, partially construct, entirely or partially reconstruct or alter any such works as are described in the last preceding regulation shall be deemed to have satisfied the provisions of the said regulation, if he shall cause a deposit to be made (in the manner therein provided) of any such plans, sections and particulars of the proposed addition, partial construction, entire or partial reconstruction or alteration as may be necessary for the purpose of enabling the Local Authority to ascertain whether such addition, partial construction, entire or partial reconstruction or alteration is in accordance with the provisions of these Regulations and any other regulations, rules and by-laws of the Local Authority relating thereto, and, if in any case plans and sections have been previously deposited in conformity with the provisions of the last preceding regulation, it shall be sufficient for him to refer to such previous deposit, and to give in writing the date thereof, and to show the new work on the plans and sections to be deposited, and only so much of the existing work as will enable the Local Authority to see the relative positions of the new and old work.

Addition to, partial construction, entire or partial reconstruction, or alteration of existing drainage works

**67.** One copy of any plans, sections and particulars deposited in compliance with the provisions of regulations 65 and 66 shall remain the property of the Local Authority.

Copy of plans and particulars to remain property of Local Authority

**68.** As soon as the Local Authority is satisfied that any plans, sections or particulars deposited in accordance with the provisions of regulations 65 and 66 do not contravene any of the provisions of these Regulations and any other regulations, rules and by-laws of the Local Authority relating thereto, and are in other respects satisfactory, it shall cause its approval thereof to be signified in writing.

Approval of drainage

**69.** No person shall begin to construct, install, connect, or make any addition to, partially construct, entirely or partially reconstruct, or alter any such works as are described in sub-regulation (1) of regulation 65 until he has given notice of his intention and has deposited the plans, sections and particulars hereinbefore required under the provisions of regulations 65 and 66, and the Local Authority has either intimated its approval of such work or failed to intimate its disapproval thereof within the period hereinafter prescribed in that behalf; and, subject to regulation 71, no person shall, except with the written permission of the Local Authority, carry out such work as aforesaid otherwise than in accordance with the approved plans.

Drainage work not to be commenced before notice given, plans deposited and approval obtained

**70.** If, within thirty days of the receipt of any plans or notice delivered in accordance with these Regulations, the Local Authority shall fail to intimate to the person submitting such plans its disapproval of the proposed work which the said person intends to carry out, the person submitting the plans may proceed with such work in accordance with such plans, but not so as to contravene any of the provisions of these Regulations or any other regulations, rules and by-laws of the Local Authority relating thereto or any amendments thereof in force for the time being.

In default of notification by Local Authority, drainage work may be proceeded with

**71.** Notwithstanding anything contained in any preceding regulation, where, in the opinion of the Medical Officer of Health, in consequence of either an existing nuisance or a case of infectious disease on any premises, the carrying out of any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 on such premises is a matter of urgency, the Medical Officer of Health may serve a written notice upon the owner of such premises, a copy of which shall be delivered forthwith to the Local Authority, certifying that the carrying out of any such work as aforesaid is a matter of urgency, whereupon the owner of such premises may proceed forthwith to carry out such work before any such plans, sections or particulars as may be required under the provisions of regulations 65 and 66 shall have been deposited with the Local Authority and shall forthwith send to the Local Authority notice in writing of his intention so to do:

Alterations and construction of drainage work in cases of urgency

Provided that-

- (i) where, on a written certificate of urgency issued by the Medical Officer of Health, any such work as aforesaid shall be carried out on any premises, the person carrying out such work shall, within fourteen days from the date of the commencement of such work, deposit the plans, sections and particulars required under the provisions of regulations 65 and 66;
- (ii) nothing contained in this regulation shall be held to relieve the person carrying out such work as aforesaid from the necessity of complying, in the carrying out of such work, with the provisions of these Regulations and any other regulations, rules and by-laws of the Local Authority relating thereto.

**72.** (1) Every person who shall intend to carry out any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 shall deliver to the Local Authority at its offices notice in writing of such intention at least twenty-four hours before such person begins to carry out any such work as aforesaid.

Notice before drainage work is commenced

(2) The delivery of any notice and the deposit of any plans, sections or particulars as provided in regulations 65 and 66 shall not be deemed to be a notice under this regulation.

**73.** (1) Every person who shall carry out any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 shall, as soon as such work is ready for testing, give notice in writing to the Local Authority that such work is ready for testing, and he shall afford to any duly authorised officer of the Local Authority every facility for inspection and for the purpose of making such tests of the work as may be deemed necessary.

Notice that work is completed and ready for testing

(2) Upon receipt of any such notice as aforesaid, the Local Authority shall within forty-eight hours cause such work to be inspected and tested.

**74.** No person shall proceed to cover up any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 until such work has been inspected, tested and approved by the Medical Officer of Health or other duly authorised officer of the Local Authority.

Drainage work not to be covered up until tested and approved

**75.** Where any person shall carry out any such work as is described in sub-regulation (1) of regulation 65 and in regulation 66 and where, after completion, such work shall have been inspected, tested and approved, the Local Authority shall issue to the owner of the premises upon which such work has been carried out a certificate in writing that the said work, after completion, inspection and testing, has been approved:

Certificate to be issued on completion of drainage

Provided always that such certificate shall not in any way be held to impose any liability whatsoever on the Local Authority or any of its officers or on the Government for any loss or damage that may be caused through any such work not being designed or carried out in a proper, efficient and workmanlike manner or through any such work being carried out otherwise than in accordance with the approved plans and these Regulations.

**76.** If any person who is entitled to proceed with any drainage work under regulations 68 and 70 fails to do so within the period of one year, the notice given by him shall be held to have lapsed, and he shall give fresh notice of his intention before proceeding to carry out such work, and that in the manner hereinbefore prescribed.

Fresh notice to be given if work not proceeded with within one year

**77.** Any person who shall carry out or begin to carry out any works in contravention of the provisions of these Regulations shall be guilty of an offence, and, whether proceedings have been taken against the person offending or not, the Local Authority may serve upon the person so offending a notice in writing requiring him, within a time to be specified in such notice, to execute such alteration upon or to carry out such additions to such works as may be necessary to render such works in accordance with the provisions of these Regulations, or to cut into, lay open, remove or demolish the same. Any person who shall fail to comply with the requirements of any such notice as aforesaid within the time specified therein shall be guilty of an offence, and the Local Authority may cause the said works to be altered, cut into, laid open, removed, demolished or otherwise dealt with, and the expenses incurred by it in so doing may be recovered as a civil debt from the person so offending.

Unauthorised drainage work  
Local Authority may order unauthorised work to be demolished, removed or otherwise dealt with

PART XII

PROVISION OF LATRINE ACCOMMODATION

**78.** (1) It shall not be lawful newly to erect any domestic building or public building or to re-erect any domestic building or public building, any two external walls of which have been pulled down or burned down or which have fallen down to or below the level of the ground floor, or to occupy or, being the owner thereof, permit to be occupied any such domestic building or public building without proper and sufficient latrine accommodation so situated as to be conveniently accessible to all persons to be employed or accommodated therein.

New buildings must be provided with latrine accommodation

(2) For the purposes of this regulation, in the case of a domestic building the whole or any part or portion of which is designed or intended to be used as a dwelling-house, such a domestic building shall not be deemed to be provided with proper and sufficient latrine accommodation unless each and every dwelling-house in such domestic building shall be provided with proper, sufficient and separate latrine accommodation so situated as to be conveniently accessible to the inmates of such dwelling-house:

Every new dwelling-house must be provided with separate latrine accommodation

Provided that, notwithstanding anything contained in this regulation, where, in the opinion of the Local Authority, sufficient latrine accommodation can be so conveniently situated that it may be used in common by the inmates of two or more dwelling-houses or the inmates of one or more dwelling-houses and of any part of a domestic building not being a dwelling-house, it shall be lawful for the Local Authority to require to be provided such latrine accommodation as it may deem sufficient for the use of such occupants as aforesaid and to allow such latrine accommodation to be used in common by such occupants.

(3) Any person who causes any domestic building or public building newly to be erected or to be re-erected or who occupies or, being the owner thereof, permits to be occupied any such newly erected or re-erected domestic building or public building in contravention of the provisions of this regulation shall be guilty of an offence.

**79.** (1) If a domestic building or a public building appears to the Local Authority to be without proper and sufficient latrine accommodation so situated as to be conveniently accessible to the inmates of or the persons employed or accommodated in such domestic building or public building, the Local Authority shall, by written notice served upon the owner or occupier of the domestic building or public building, require such owner or occupier, within a reasonable time to be specified in such notice, to provide proper and sufficient latrine accommodation so situated as to be conveniently accessible to the inmates of or the persons employed or accommodated in such domestic building or public building.

Local Authority to enforce provision of latrine accommodation to existing buildings

(2) Any owner or occupier who, on receipt of such written notice, shall fail to comply with the requirements of such notice within the time specified shall be guilty of an offence, and the Local Authority may, after the expiration of the time specified in the notice, do the work required to be done, and may recover as a civil debt from the owner the expenses incurred by it in so doing.

(3) For the purposes of this regulation, in the case of a domestic building the whole or any part or portion of which is used as a dwelling-house, such a domestic building shall not be deemed to be provided with proper and sufficient latrine accommodation unless each and every dwelling-house in such domestic building shall be provided with proper, sufficient and separate latrine accommodation so situated as to be conveniently accessible to the inmates of such dwelling-house:

Latrines used in common by inmates of existing dwelling-houses

Provided that, where, at the date of the application of these Regulations in accordance with the provisions of regulation 2, latrine accommodation has been and is used in common by the inmates of two or more existing dwelling-houses, or the inmates of one or more existing dwelling-houses, and of any part of an existing domestic building not being a dwelling-house, and if, in the opinion of the Local Authority, such latrine accommodation may continue to be so used, the Local Authority may permit such latrine accommodation to be used in common for such period of time as it may think fit, and it need not require separate latrine accommodation to be provided for each such dwelling-house.

**80.** (1) The owner or occupier of every factory, workshop, workplace or other premises where persons are employed or in attendance, or every boarding-house or hotel, shall provide such factory, workshop, workplace, boarding-house, hotel or other premises as aforesaid with proper and sufficient latrine accommodation, regard being had to the number of persons employed in or in attendance or housed at such factory, workplace, workshop, boarding-house, hotel or other premises as aforesaid, and also where persons of both sexes are or are to be employed or in attendance or housed, with proper accommodation for persons of each sex, and such owner or occupier shall, in the provision of such latrine accommodation, comply with the following requirements:

Latrines for factories, workshops, boarding-houses, hotels, etc.

- (a) In factories, workshops, workplaces, boarding-houses, hotels or other premises as aforesaid where females are employed or in attendance or housed, he shall provide one water closet for every 25 females, or one pail closet for every 15 females.

In factories, workshops, workplaces, boarding-houses, hotels or other premises as aforesaid where males are employed or in attendance or housed, he shall provide one water closet for every 25 males or one pail closet for every 15 males:

Provided that, where the number of males employed or in attendance or housed exceeds 10 and sufficient urinal accommodation is also provided, it shall be sufficient if there is one water closet for every 25 males up to the first 100, and one for every 40 after, or one pail closet for every 15 males up to the first 150 and one for every 25 after.

In calculating the number of latrines required under this regulation, any number of persons less than 15, 25 or 40, as the case may be, shall be reckoned as 15, 25 or 40 respectively;

- (b) He shall cause every latrine to be kept in a cleanly state;
- (c) He shall cause every latrine to be under cover and so partitioned off as to secure privacy, and, if for the use of females, to have proper doors and fastenings;
- (d) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible to all persons employed in such factory, workshop, workplace or other premises as aforesaid at all times during their employment;

- (e) He shall, where persons of both sexes are employed, cause the latrines for each sex to be so placed or so screened that the interior shall not be visible, even when the door of any latrine is open, from any place where persons of the other sex have to work or pass; and, if the latrines for one sex adjoin those for the other sex, the approaches shall be separate;
- (f) He shall, when so required by the Local Authority, cause every latrine which is used at night to be provided with adequate lights kept lit during the night;
- (g) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible at all times to all persons who are accommodated in such factory, workshop, workplace, boarding-house, hotel or other premises as aforesaid.

(2) If it shall appear to the Local Authority that the provisions of this regulation have not been complied with in regard to any factory, workshop, workplace, boarding-house, hotel or other premises where persons are employed or in attendance or housed, the Local Authority shall serve a written notice upon the owner or occupier of such factory, workshop, workplace, boarding-house, hotel or other premises as aforesaid requiring such owner or occupier, within a time to be specified in such notice, to provide proper and sufficient latrine accommodation in accordance with the provisions of this regulation, and any such owner or occupier who shall fail to comply with the requirements of any such notice within the time specified shall be guilty of an offence.

**81.** (1) The owner or occupier of every school, college, theatre, public hall or public place of assembly for persons admitted by ticket or otherwise shall provide such school, college, theatre, public hall or public place of assembly as aforesaid with proper and sufficient latrine accommodation, regard being had to the number of persons for whom accommodation is or is to be provided in such school, college, theatre, public hall or public place of assembly as aforesaid and with proper separate accommodation for persons of each sex, and such owner or occupier shall, in the provision and maintenance of such latrine accommodation, comply with the following requirements:

Latrines for schools, colleges, theatres, public halls, etc.



(a) In schools and colleges:

- (i) He shall provide latrine accommodation for all females who are or are to be accommodated therein as follows:

*Water closets and pit latrines-*

1 closet or seat for every 10 or part of 10 for the first 30.

Over 30 and under 50-4 closets or seats.

Over 50 and under 70-5 closets or seats.

Over 70 and under 100-6 closets or seats.

And thereafter 1 closet or seat for every 25 or part of 25.

*Bucket latrines-*

1 bucket for every 10 or part of 10.

- (ii) He shall provide latrine accommodation for all males who are or are to be accommodated therein as follows:

*Water closets and pit latrines-*

1 closet or seat for every 20 or part of 20 for the first 100 and thereafter 1 closet or seat for every 30 or part of 30.

*Bucket latrines-*

1 bucket for every 15 or part of 15.

In addition the male sanitary block shall be provided with urinal accommodation to the extent of 0.6096 metres of urinal for every 20 males or part of 20.

- (iii) Where pit latrines are installed pits shall be to a depth of not less than 6.096 metres.
- (iv) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible at all times to all children who are accommodated in such school or college.

(b) In theatres, public halls or public places of assembly as aforesaid:

- (i) He shall provide one water closet for females for every 200 persons who are or are to be accommodated therein, or one pail closet for females for every 150 persons who are or are to be accommodated therein;
- (ii) He shall provide one water closet for males for every 200 persons who are or are to be accommodated therein, or one pail closet for males for every 150 persons who are or are to be accommodated therein; when males are accommodated, he shall also provide proper and sufficient urinal accommodation for such males in addition to any such closets as aforesaid;
- (iii) He shall, in calculating the number of latrines required under sub-paragraphs (i) and (ii), reckon any number of persons less than 150 or 200, as the case may be, as 150 or 200 respectively;
- (iv) He shall cause all latrine accommodation to be so arranged and maintained as to be conveniently accessible to all persons accommodated in such theatre, public hall or public place of assembly as aforesaid at all times during which they are so accommodated:

Provided that, notwithstanding anything contained in sub-paragraphs (i) and (ii), in the case of race meetings, shows or extraordinary gatherings, it shall be lawful for the Local Authority to require such latrine accommodation in excess of the provisions specified in sub-paragraphs (i) and (ii) as the Local Authority may consider necessary.

- (c) In schools, colleges, theatres, public halls or public places of assembly as aforesaid:
- (i) He shall cause every latrine to be kept in a cleanly state;
  - (ii) He shall cause every latrine to be under cover and so partitioned off as to secure privacy, and, in the case of any water closet or pail closet, to have proper doors and fastenings;
  - (iii) He shall cause the latrines for each sex to be so placed or so screened that the interior shall not be visible, even when the door of any latrine is open, from any place where persons of the other sex have to or are permitted to pass; and, if the latrines for one sex adjoin those for the other sex, the approaches shall be separate;
  - (iv) He shall, when so required by the Local Authority, cause every latrine which is used at night to be provided with adequate lights kept lit during the night.

(2) If it shall appear to the Local Authority that the provisions of this regulation have not been complied with in regard to any school, college, theatre, public hall or public place of assembly as aforesaid, the Local Authority shall serve a written notice upon the owner or occupier of such school, college, theatre, public hall or public place of assembly as aforesaid requiring such owner or occupier, within a time to be specified in such notice, to provide proper and sufficient latrine accommodation in accordance with the provisions of this regulation, and any such owner or occupier who shall fail to comply with the requirements of any such notice within the time specified shall be guilty of an offence.

*(As amended by Act No. 272 of 1942)*

**82.** Every contractor, builder or other person employing workmen for the demolition, construction, reconstruction or alteration of any building, or other work in any way connected with a building, shall provide in an approved position and thereafter maintain for such time as workmen are engaged thereon sufficient and convenient latrine accommodation for such workmen.

Temporary latrines for workmen

**83.** With respect to any latrine used in common by the occupiers of two or more separate dwelling-houses, domestic buildings or premises, or by other persons, the following provision shall have effect:

Improper use of latrines used in common

If any such person injures or improperly fouls such latrine, or anything used in common therewith, he shall be guilty of an offence.

**84.** Any person who shall injure or shall make improper or unclean use of any public latrine, or a latrine provided in connection with any church or place of public worship, theatre, public hall or other public place of assembly, shall be guilty of an offence.

Improper use of public latrines

**85.** (1) No person shall construct a latrine in connection with a building other than a water closet or a urinal, where any part of the site of such latrine or such building shall be within 60.96 metres of a sewer belonging to the Local Authority, which is at a suitable level, and where there is sufficient water supply.

No latrine other than a water closet to be constructed within 60.96 metres of a sewer

(2) Any person who shall construct a latrine so as to contravene any of the provisions of this regulation shall be guilty of an offence, and the Local Authority may demolish and remove such latrine, and may recover from such person as a civil debt the cost incurred in demolishing and removing the same.

- 86.** No person shall provide, construct or fix any latrine other than a water closet or a urinal inside or under the same roof as any dwelling-house, unless separated from the main building by a ventilated passage, and any person who shall provide, construct or fix any such latrine so as to contravene the provisions of this regulation shall be guilty of an offence. No latrine other than a water closet or urinal to be provided inside a dwelling
- 87.** Every person who shall erect any latrine, not being a water closet or a urinal, in connection with a building shall cause all reasonably practical measures to be used to prevent flies gaining access to the apartment of such latrine, and any person who, in the erection of any such latrine, shall fail to comply with the provisions of this regulation shall be guilty of an offence. Latrines other than water closets and urinals to be protected against the entrance of flies
- 88.** If it shall appear to the Local Authority that all reasonably practical measures have not been or are not being used to prevent flies gaining access to the apartment of any latrine, such latrine not being a water closet or a urinal, the Local Authority shall serve a written notice upon the owner of such latrine requiring him, within a reasonable time to be specified in such notice, to carry out such reasonably practical works as may be necessary to prevent flies gaining access to the apartment of such latrine, and any such owner who, on receipt of such notice, shall fail to comply with the requirements of such notice within the time specified shall be guilty of an offence. Local Authority to enforce latrines being protected against flies

### PART XIII

#### PAIL CLOSETS

- 89.** Every person who shall construct or provide a pail closet in connection with a building shall, in the construction and provision of such pail closet, comply with the following requirements: Pail closets
- (a) He shall not construct or provide such pail closet within 3.0485 metres of any kitchen; Distance of pail closets from kitchens
- (b) He shall not construct or provide such pail closet within any part of a dwelling-house or under the same roof as any dwelling-house, but shall construct such pail closet so that the entrance opens directly into the external air and so that, on any side on which it would abut on any part of a dwelling-house, it shall be separated from such dwelling-house by a solid wall or partition of brick, stone or concrete or other suitable materials, extending the entire height from the floor to the ceiling; Not to be in a dwelling-house
- (c) He shall not construct or provide such pail closet so that it is approached directly from any room used for the manufacture, preparation, storage or sale of food for man, or used as a factory, workshop, workplace or public building, but shall construct or provide such pail closet so that, on any side on which it would abut on a room intended for the manufacture, preparation, storage or sale of food for man, or used as a factory, workshop, workplace or public building, it shall be enclosed by a solid wall or partition of brick, stone, concrete or other suitable materials, extending the entire height from the floor to the ceiling; Pail closets in buildings

The Laws of Zambia

- (d) Where the entrance to such pail closet does not open directly into the external air, he shall cause such pail closet to be entirely separated and cut off from any room used for the manufacture, preparation, storage or sale of food for man, or used as a factory, workshop, workplace or public building, by means of a passage or lobby provided with a window of not less dimensions than 0.1858 square metres, exclusive of the frame, and opening directly into the external air. Such passage or lobby, in addition to such window, shall also be provided with adequate means of constant ventilation by at least one ventilating aperture, of not less dimensions than 13.3776 square metres, exclusive of any frame, built in an external wall of such passage or lobby;
- Ventilation lobby for pail closets in buildings
- (e) He shall, whether the situation of such pail closet be or be not within such building, construct in one of the external walls of such pail closet an opening for light and ventilation of not less dimensions than 0.1858 square metres, situated as near to the top of such pail closet as convenient, and communicating directly with the external air, which opening shall be properly and efficiently covered with fly-proof gauze so as to prevent the entrance of flies;
- Pail closets to be lit and ventilated and protected against entrance of flies
- (f) He shall construct or provide such pail closet in such a manner and in such a position as to afford ready means of access to such pail closet for the purpose of cleaning the same and of removing filth therefrom, and in such a manner and in such a position as to admit of all filth being removed from such pail closet, and from the premises to which it may belong, without being carried through any domestic building or public building;
- Siting of pail closets
- (g) He shall not construct or provide such pail closet otherwise than in accordance with the standard pattern approved by the Local Authority or with plans and specifications submitted to and approved by the Local Authority;
- Pail closets to be built in accordance with a standard design
- (h) When any premises are provided with pail closets, the owner or occupier shall not make use of any pail in such pail closets other than the pail supplied by the Local Authority, except with the written permission of that Authority, and shall pay the monthly charge made by the Local Authority for the provision of buckets as required;
- Only pails provided by Local Authority to be used
- (i) No person shall sell, hire or transfer to any premises or building any pail supplied by the Local Authority;
- Transfer of pails prohibited
- (j) The occupier of any building containing any pail closet which is supplied with a pail shall provide a proper and sufficient supply of earth, sand, sifted ash or disinfectant for use in such closets;
- Pail closet to be provided with earth, etc.
- (k) He shall not construct or provide such pail closet in such a position as to cause annoyance to the neighbouring occupiers or to depreciate neighbouring property.
- Site of pail closet

PART XIV

PIT CLOSETS

**90.** No person shall construct or provide latrine accommodation of the kind known as a pit closet or latrine accommodation situated over any hole or excavation in the ground, which hole or excavation is intended for the reception of human excreta, except where, in the opinion of the Local Authority, the site of such proposed accommodation and the character of the soil are in every respect suitable and satisfactory for such a purpose and the Local Authority shall have signified its approval thereof in writing, and then only subject to such conditions as the Local Authority may prescribe.

Pit closets not to be constructed without permit from Local Authority

## PART XV

### MISCELLANEOUS

**91.** Notices and other documents under these Regulations may be in writing or print, or partly in writing and partly in print, and, if the same require authentication by the Local Authority, the Town Engineer or the Medical Officer of Health, the signature thereof respectively by the Town Clerk, Town Engineer, Medical Officer of Health, Health Inspector or District Secretary, as the case may be, shall be sufficient authentication.

Notices, etc., may be printed or written

**92.** Notices and other documents required or authorised to be served under these Regulations may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or, where addressed to the owner or occupier of premises, by delivering the same, or a true copy thereof, to some person on the premises, or, if there is no person on the premises who can be served, by fixing the same on some conspicuous part of the premises; they may also be served by post by a prepaid letter and, if served by post, shall *prima facie* be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service it shall be sufficient to prove that the notice or other document was properly addressed and put in the post.

Service of notices

**93.** No defect in the form of any notice or other document made under these Regulations shall invalidate or render unlawful any administrative action, or be a ground for exception to any legal proceedings which may be taken in the matter to which such notice or other document relates, but the requirements thereof must be substantially and intelligibly set forth.

Defect in form not to invalidate notices, etc.

**94.** Any person guilty of an offence against, or contravention of or default in complying with, any provision of these Regulations shall be liable, on conviction, to a fine not exceeding fifty kwacha and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default.

Penalties

(As amended by Act No. 13 of 1994)

## SCHEDULE

(Regulation 51)

### REQUIREMENTS REGARDING WATER CLOSETS

The Laws of Zambia

*Standard Test*

1. Trap to be properly filled with water; coloured fluid to be poured into trap. Basin to be soiled with plumbers' soil or liquid mud. Flush.

Basin must be so cleared as to leave water in basin clear and clean at the completion of one flush.

2. Trap to be properly filled with water. Four pieces of potato or apple to be placed in the trap, none of which shall exceed 5.08 centimetres in diameter. A piece of cotton waste, sponge or cloth to be placed in the trap, not to exceed 5.08 centimetres in diameter; also 3 pieces of toilet paper, crumpled up, to be placed in the trap and toilet paper to be placed over water surface and around sides of basin. Flush.

Basin must be completely cleared of all solids by one flush.

REGULATION 2 OF THE PUBLIC HEALTH (DRAINAGE AND LATRINE) REGULATIONS-APPLICATION

*Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

Chingola Municipality.(No. 190 of 1946)

Chipata Township.(No. 21 of 1950)

Choma Township.(No. 287 of 1952)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 87 of 1952)

Kalomo Township.(No. 159 of 1957)

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 88 of 1932)

Luanshya Municipality.(No. 47 of 1953)

Mansa Township.(No. 176 of 1960)

Mazabuka Township.(No. 205 of 1956)

Mbala Township.(No. 206 of 1959)

Mongu Township.(No. 105 of 1967)

Monze Township.(No. 14 of 1956)

Mufulira Municipality.(No. 47 of 1953)

Regulation 81 applies to all Municipalities and Townships.

(No. 167 of 1943)

Regulations 12, 15, 16, 17 and 19 apply to Nkana Mine Township.

(No. 199 of 1960)

## THE PUBLIC HEALTH (SALE OF ICE AND AERATED WATERS) REGULATIONS

### ARRANGEMENT OF REGULATIONS

#### *Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. Necessary permit
5. Duration of permit
6. Application for permit
7. Premises to be to the satisfaction of the Medical Officer of Health
8. Conditional permit
9. Transfers
10. Right of entry
11. Water supply
12. Duties of person to whom a permit is granted
13. Only approved filters to be used
14. Contact with copper or lead prohibited
15. Sale of unfit or dirty ice or aerated water prohibited
16. Infectious persons not to be employed
17. Notification of infectious disease
18. Urgent closure to protect public health
19. Exhibition of Regulations
20. Person to whom permit has been granted responsible for breach of Regulations
21. Penalties

SECTIONS 75 AND 82-THE PUBLIC HEALTH (SALE OF ICE AND AERATED WATERS) REGULATIONS

*Government Notices*

*Regulations by the Minister*

2 of 1933  
12 of 1937  
327 of 1950  
134 of 1952  
171 of 1954  
291 of 1964  
Act  
51 of 1963  
13 of 1994

1. These Regulations may be cited as the Public Health (Sale of Ice and Aerated Waters) Regulations.

Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice.

Application of Regulations

*(As amended by Act No. 291 of 1964)*

3. In these Regulations, unless the context otherwise requires-

Interpretation

"aerated water" includes every kind of non-alcoholic effervescent liquid prepared for human consumption and sold in bottles, syphons, casks or other vessels;

"permit" means a permit granted under these Regulations.

*(As amended by Acts No. 12 of 1937, No. 171 of 1954 and No. 51 of 1963)*

4. No person shall use any premises for the manufacture for sale of any aerated waters or ice unless he shall first have obtained a permit from the Local Authority authorising him to use them in such a way.

Necessary permit

*(No. 134 of 1952)*

5. A permit may be issued for a period not exceeding one calendar year, and no permit shall continue in force beyond the 31st December in the year for which it was issued.

Duration of permit

6. Any person desiring a permit shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form.

Application for permit

*(As amended by Act No. 327 of 1950)*

7. No permit shall be granted unless the Medical Officer of Health is satisfied that the premises in respect of which such permit is desired comply with the regulations governing such premises and are suitable for the purpose for which they are intended to be used.

Premises to be to the satisfaction of the Medical Officer of Health



**8.** The Local Authority may refuse to grant or renew any permit, or may grant such permit on such conditions as it may lay down. A breach of any condition attached to a permit shall be deemed to be a breach of these Regulations. Conditional permit

*(As amended by Act No. 327 of 1950)*

**9.** No permit shall be transferable from the premises in respect of which it is granted to any other premises. Transfers

**10.** The Medical Officer of Health or any Health Inspector may at any time enter upon and inspect any premises used or suspected of being used as an aerated water or ice factory. In the course of such inspection, any such officer may examine the water supply and any utensils which may be found on the premises and the process of manufacture employed, and may take samples of any material or ingredient used in any such processes, and, for the purpose of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer in the course of such inspection shall be deemed to have contravened these Regulations. Right of entry

**11.** Every person granted a permit shall provide for use in his factory, to the satisfaction of the Medical Officer of Health, a sufficient supply of pure water, free from risk of contamination. Water supply

**12.** Every person granted a permit shall-

- (a) at all times maintain his premises in a state of thorough cleanliness and ventilation;
- (b) cause all bottles, vessels and other articles and utensils used for the manufacture of or to contain aerated water or ice intended for sale or consumption to be kept thoroughly clean;
- (c) provide and use apparatus for the cleansing and sterilising of bottles to the satisfaction of the Medical Officer of Health;
- (d) cause all the preparation or mixing of sweet ingredients used in the manufacture of aerated water to be carried out in a room or apartment effectively screened against flies;
- (e) cause all vessels containing syrups or mixtures of syrups to be adequately protected against flies and dust;
- (f) mark all bottles in which his produce is sold with a description of the contents and a clear indication of the name and address of the manufacturer.

Duties of person to whom a permit is granted

*(As amended by Act No. 134 of 1952)*

**13.** No person engaged in the manufacture of aerated water or ice shall keep or use in connection with such manufacture any filter which is not of a type approved in writing by the Medical Officer of Health; and every filter so kept or used shall be periodically cleansed in strict accordance with the directions of the Medical Officer of Health. Any person found using a filter not satisfactorily cleansed shall be guilty of an offence. Only approved filters to be used

**14.** No person shall allow any aerated water or ice, or any water in the process of being converted into aerated water or ice, to come in contact with any copper or lead or any other metal likely to contaminate water. Contact with copper or lead prohibited

- 15.** No person shall sell, expose for sale or cause to be exposed for sale aerated water or ice which is unfit for human consumption, or any aerated water in any dirty vessel or bottle. Any aerated water or ice so sold or exposed for sale may forthwith be seized, removed and destroyed by the Medical Officer of Health or Health Inspector or any person authorised in writing by the Medical Officer of Health. Any bottle containing aerated water which, before being charged with such water, has not been sterilised in the manner laid down under paragraph (c) of regulation 12 by the Medical Officer of Health shall be deemed to be a dirty bottle within the meaning of this regulation, and the cost of removing and destroying any such aerated water or ice may be recovered by the Medical Officer of Health from the owner thereof or the person by whom the same was sold or exposed for sale, in addition to any penalty under this regulation.
- 16.** No person to whom a permit has been granted shall cause or allow any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises.
- 17.** Every person to whom a permit has been granted in respect of any aerated water or ice factory shall inform the Medical Officer of Health without delay of the occurrence of any infectious or contagious disease in such factory, and shall comply with any directions the Medical Officer of Health may give for the purpose of disinfecting such premises and preventing the spread of such disease.
- 18.** If, in the opinion of the Medical Officer of Health, the consumption of aerated water or ice manufactured at any factory is likely to prove detrimental to the public health, any magistrate may, by special order, order such factory to be closed and forbid the sale of any aerated water or ice manufactured in such factory for a period to be specified in such order.
- 19.** A copy of these Regulations, which may be obtained on application to the Medical Officer of Health, shall be fixed and maintained in some conspicuous place on all premises in respect of which a permit has been granted.
- 20.** The breach of any of these Regulations by any person upon any premises in respect of which a permit has been granted shall be deemed to be a breach by the person to whom a permit has been granted.
- 21.** Any person guilty of an offence against or in contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default:

Sale of unfit or dirty ice or aerated water prohibited

Infectious persons not to be employed

Notification of infectious disease

Urgent closure to protect public health

Exhibition of Regulations

Person to whom permit has been granted responsible for breach of Regulations

Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any permit.

*(As amended by Act No. 13 of 1994)*

REGULATION 2 OF THE PUBLIC HEALTH (SALE OF ICE AND AERATED WATERS)  
REGULATIONS-APPLICATION

*Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 48 of 1953)

City of Kitwe.(No. 48 of 1953)

City of Ndola.(No. 5 of 1936)

Chingola Municipality.(No. 188 of 1946)

Chipata Township.(No. 20 of 1950)

Choma Township.(No. 239 of 1955)

Kabwe Municipality.(No. 48 of 1953)

Kasama Township.(No. 273 of 1959)

Livingstone Municipality.(No. 43 of 1933)

Mbala Township.(No. 206 of 1959)

Mongu Township.(No. 106 of 1967)

Mufulira Municipality.(No. 48 of 1953)

THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. Bakers to be licensed
5. Duration of licence
6. Transfers
7. Application for licence
8. Medical Officer of Health to certify premises as suitable
9. Powers of Local Authority to make conditions
10. Right of entry
11. Requirements of licensed premises
12. Duties of licensee
13. Expectoration prohibited
14. Mixing machines
15. Every person to wash his hands before beginning work
16. Infectious persons not to be employed
17. Notification of infectious disease
18. Tea rooms, etc., to be licensed separately
19. Responsibility of licensee for premises
20. Exhibition of Regulations
21. Penalties

SECTIONS 75 AND 82-THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS) REGULATIONS

*Government Notices*  
108 of 1933  
13 of 1937  
190 of 1947  
174 of 1954  
291 of 1964  
*Act*  
51 of 1963  
13 of 1994

*Regulations by the Minister*

1. These Regulations may be cited as the Public Health (Sale of Bakery Products) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by Act No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires- Interpretation

The Laws of Zambia

"baker" means any person who makes, stores or purveys any breadstuffs, pastry or confectionary for use by persons other than those residing on the premises on which he works;

"bakery" means any premises on which is carried on any of the processes of or incidental to baking, or the manufacture or storage of breadstuffs, pastry or confectionary for use by persons other than those residing on the premises;

"bakery product" includes bread, biscuits, rolls, tarts, cakes, pies, confectionery or sweetmeats.

*(As amended by Acts No. 13 of 1937, No. 174 of 1954 and No. 51 of 1963)*

- 4.** No person shall carry on the trade of baker in any premises within the district of a Local Authority unless he shall have first obtained from the Local Authority a licence in respect of such premises. Bakers to be licensed
- 5.** Such licence may be issued for any period not exceeding one calendar year and every licence shall expire on the 31st December in the year for which it was issued. Duration of licence  
*(No. 190 of 1947)*
- 6.** A licence issued under these Regulations shall not be transferable from the holder thereof to any other person without the permission of the Local Authority, and no licence shall in any case be transferable from the premises in respect of which it is granted to any other premises. Transfers
- 7.** Any person desiring a licence shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form. Application for licence
- 8.** No licence shall be granted unless the Medical Officer of Health certifies in writing that the premises in respect of which such licence is desired comply with the regulations governing such premises and are suitable for the purposes for which they are intended to be used. Medical Officer of Health to certify premises as suitable
- 9.** The Local Authority may refuse to grant or renew any licence, or may grant such licence on such conditions as may be laid down. A breach of any conditions attached to any licence shall be deemed to be a breach of these Regulations. Powers of Local Authority to make conditions
- 10.** The Medical Officer of Health, Health Inspector or any person authorised in writing by the Medical Officer of Health may at any time enter upon and inspect any premises used or suspected of being used as a bakery. In the course of such inspection, any such officer or person may examine any material, utensil and vessel which may be found on the premises, and the processes of manufacture employed, and may take samples of any material or ingredient used in any such processes, and, for the purposes of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer or person in the course of such inspection shall be deemed to have contravened these Regulations. Right of entry

**11.** In every bakery licensed under these Regulations the following provisions shall be complied with: Requirements of licensed premises

- (a) no portion of the bakery shall be underground;
- (b) the bakery shall be constructed of brick or other approved material, or, if constructed of iron, shall be brick-lined;
- (c) the walls shall be plastered with cement plaster and the surface brought up to a smooth face with an iron float;
- (d) the floor throughout shall be of cement concrete or other similar non-absorbent material;
- (e) the height of the walls from floor to ceiling shall not be less than 3.6576 metres;
- (f) an efficient dust-proof ceiling shall be constructed, and, in the case of a single storey building, the roof shall be a pitched roof;
- (g) the bakery shall be properly and effectively lit and ventilated in all parts;
- (h) the doors and windows shall be provided with effective fly screens of wire gauze of not less than 144 meshes to the square inch, and the said screens shall be maintained in a state of thorough repair;
- (i) no door or window opening into any bakery shall be so placed as to be less than 6.096 metres from any privy and from the door or window of any stable, nor shall it communicate by door or window or otherwise with a sleeping room;
- (j) the opening of the oven furnace shall be situated outside the bakery, and at least 1.8288 metres from the nearest part of any door or window of the bakery;
- (k) a dressing room shall be provided in which the overalls of the employees shall be kept in a clean and sanitary condition. Such room shall be separate from any place where bakery products or materials are handled or stored, and shall be furnished with the necessary lavatory accommodation for employees to wash themselves;
- (l) a proper and sufficient supply of pure water, free from risk of contamination, and proper and sufficient latrine accommodation, to the satisfaction of the Medical Officer of Health, shall be provided for all persons employed.

**12.** Every person licensed under these Regulations shall-

Duties of licensee

- (a) at all times maintain his premises in a state of thorough cleanliness and ventilation;
- (b) cause all vessels and utensils, and all carts or other vehicles, sacks, baskets or other receptacles used in his business for the preparation, conveyance or storage of flour, bread, pastry, confectionery or any other article of food to be kept in a clean and wholesome state;
- (c) cause all the inside walls and ceilings of his premises to be either painted with three coats of oil or varnish or limewashed. Where oil or varnish is used, it shall be renewed at least once in every five years, and washed with hot water and soap at least once in every six months; where limewash is used, it shall be renewed at least once in every six months;
- (d) cause all persons employed on his premises in making, handling or selling any bakery product to be clean and dressed in clean white overalls made of washable material, while so employed;
- (e) maintain in the lavatory a sufficient supply of soap, nail brushes and clean towels for the use of his employees;
- (f) provide suitable means for protecting all bakery products by glazed or fly-screened show cases or cabinets from contamination by dust, dirt or flies while retained on the bakery premises, or by means of closed cases or vehicles when in the course of conveyance through the streets of the district of the Local Authority.

*(As amended by Act No. 13 of 1937)*

- 13.** No person shall expectorate in or upon any part of any bakery, or upon any of the fittings, fixtures, utensils or appurtenances therein. Expectoring prohibited
- 14.** Every baker preparing or making any bakery products shall mix all dough, batter or paste to be used in the preparation or making of such bakery products in and by means of proper and suitable mixing machines, and any such baker who shall, either himself or by his servants, mix any dough, batter or paste by hand, or in any other way than in and by means of such mixing machines shall be deemed to have contravened this regulation: Mixing machines
- Provided that any person as aforesaid who shall mix any batter or paste of a quantity not exceeding 4.5 kilograms in weight when prepared in a proper and suitable mixing utensil and for confectionery purposes only shall not be deemed to have contravened this regulation.
- 15.** No person employed or working in any bakery shall fail to wash his hands with soap and water before engaging in such work. Every person to wash his hands before beginning work
- 16.** No person licensed under these Regulations shall cause or permit any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises or to handle in any way any bakery product or assist in its production. Infectious persons not to be employed
- 17.** Every baker shall without delay inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of such disease. Notification of infectious disease
- 18.** Any person licensed under these Regulations, and desiring to keep the premises in respect of which he is licensed as a tea room, coffee room, boarding-house or restaurant, shall be required to take out another licence under the regulations governing tea rooms, coffee rooms, boarding-houses or restaurants: Tea rooms, etc., to be licensed separately
- Provided that, in such case, one fee only, which shall be the higher of the two fees, shall be payable in respect of the two licenses.
- 19.** Any person licensed under these Regulations shall be responsible for the due observance of these Regulations on the premises in respect of which he is licensed, and any breach thereof by any person in respect of any premises shall be deemed to be a breach by the licensee of such premises. Responsibility of licensee for premises
- 20.** A copy of these Regulations, which may be obtained on application to the office of the Local Authority, shall be fixed and maintained in some conspicuous place on all premises licensed under these Regulations. Exhibition of Regulations

**21.** Any person guilty of an offence against or contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default: Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any licence obtained under these Regulations.

*(As amended by Act No. 13 of 1994)*

REGULATION 2 OF THE PUBLIC HEALTH (SALE OF BAKERY PRODUCTS)  
REGULATIONS-APPLICATION

*Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

Bancroft Mine Township.(No. 312 of 1969)

Chingola Municipality.(No. 189 of 1946)

Chipata Township.(No. 19 of 1950)

\*<sup>(4)</sup>Chisamba.(No. 291 of 1957)

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

Choma Township.(No. 236 of 1951)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 163 of 1948)

Kalomo Township.(No. 45 of 1959)



*\*(5)Kapiri Mposhi.(No. 292 of 1957)*

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

*Kasama Township.(No. 273 of 1959)*

*Livingstone Municipality.(No. 23 of 1936)*

*Luanshya Municipality.(No. 47 of 1953)*

*Mansa Township.(No. 20 of 1955)*

*Mazabuka Township.(No. 244 of 1969)*

*Mufulira Municipality.(No. 47 of 1953)*

*Pemba Township.(No. 163 of 1961)*

The whole of the Regulations, other than regulation 14, apply to-

*Mbala Township.(No. 164 of 1963)*

*Mongu Township.(No. 104 of 1967)*

*Monze Township.(No. 50 of 1965)*

*\*(6)Mumbwa.(No. 221 of 1958)*

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

**THE PUBLIC HEALTH (TEA ROOMS, RESTAURANTS,  
BOARDING-HOUSES AND HOTELS) REGULATIONS**

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. Necessary permit
5. Duration of permit
6. Application for permit
7. Premises to be to the satisfaction of the Medical Officer of Health
8. Transfers
9. Requirements of premises
10. Duties of persons to whom permits have been issued
11. Expectorating prohibited
12. Right of entry
13. Infectious persons not to be employed
14. Notification of infectious disease
15. Responsibility of person to whom a permit has been granted
16. Exhibition of Regulations
17. Medical Officer of Health may exempt premises
18. Penalties

SECTIONS 75 AND 82-THE PUBLIC HEALTH (TEA ROOMS, RESTAURANTS, BOARDING-HOUSES AND HOTELS) REGULATIONS

*Regulations by the Minister*

*Government Notices*  
14 of 1933  
12 of 1937  
329 of 1950  
172 of 1954  
214 of 1960  
250 of 1963  
291 of 1964  
*Act*  
51 of 1963  
13 of 1994  
*Statutory Instrument*  
112 of 1995

1. These Regulations may be cited as the Public Health (Tea Rooms, Restaurants, Boarding-houses and Hotels) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

(As amended by Act No. 291 of 1964)

3. In these Regulations, unless the context otherwise requires- Interpretation

"permit" means a permit granted under these Regulations;

"restaurant" includes clubs which are registered under the Clubs' Registration Act and a tea room, hotel or boarding-house and means any premises where any article of food or drink is sold, or is prepared or cooked for sale, for consumption on the premises. Cap. 162

*(As amended by Acts No. 12 of 1937, No. 329 of 1950,  
No. 172 of 1954, No. 250 of 1963 and No. 51 of 1963)*

**4.** No person shall use any premises as a restaurant unless he shall first have obtained a permit from the Local Authority entitling him to use them as such. Necessary permit

*(As amended by Act No. 329 of 1950)*

**5.** A permit may be issued for a period not exceeding one calendar year, and no permit shall continue in force beyond the 31st December in the year for which it was issued. Duration of permit

**6.** Any person desiring a permit shall send to the Local Authority a written application on a form to be obtained from the office of the Local Authority, and shall furnish all the information required by such form. Application for permit

*(As amended by Act No. 329 of 1950)*

**7.** No permit shall be granted unless the Medical Officer of Health is satisfied that the premises in respect of which such permit is desired comply with the regulations governing such premises and are suitable for the purpose for which they are intended to be used. Premises to be to the satisfaction of the Medical Officer of Health

**8.** No permit shall be transferable from the premises in respect of which it is granted to any other premises. Transfers

**9.** In any premises for which a permit has been granted there shall be provided to the satisfaction of the Medical Officer of Health- Requirements of premises

- (a) proper and effectual lighting and ventilation for all parts thereof;
- (b) a proper and sufficient supply of pure water;
- (c) proper and sufficient accommodation and conveniences for the preparation, cooking and storage of any articles of food or drink kept therein;
- (d) satisfactory means for the washing of articles used in the business and effective means for the disposal of all liquid waste;
- (e) a sufficient number of closets and urinals, with separate accommodation for each sex, to the satisfaction of the Medical Officer of Health;
- (f) proper and sufficient ablution facilities for employees.

*(As amended by Acts No. 329 of 1950 and No. 214 of 1960)*

**10.** The person to whom a permit has been issued in respect of any premises shall, to the satisfaction of the Medical Officer of Health- Duties of persons to whom permits have been issued

- (a) keep his premises and all culinary utensils, linen, furniture and other articles therein used in the course of his business in a thoroughly clean state;
- (b) provide and sell only sound and wholesome food therein.

**11.** No person shall expectorate in or upon any part of any premises for which a permit has been granted or upon any of the fittings, fixtures, utensils or appurtenances used therein. Expectorating prohibited

**12.** The Medical Officer of Health, Health Inspector or any person duly authorised in writing by the Medical Officer of Health may at any time enter upon and inspect any premises used or suspected of being used as a restaurant. In the course of such inspection, any such officer or person may examine any material, utensil and vessel which may be found on the premises, and the processes of cooking employed, and may take samples of any material or ingredient used and, for the purpose of such inspection, may make any inquiry he deems necessary. Any person who, directly or indirectly, wilfully hinders, obstructs, resists or refuses information or gives false or misleading information to any such officer or person in the course of such inspection shall be deemed to have contravened these Regulations. Right of entry

*(As amended by Act No. 329 of 1950)*

**13.** No person to whom a permit has been granted shall cause or allow any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his premises or to handle in any way any article exposed for sale or assist in its preparation. Infectious persons not to be employed

**14.** Every person to whom a permit has been granted shall forthwith inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of disease. Notification of infectious disease

**15.** Any person to whom a permit has been granted shall be responsible for the due observance of these Regulations on the premises in respect of which the permit has been granted, and any breach thereof by any person in respect of any premises shall be deemed to be a breach by the person authorised in respect of such premises. Responsibility of person to whom a permit has been granted

**16.** A copy of these Regulations, which may be obtained on application to the Medical Officer of Health, shall be fixed and maintained in some conspicuous place on all premises in respect of which a permit has been granted. Exhibition of Regulations

**17.** Notwithstanding anything contained in these Regulations, the Local Authority, on the recommendation of the Medical Officer of Health, may exempt premises in any portion of its area of control from complying with any or all of these Regulations. Medical Officer of Health may exempt premises

*(No. 250 of 1963)*

**18.** Any person guilty of an offence against or in contravention of, or default in complying with, any of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which he shall make default: Penalties

Provided that the court before which any such conviction may be obtained may, in addition to or in substitution for any of the aforesaid penalties, revoke or suspend any permit.

*(As amended by Act No. 13 of 1994)*

REGULATION 2 OF THE PUBLIC HEALTH (TEA ROOMS, RESTAURANTS, BOARDING-HOUSES AND HOTELS) REGULATIONS-APPLICATION

*Notices by the Minister*

1. This Notice may be cited as the Public Health (Tea Rooms, Restaurants, Boarding-houses and Hotels) Regulations (Application) Notice, and shall come into operation on the 23rd day of July, 1975. Title and commencement

2. It is hereby declared, that on and after the date of commencement of this Notice, the whole of the Public Health (Tea Rooms, Restaurants, Boarding-houses and Hotels) Regulations shall apply to the whole of every district of every Local Authority in the Republic. Declaration of application of Regulations

*(As amended by S.I. No. 112 of 1975)*

THE PUBLIC HEALTH (BUILDING) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

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2. Application of Regulations
3. Interpretation
4. Adjoining buildings-entry-underpinning and shoring
5. Application prior to erection of building
6. Plans and what they should show
7. Plans, etc., for erection of machinery
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29. Party walls not to have any openings therein
30. Strength and materials of walls
31. Protection of walls from weather
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33. Metal work to be approved and protected if required
34. Preserving of woodwork
35. Strength of beams
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SCHEDULE-Prescribed forms

SECTIONS 75 AND 114-THE PUBLIC HEALTH (BUILDING) REGULATIONS

*Regulations by the Minister*

*Government Notices*

173 of 1933

110 of 1934

24 of 1935

75 of 1935

14 of 1937

253 of 1949

330 of 1950

153 of 1951

305 of 1953

170 of 1954

254 of 1957

16 of 1959

353 of 1959

291 of 1964

497 of 1964

*Act*

51 of 1963

*Statutory Instrument*

357 of 1965

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

Title

2. The Minister may, by statutory notice, apply all or any of these Regulations to any township, mine township or private township specified or to any area defined in the said notice, which may exempt from the operation thereof any area or buildings situated therein as the Minister may prescribe.

Application of  
Regulations

*(As amended by Act No. 291 of 1964)*

3. In these Regulations, unless the context otherwise requires-

Interpretation

"building line" means a line drawn across a plot beyond which no building or permanent structure, except a boundary wall of approved design, or a fence or the like enclosing the plot, may be erected or set up within the area contained between such line and the regular line of the street on which the plot has frontage;

"building of the warehouse class" means a warehouse, shop factory, manufactory, brewery or distillery and includes a store or godown;

"cement" means Portland cement complying in all respects with the British standard specification from time to time in operation;

"cement concrete" means concrete composed of cement incorporated with clean gravel and suitable stone or other clean and suitable material, mixed with a sufficient quantity of sharp sand or grit in the proportion by measure of at least one part of cement to eight parts of such other material;

"cement mortar" means mortar composed of cement and clean sharp sand or grit or other clean and suitable material, mixed in the proportion by measure of not less than one part of cement to five parts of sand, grit or other suitable material;

"concrete" means-

- (a) cement concrete; or
- (b) concrete composed of good hydraulic lime thoroughly incorporated with clean gravel and suitable stone or other clean and suitable material, mixed with a sufficient quantity of sharp sand or grit in the proportion by measure of at least one part of lime to five parts of such other material;

"cross wall" means a wall used or constructed to be used in part of its height as an inner wall of a building for separation of one part from another part of the building, that building being wholly in, or being constructed or adapted to be wholly in, one occupation;

"domestic building" means a building used or constructed or adapted to be used in whole or in part for human habitation or a shop or an office or any combination thereof, or any other building not being a public building or a building of the warehouse class, but does not include a traditional hut;

"dwelling-house" means a building or any part or portion of a building used or constructed or adapted or designed to be used for human habitation as a separate tenancy or by one family only, whether detached, semi-detached, or built continuously in groups or terraces, or a tenement or flat or a building separated by party walls or by floors from adjoining buildings, together with such outbuildings as are reasonably required to be used or enjoyed therewith, but does not include a traditional hut;

"external wall" means an outer wall or vertical enclosure of a building, not being a party wall, even though adjoining a wall of another building;

"foundation", applied to a wall having footings, means the solid ground or artificially formed support on which the footing of a wall rests;

"internal open space" means a space which is surrounded or is liable to become surrounded with buildings or erections of any description, either wholly or to such an extent that the free passage of air throughout such space is or may be insufficiently provided for;

"lime mortar" means mortar composed of good lime of suitable quality and clean sharp sand or grit or other clean and suitable material, mixed in the proportion by measure of not less than one part of lime to three parts of grit or other suitable material;

"party wall" means-

- (a) a wall forming part of a building and used or constructed to be used in any part of its height or length for the separation of adjoining buildings; or
- (b) a wall forming part of a building and standing in any part of its length, to a greater extent than the projection of the footings on one side, on ground of different owners;



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"plot" means a piece of land shown as a plot on a general plan of a township or area filed in the office of the Surveyor-General;

"store" means a building which, according to the original application and plans therefor, is designed for the storage of foodstuffs or any other material;

"to erect a building" means-

- (a) to erect a new building;
- (b) to erect, re-erect, add to, alter or convert a building, or to cover an open space between walls and buildings;

"traditional hut" means any domestic building or dwelling-house to which the provisions of regulation 50 apply;

"width", applied to a street, means the whole extent of space reserved to be used or laid out so as to admit of being used as a public way.

*(As amended by Acts No. 14 of 1937, No. 170 of 1954  
and No. 51 of 1963)*

4. (1) For the purposes of this regulation, "building owner" means an owner who proposes to erect or is erecting a building, the plans and specifications of which have been approved by the Local Authority.

Adjoining buildings-  
entry- underpinning and  
shoring

(2) Where a building owner proposes to erect a building in close proximity to any other building (such other building being the property of another owner) and it is necessary for him to excavate or dig out the ground against the wall of such other building, the building owner shall at his own cost shore up and underpin such wall to its full thickness and to the full depth of such excavation with proper and sufficient material in a workmanlike substantial manner. For the purpose of this sub-regulation, a building owner, his servants, agents or workmen may, at reasonable hours, enter on the premises of the owner of such other building. In any such case, the building owner shall pay compensation for any disturbance of business or for any damage or injury caused by such entry.

(3) If, for the purpose of erecting a wall in close proximity to the existing wall of any other building as aforesaid, it be necessary to cut away any projection or part of such existing wall (such as footings, chimney breasts, chimney shafts or other projections beyond the vertical face of such existing wall), such projection or part being, in fact, an encroachment on the land of the building owner, the building owner may so cut away at the expiration of at least one week's written notice, which he shall give to the owner of such other building. The parts from which any such brick, stone or concrete work is so cut away shall be again made good in a workmanlike substantial manner; and the building owner shall use reasonable care in such cutting away and making good; but all such work shall be done at the cost and risk of the owner of such other building:

Provided that, if the owner of such other building shall, before the expiration of such notice, give to the building owner notice in writing that he desires to carry out such work of cutting away and making good, he shall be entitled to do so at his own cost, and may enter on the land of the building owner for that purpose; but, if such work be not completed by him within one month after such expiration, the building owner may proceed to do or complete the same as hereinbefore provided.

(4) Where, under this regulation, one person claims to recover the cost of work or to recover compensation from another person, the claimant shall, within fourteen days after completion of the work, serve upon such other person a written account of the cost (including the cost of all preliminary and incidental operations). Such account shall give detailed particulars of the class of work done, quantities and cost at current rates, and shall allow reductions for the value at current prices of such materials, the property of such other person, as have been won by excavation or by pulling down or cutting into any wall or projection.

5. (1) No person shall erect or begin to erect any building until he has-

Application prior to erection of building

- (a) Made an application to the Local Authority in Form 1 in the Schedule, to be obtained from the Local Authority;
- (b) Furnished the Local Authority with the drawings and other documents specified in the following regulations;
- (c) Obtained from the Local Authority a written permit, to be called a "building permit", to erect the building, together with a signed copy of the plan approved by the Local Authority, as hereinafter provided. Such permit shall be in Form 2 in the Schedule and shall be signed by the Local Authority or its authorised agent and shall entitle the holder to erect the building in accordance with such approved plan and subject to all conditions imposed by these Regulations. Any subsequent modification or alteration that it is proposed or necessary to make in such approved plan shall be submitted to the Local Authority for approval in the same manner as the original plan, and no such modification or alteration shall be made in the construction of the building until it has been approved by the Local Authority and the particulars thereof endorsed on the original building permit and signed plan.

(2) The person making application for the approval of plans and specifications shall lodge these with a fee according to a scale fixed by the Local Authority and approved by the Minister.

Fees

*(As amended by Act No. 291 of 1964)*

6. (1) Every person who intends to erect a building shall, except where otherwise provided, send or deliver to the Local Authority two copies of a plan of each floor and sections of each storey, floor and roof of the building and elevations drawn in a clear and intelligible manner, to a scale of not less than 2.54 centimetres to every 2.4384 metres. He shall show upon the plans, sections and elevations the following particulars:

Plans and what they should show

- (a) The position, form and dimensions of the foundations, walls, floors, roofs, rooms, chimneys, and the several parts of the building including outside kitchen, servants' quarters, stables, garages, etc., in such detail and to such an extent as may be necessary to show that the buildings comply with any of the regulations which apply to them:

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- (b) The form and dimensions of any water closet, earth closet, privy or cesspool to be constructed in connection with the building;
- (c) The level of the site of the building and the level of the lowest floor of the building and the level of any street adjoining the curtilage of the building in relation to one another and above some known datum;
- (d) Any plans, drawings, documents or information that the Local Authority may require;
- (e) The truncation of any corner formed by the intersection of any street and the setting back or adaptation of the proposed building to conform with the requirements of these Regulations.

(2) He shall also send or deliver to the Local Authority copies of a block plan of the building drawn in a clear and intelligible manner to a scale not less than 2.54 centimetres to every 15.24 metres and showing-

- (a) The size and position of the building in its relation to the boundaries of the plot to be built upon and, so far as may be necessary to show compliance with any of the regulations which apply to the building, of the appurtenances of the properties immediately adjoining the building;
- (b) The position and width of any street, adjoining the curtilage of the building, so far as may be necessary to show compliance with any of the regulations which apply to the building;
- (c) The size and position of any yard or open space belonging to the building;
- (d) The position of any water closet, earth closet or privy, and of any cesspool and well in connection with the building;
- (e) The lines of drainage of the building and the size, depth and inclination of each drain and the means to be provided for the ventilation, inspection and cleansing of the drains;
- (f) The position and level of the outfall of the drains and the position of any sewer with which the drainage is intended to be connected or, where no sewer is provided, the means to be adopted for the disposal of all liquid waste produced in the building:

Provided that the Local Authority may in its discretion in any particular case dispense with the submission of plans.

*(As amended by Act No. 14 of 1937)*

7. Every person who intends to erect any machinery shall satisfy the Local Authority that the foundations, supports, shafting, brackets, etc., are of sufficient strength to ensure the safety of the building, and that proper guards are provided for the protection of employees, and shall submit plans and a description thereof to the satisfaction of the Local Authority.

Plans, etc., for erection of machinery

8. (1) The Local Authority may disapprove of plans or applications to erect a building or machinery on any of the following grounds:

Grounds on which plans may be disapproved

- (a) That they show a contravention of these Regulations or of any rules or regulations for the time being in force in the township;
- (b) That the system of drainage of the proposed building or of the plot or sub-plot upon which the building is to stand is not, in the opinion of the Local Authority, satisfactory;
- (c) That sufficient facilities for access of sanitary carts are not, in the opinion of the Local Authority, provided;
- (d) That, in the case of a building to be erected on a plot on which a building or buildings already stand, no scheme of plot subdivision has been sanctioned by the Government, or that such building is not in conformity with a scheme of plot subdivision which has been so sanctioned;
- (e) That latrine accommodation and, where considered necessary by the Local Authority, servants' accommodation are not adequately provided for;
- (f) That the site upon which it is proposed to build is, in the opinion of the Medical Officer of Health, or, if no such officer is available, of the Local Authority, unfit for human habitation;
- (g) That they do not adequately provide for the strength and stability of the building, nor for the sanitary requirements thereof;
- (h) That the site of any of the proposed buildings on the plans is such that the erection of such buildings would contravene or render abortive any town planning scheme or proposed town planning scheme for the township;
- (i) That the plan is not accompanied by an undertaking in writing by the person submitting such plan that the building operations will be supervised by a qualified architect or other competent person approved by the Local Authority so as to ensure that the building complies with the plan.

(2) In any case where the Local Authority is satisfied that any building, though the plan thereof is not open to disapproval on any of the grounds specified in this regulation, is nevertheless likely to become objectionable, the Local Authority may withhold approval of such plan.

Special circumstances in which the Local Authority may withhold approval of plans

(3) If, within thirty days of the receipt of any plans or application or further particulars delivered in accordance with these Regulations, the Local Authority shall fail to intimate to the person submitting such plans its disapproval or the fact that it has not yet approved of the building or work which the said person intends to erect, the person submitting the plans may proceed with such building or work in accordance with the plans, but not so far as to contravene any other of the provisions of these Regulations.

In certain circumstances work may be commenced before plans have been approved

(4) All plans and drawings shall be furnished in duplicate and shall be of a quality approved by the Local Authority. Both sets shall be signed on every sheet by the person intending to erect the building, or his agents, and the architect. On the plans being approved, one set shall be returned to the applicant and the other retained by the Local Authority and become its property.

Quality and signature of plans

(5) In the event of any person failing to comply with an undertaking given by him in accordance with sub-regulation (1) (j), the Local Authority may arrange for the necessary supervision for which there shall be payable by such person to the Local Authority a fee not exceeding 2 per centum of the cost of the building erected.

*(As amended by Acts No. 110 of 1934, No. 24 of 1935 and No. 153 of 1951)*

9. (1) The building line, when fixed by the Local Authority in relation to any street or part thereof, shall be marked upon a plan, or clearly described in a resolution of the Local Authority; and such plan or resolution shall be open for inspection by the public free of charge during the office hours of the Local Authority.

Building line

(2) Alteration may be made by the Local Authority where the levels or depth of the allotment or other exceptional conditions of a site or the nature of a building make it necessary or expedient to alter the building line in respect of any part of the building or buildings.

\*7)10. (1) Public buildings, buildings of the warehouse class and domestic buildings, not used, adapted or designed as dwelling-houses, shall not be so erected that more than two-thirds of such plot on which each building stands or is to stand shall be built over:

Area to be covered by buildings

\* Certain plots in the City of Kitwe were exempted, on conditions, from the provisions of this regulation by G.N. Nos. 130 and 246 of 1948.

Provided that the space to be left on which no buildings shall be built shall in no case be less than 27.87 square metres in area and that the minimum distance across the open space shall not be less than 3.6576 metres.

(2) Buildings used or adapted or designed to be used as dwelling-houses shall not be so erected that more than one-half of such plot on which each building stands or is to stand shall be built over. In the case of dwelling-houses appearing, in the opinion of the Local Authority, to be erected, adapted or designed to be used entirely as hotels or clubs, sub-regulation (1) only shall apply:

Provided that the provisions of this regulation may be varied by the Local Authority, subject to the area of any such building complying with any condition the Local Authority may impose and the Director of Medical Services being satisfied that public health will not be prejudiced.

*(As amended by Acts No. 253 of 1949, No. 170 of 1954 and No. 51 of 1963)*

11. The person to whom the Local Authority has granted a permit to erect any building shall commence the same within six calendar months of the date of such permit; should he fail to do so, the said permit shall be deemed to have lapsed as if the same had not been given.

Period for commencement of erection

**12.** If the work for which a permit has been granted be not completed within twelve months of the granting of such permit, the Local Authority may give notice in writing to the person concerned therein that, unless the building is completed by a date to be specified in such notice, the permit given shall be deemed to have lapsed:

Period for completion of erection

Provided that nothing in this regulation shall prevent any person affected thereunder from making a fresh application for a permit as prescribed by these Regulations.

\*Certain plots in the City of Kitwe were exempted, on conditions, from the provisions of this regulation by G.N. Nos. 130 and 246 of 1948.

**13. (1)** The Local Authority or its authorised officers, the Medical Officer of Health and Health Inspector shall have power to inspect any building in course of erection or completion, and, if any portion or detail thereof shall be found not to comply with any of these Regulations, may, by written notice, require the person erecting the building to make, within a time to be specified in such notice, such alteration as may be necessary to comply with these Regulations, and any failure to comply with such notice shall be deemed a breach of this regulation.

Inspection of buildings

(2) If any person erects or begins to erect any building without having obtained the permit required by these Regulations, or, in the erection of any building, contravenes any of the provisions of these Regulations, or, having obtained a permit, constructs the building in part or in whole according to a plan which has not been approved by the Local Authority, or fails to comply with any notice served upon him in pursuance of sub-regulation (1), the Local Authority may, in addition to any other proceedings that may be taken for a breach of these Regulations, require, by written notice, such person to demolish and remove such building or any part thereof or to make such alteration in such building as it may prescribe within a time to be specified in the said notice. Further, in the same or another notice, the Local Authority may notify such person that, if such requirement is not complied with within the specified time, the Local Authority will itself enter upon the premises and carry out such demolition, removal or alteration. If such requirement is not complied with, the Local Authority may act in accordance with the terms of such notice and may recover all costs and expenses incurred by it in that behalf from the person who has failed to comply with such requirement.

**14. (1)** The applicant or his authorised agent shall give notice in writing to the Local Authority when the building is completed, and no person shall occupy or suffer to be occupied any new building until such building has been certified by the Local Authority and, where available, by a Medical Officer of Health to be, in their opinion, in every respect fit for occupation, or, in the case of a domestic building or dwelling-house, fit for human habitation.

Permit required before occupation of new buildings

(2) The Local Authority shall cause an inspection of the building to be made within forty-eight hours from the date of completion.

**15.** Where a Local Authority is satisfied that it is not unreasonable to occupy a portion of any building before the completion of the whole building, and, where available, a Medical Officer of Health agrees to such occupation, the Local Authority may authorise the granting of a certificate for the occupation of such portion only.

Permission to occupy portion of building

(No. 16 of 1959)

**16.** Every person who erects a new building which includes a shop or store used or intended to be used for business purposes and for containing or storing grain, forage or other foodstuffs, hides, material or articles likely to attract or harbour rats or mice shall erect such shop or store so as to be as rat-proof as possible and to the satisfaction of a Medical Officer of Health or, where such officer is not available, of the Local Authority.

Stores and shops to be rendered rat-proof

**17.** (1) When any building or part thereof has, in the opinion of the Local Authority or a Medical Officer of Health, become ruinous or dilapidated, or unfit for use or occupation, or is, from neglect or otherwise, in a condition prejudicial to the public health or safety, the Local Authority or Medical Officer of Health may, by notice to be served upon the owner, or, if the owner cannot be found or is not in Zambia, upon the occupier (if any), or, if there is no occupier and the owner cannot be found or is not in Zambia, by affixing such notice upon the premises, require such owner or occupier to make, within a reasonable time to be specified in the notice, such alterations or repairs as the Local Authority or Medical Officer of Health may consider necessary and, until such alteration or repairs are carried out, may prohibit the use of such building or part thereof for any specified purpose and, if, in the opinion of the Local Authority or Medical Officer of Health, such building or part thereof ought to be demolished or removed, the Local Authority or Medical Officer of Health may give notice accordingly in the manner aforesaid.

Ruinous buildings: alteration or demolition

(2) The failure of the owner or occupier to carry out any such order shall be deemed a breach of this regulation and, in addition to any other proceedings that may be taken, the Local Authority may, and, if required by the Medical Officer of Health in writing, shall enter upon the premises and make such alterations or repairs or demolish or remove the building or part thereof, as the case may be, and may recover the cost thereof from the owner or occupier:

Provided that any person upon whom such notice requiring demolition, removal, repairs or alterations is served may, prior to the expiration of the time therein specified, apply to any magistrate for a summons calling upon the Local Authority or Medical Officer of Health to show cause why the said notice should not be rescinded or varied, and, upon the hearing of the said summons, the magistrate may confirm, rescind or vary the said notice.

**18.** (1) No hoardings shall be erected in any street or on any land except with the written permission of the Local Authority and then only under such conditions as to erection or removal thereof as it shall allow.

Hoardings

(2) No part of, or fixture attached to, any building abutting on a street shall overhang or project into such street:

Provided that the Local Authority may permit, on such terms as in each case it may think fit, the owner or occupier of any building abutting on a street to erect or put up a hanging sign, balcony, verandah, sunshade or other structure projecting from any upper storey over any street or portion thereof.

**19.** The Local Authority may at any time, by written notice, require the owner of any premises on the ground floor of which any door, gate, bar, window or other structure opens towards or upon a street or upon any land required for the improvement of a street, in such manner as, in the opinion of the Local Authority, to obstruct the safe or convenient passage of the public along such street, to have the said door, gate, bar, window or other structure altered so as not to open outwards.

Doors and windows opening outwards

**20.** No new building shall be erected on any site which has been filled up by or has been used as a place for the deposit of excremental matter or the carcasses of dead animals or other filthy or offensive matter, until such matter shall have been properly removed or otherwise dealt with to the satisfaction of the Local Authority and a Medical Officer of Health, either of whom may require the whole of any site to be covered with a layer of concrete or other impermeable material. Where, on the site of a building, there is any made-up ground or other unsuitable soil, the walls of such building shall rest upon a layer of concrete of sufficient dimensions to support it, and, when considered necessary by the Local Authority, the whole site of the building shall be covered with concrete.

Building on offensive site

**21.** (1) No building which abuts on a street-

Height of building

- (a) more than 18.288 metres wide shall be built so that any portion of it projects above an imaginary line drawn towards it at a vertical angle of 60 degrees from the opposite side of such street;
- (b) less than 18.288 metres wide shall be built so that any portion of it projects above an imaginary line drawn towards it at a vertical angle of 70 degrees from the opposite side of such street.

(2) Every person who erects a new building shall erect the same only in such position on the site of the plot as to be in general conformity with such adjacent or contiguous buildings as the Local Authority may direct and any street or building line laid down or to be laid down by the Government or Local Authority. He shall also erect such new building to a design or plan not inferior to the general class and character of such buildings as the Local Authority may direct in the same neighbourhood within which such new building is proposed to be erected; and, further, he shall erect such new building to a level suitable to the land upon which such new building is proposed to be erected, having regard to the levels of any existing or proposed street or road and the levels of existing buildings.

Conformity with adjacent buildings and with building line

*(As amended by Act No. 353 of 1959)*

**22.** If the facing material or decoration shown on the drawings or used in any building in course of erection is, in the opinion of the Local Authority, of such quality or design as to appear aesthetically unsuitable, the Local Authority shall have power, subject to appeal to the Minister, to call upon the owner to amend, alter or substitute such facing material or decoration in such manner as will be compatible with other facing material or decoration in the township in which the building is situated.

Design and decoration to conform

*(As amended by Act No. 291 of 1964)*

**23.** No person shall erect a building intended, adapted or designed to be used wholly or partially for human habitation so that any portion thereof which constitutes a dwelling-house shall be without a separate and independent lane or passage.

Dwellings to have separate and independent access to a street

**24.** (1) No dwelling-house shall contain any basement or cellar or any room or part of a room below ground floor level without the sanction of the Local Authority, which may be granted subject to such conditions as the Local Authority may think fit.

Basement and cellars



(2) For the purpose of this regulation, "basement" means a storey or portion of a storey, partly below ground level, the ceiling of which is not less than 1.524 metres above the adjoining ground (irrespective of any excavation made to comply with these Regulations), and "cellar" means a storey or portion of a storey, below ground level, the ceiling of which is less than 1.524 metres above the adjoining ground.

**25.** Every person who erects a new building shall construct every wall or pier of the building so as to rest upon solid undisturbed rock or upon proper footings or, if the thickness of the wall does not exceed 9 inches (exclusive of any cavity in a wall constructed as a hollow wall), upon a layer of good cement concrete of sufficient width and thickness laid on the solid ground, or upon a sufficient bressummer, or upon some other solid and sufficient substructure as a foundation. Foundations

**26.** Every person who erects a new building and so constructs any wall or pier as to rest upon footings shall- Construction of footings to walls

- (a) Cause such footings to rest upon solid undisturbed rock or upon good concrete of sufficient width and thickness, or upon some other solid and sufficient substructure, as a foundation;
- (b) Cause the projection at the widest part of the footings of a wall, on each side thereof, to be at least equal to one-half of the thickness of the wall at its base, unless an adjoining wall or pier interferes, in which case the projection may be omitted;
- (c) Cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings, and the height from the bottom of the footings to the base of the wall to be at least equal to two-thirds of the thickness of the wall at its base;
- (a) Cause the footings of a pier on every side thereof to be constructed in accordance with the regulations applicable to the footings of the wall comprising the pier.

**27.** Every person who erects a new public building, or a new domestic building, or a new building of the warehouse class in which it is intended to employ any person in any manufacture, trade or business, shall cause every wall (including any pier forming part of a wall) of the building to have an effective damp-proof course of sheet lead, asphalt or vitrified stoneware, or a double course of impervious slates or blue bricks laid to break joint and bedded in cement mortar, or of other not less durable material impervious to moisture, beneath the level of the lowest timbers, and, where there is a solid floor, not higher than the upper surface of the concrete or other similar solid material forming the structure of the floor, and, in any case, at a height of not less than 15.24 centimetres above the surface of the ground adjoining the wall or pier. Damp-proof course in walls

**28.** Floors may be made of concrete, stone, good sound burnt brick, wood or other material approved by the Local Authority: Floors

Provided that, in the case of wooden floors on the ground floor of a building, the Local Authority may require the concreting of the ground underneath and the rat-proofing or mosquito-proofing of any space between the floors and the ground.

**29.** (1) A party wall shall not have any openings in such part thereof as shall be within the roof nor, except with the written consent of the Local Authority, in any other part. Party walls not to have any openings therein

(2) A person who erects a new building shall not place in any party wall of the building any wooden bressummer, beam, joist, purlin or plate or any bond timber, and shall not construct the roof of the building so that any timber or woodwork extends upon or across any party wall thereof: Inflammable materials

Provided that-

- (i) laths and tile or slate battens properly embedded in good cement, in good cement or lime mortar, or in other equally incombustible material, may extend upon or across a party wall;
- (ii) the end of any wooden bressummer, beam, joist, purlin or plate or any bond timber may be placed in a party wall, if it does not extend beyond the centre line of the party wall and is either encased in brickwork or other solid and incombustible material not less than 10.16 centimetres in thickness, or has every part which is placed in the party wall properly encased in an iron beam box with a solid back.

(As amended by Act No. 14 of 1937)

**30.** Every wall shall be of sufficient strength and shall be constructed in such a manner and of such materials as the Local Authority may approve. Strength and materials of walls

**31.** Every wall built of concrete, concrete block, stone, good sound burnt brick or other similar material shall be properly bonded and solidly put together with mortar, and all return walls and partition walls shall be properly bonded to the walls adjoining them. Where the top of the wall is exposed to weather, it shall be properly protected so as to prevent the access of damp or water to the wall. Protection of walls from weather

**32.** (1) All external and party walls of domestic buildings or dwelling-houses which are built of good sound hard bricks, or of blocks of hard incombustible material, laid in cement or lime mortar, shall generally be of not less than the following thickness: Thickness of walls

Exceeds in height (metres)	Does not exceed in height (metres)	Exceeds in length (metres)	Does not exceed in length (metres)	Thickness (centimetres)
-	4.522	-	-	22.86 for the whole of its height.
4.572	7.62	-	9.144	22.86 for the whole of its height.
		9.144	13.716	34.29 in the lowest storey; 22.86 for the rest of its height.
		-	7.62	22.86 for the whole of its height.
7.62	9.144	7.62	10.668	34.29 in the lowest storey; 22.86 for the rest of its height.
		10.668	13.716	34.29 in the lowest and the next storey; 22.86 for the rest of its height.
		-	10.668	34.29 in the lowest and next storey.
9.144	12.192	10.668	13.716	45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
		-	9.144	45.72 up to the floor of the topmost storey; 22.86 for the rest of its height.
		9.144	10.668	45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.

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12.192	15.24	{	10.668	{	13.716	
					9.144	45.72 in the lowest storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
			9.144	{	10.668	45.72 in the lowest and next storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
15.24	18.288	{	10.668	{	13.716	45.72 in the lowest storey; 34.29 for the rest of its height.
Exceeds in height (metres)	Does not exceed in height (metres)		Exceeds in length (metres)		Does not exceed in length (metres)	Thickness (centimetres)
			-		9.144	57.15 in the lowest storey; 45.72 in the next storey, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
		{	9.144	{	10.668	57.15 in the lowest storey; 45.72 in the next two storeys, then 34.29 up to the floor of the top-most storey; 22.86 for the rest of its height.
18.288	21.336	{	10.668	{	13.716	57.15 in the lowest storey; 45.72 in the next two storeys; 34.29 for the rest of its height.
			-		9.144	57.15 in the lowest storey; 45.72 in the next two storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
		{	9.144	{	10.668	57.15 in the lowest storey; 45.72 in the next 3 storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
21.336	24.384	{	10.668	{	13.716	57.15 in the lowest storey; 45.72 in the next 3 storeys; 34.29 for the rest of its height.
			-		9.144	68.58 in the lowest storey; 57.15 in the next storey; 45.72 in the next two storeys; 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
		{	9.144	{	10.668	68.58 in the lowest storey; 57.15 in the next storey; 45.72 in the next 3 storeys; 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
24.384	27.432	{	10.668	{	13.716	68.58 in the lowest storey; 57.15 in the next storey; 45.72 in the next 3 storeys; 34.29 for the rest of its height.
			-		9.144	68.58 in the lowest storey; 57.15 in the next 2 storeys; 45.72 in the next 2 storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
		{	9.144	{	10.668	68.58 in the lowest storey; 57.15 in the next 2 storeys; 45.72 in the next 3 storeys, then 34.29 up to the floor of the topmost storey; 22.86 for the rest of its height.
27.432	30.48	{	10.668	{	13.716	68.58 in the lowest storey; 57.15 in the next 2 storeys; 45.72 in the next 3 storeys; 34.29 for the rest of its height.

(2) In the case of buildings other than domestic buildings and dwelling-houses, the walls shall generally be of not less than the following thicknesses:

Exceeds in height (metres)	Does not exceed in height (metres)	Exceeds in length (metres)	Does not exceed in length (metres)	Thickness at base (centimetres)
-	6.096	-	-	34.29

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6.096	9.144	{	-	18.288	34.29
			18.288	-	45.72
9.144	12.192	{	-	18.288	45.72
			18.288	-	57.15
12.192	18.288	{	-	18.288	57.15
			18.288	-	68.56
18.288	24.384		-	-	80.01
24.384	30.48		-	-	91.44

(3) For the purposes of this regulation, "top storey" means the topmost 3.6576 metres of any wall, and no wall of any top storey shall exceed 3.6576 metres in height. Top storey

(4) The thickness of a cross wall shall be not less than two-thirds of that required for an external party wall. Cross walls

(5) An internal partition wall built in brick which extends through one storey only, if it carries no load, may be built not less than 11.43 centimetres in thickness in brick or dressed stone. Such a wall shall not be deemed to be a cross wall. This sub-regulation does not apply to recesses in walls. Partition walls

(6) The length of a wall shall be deemed to be its length between cross walls or buttresses. For the purposes of this regulation, a wall shall not be deemed a cross wall unless it be carried up to the top of the topmost storey, and unless in each storey the aggregate extent of the vertical faces or elevation of all openings therein taken together shall not exceed one-half of the whole extent of the vertical face of the wall in such storey, except such wall be sufficiently strengthened as provided in sub-regulation (7). Definition of cross walls

(7) If any openings or recesses are left or made in a wall to an extent greater than one-half of the superficial area of the wall of any storey, or if any openings or recesses are left or made which extend into two or more storeys, the wall shall be strengthened to the satisfaction of the Local Authority by sufficient pilasters, buttresses or counterforts or otherwise. For the purpose of this sub-regulation, a recess includes any part of a wall which is of less than the thickness prescribed for a wall of that description. Openings in cross walls

(8) Where concrete blocks are used in the construction of the walls of a building, they shall conform with the following standards: Concrete blocks

(a) The minimum strength of concrete used for their manufacture shall be: cement, one part; sand, three parts; stone, six parts;

(b) Hollow blocks shall not be used under a concentrated load, but solid blocks or a solid pier shall be substituted.

(9) The thickness of the walls built of masonry other than ashlar shall be one-third greater than the dimensions given above for brick walls, but in no case shall be less than 22.86 centimetres thick. Stone walls

(10) Any internal cross wall not supporting roof or floor beams or other load may be thinner to the extent of one-fourth than the thickness prescribed in the foregoing table. Internal cross walls without load

(11) The height of a storey other than a top storey shall be measured from the level of the upper surface of the floor to the level of the upper surface of the floor next above it, or, in the case of one-storeyed buildings or of the top storey of a building, to the underside of the tie of the roof or other covering, or, if there be no tie, then up to the level of half the vertical height of the rafters or other support of the roof. Height of walls

(12) In the case of the erection of buildings of steel framework or reinforced concrete or the making of any addition or alteration to such buildings, and where the dead loads and superimposed loads of, in or upon a building are transmitted to the foundations by a series of steel stanchions or reinforced concrete pillars, beams, arches or other suitable construction, any enclosing walls of concrete or other suitable material between such pillars may be of any thickness not less than 10.16 centimetres: Steel frame and reinforced concrete buildings

Provided that such enclosing walls are designed and constructed, to the satisfaction of the Local Authority, to resist any loads and pressures they may have to carry.

(13) The Local Authority may, with the approval of the Minister, accept thicknesses of walls other than those stated in sub-regulations (1) and (2) if, in its opinion, such other thicknesses will provide reasonable stability.

*(As amended by Acts No. 305 of 1953 and No. 291 of 1964)*

**33.** All steel, iron or other metal work used in the construction of a building shall, in respect of strength and other qualities, be approved by the Local Authority. Where required by the Local Authority, all such metal shall be surrounded and suitably protected against fire by cement or other fire-proofing material at least 2.54 centimetres thick. Metal work to be approved and protected if required

**34.** All timber and woodwork shall be properly protected from the attacks of insects, when necessary in the opinion of the Local Authority. Preserving of woodwork

**35.** (1) Every beam shall be of sufficient strength and shall have a sufficient bearing at each end arranged so that the load is properly transmitted to the supports. Strength of beams

(2) Wooden lintels shall have a depth of at least three-quarters of a centremetre for every metre of span of opening with a minimum of 7.62 centimetres. In all spans of 1.2192 metres or over, relieving arches or concrete lintels shall be inserted.

**36.** (1) Every person who erects a new building shall cause every bressummer to be borne by a sufficient template of stone, iron, concrete, terracotta or vitrified stoneware of the full breadth of the bressummer, and to have a bearing in the direction of its length of 10.16 centimetres at least at each end. Bressumers

(2) He shall also, if necessary, cause the bressummers to have such storey posts, iron columns, stanchions, or pins of brick, stone or other equally suitable material on a solid foundation under the same, as may be sufficient to carry the superstructure.

**37.** (1) Every person who erects a new building for any of the purposes enumerated in the first column of the table appended to this regulation shall make the structure of every floor of such building of sufficient strength and stability to carry safely, in addition to the weight of the floor itself and any other part of the structure of such building supported by such floor, the corresponding dead load in the second column of the said table: Loads on floors

Provided that a deduction up to 20 per centum of the specified loads may be sanctioned if the Local Authority is satisfied as to the excellence of the design and of the material and workmanship to be employed in construction. This proviso does not apply to floors subject to rhythmic vibration.

Column 1	Column 2
For floor intended to be used wholly or partially for the purpose of	Dead load, kilograms per 0.0929 square metre
Attics in dwelling-house .. .. .	22.5
Artisan's dwelling-house .. .. .	
Domestic purpose .. .. .	31.5
Human habitation .. .. .	
Private dwelling-house .. .. .	
Common lodging-house bedrooms .. .. .	37.8
Hotel bedrooms .. .. .	
Hospital and other wards .. .. .	
Counting house .. .. .	45.0
Offices .. .. .	
Other similar purposes .. .. .	
Art galleries .. .. .	
Places of public worship .. .. .	
Concert rooms .. .. .	
Lecture rooms .. .. .	50.4
Library reading-rooms .. .. .	
Meeting halls .. .. .	
Music halls .. .. .	
Public assembly (fixed seats) .. .. .	
Theatres .. .. .	
Workshops (light loads) .. .. .	
Retail shops (light goods) .. .. .	67.5
Ballrooms .. .. .	
Drill rooms .. .. .	
Similar floors subject to vibration .. .. .	
Factories (medium loads) .. .. .	90.0
Retail shops (heavy loads) .. .. .	
Book stores at libraries .. .. .	
Museums .. .. .	100.8
Warehouses .. .. .	

  

Column 1	Column 2
For floor intended to be used wholly or partially for the purpose of	Dead load, kilograms per 0.0929 square metre
Attics in dwelling-house .. .. .	22.5
Artisan's dwelling house .. .. .	} 31.5
Domestic purpose .. .. .	
Human habitation .. .. .	
Private dwelling-house .. .. .	

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Common lodging-house bedrooms	..	..	..	..	}	37.8
Hotel bedrooms	..	..	..	..		
Hospital and other wards	..	..	..	..	}	45.0
Counting house	..	..	..	..		
Offices	..	..	..	..		
Other similar purposes	..	..	..	..		
Art galleries	..	..	..	..	}	50.4
Places of public worship	..	..	..	..		
Concert rooms	..	..	..	..		
Lecture rooms	..	..	..	..		
Library reading rooms	..	..	..	..		
Meeting halls	..	..	..	..		
Music halls	..	..	..	..		
Public assembly (fixed seats)	..	..	..	..		
Theatres	..	..	..	..	}	67.5
Workshops (light loads)	..	..	..	..		
Retail shops (light goods)	..	..	..	..		
Ballrooms	..	..	..	..		
Drill rooms	..	..	..	..		
Similar floors subject to vibration	..	..	..	..		
Column 1					Column 2	
For floor intended to be used wholly or partially for the purpose of					Dead load, kilograms per 0.0929 square metre	
Factories (medium loads)	..	..	..	..	}	90.0
Retail shops (heavy loads)	..	..	..	..		
Book stores at libraries	..	..	..	..	}	100.8
Museums	..	..	..	..		
Warehouses	..	..	..	..		

(2) Every other floor shall be constructed of sufficient strength and stability to the satisfaction of the Local Authority.

**38.** (1) In all cases where smoke or hot air is generated adequate provision shall be made for conveying such to 0.3048 metres above the ridge of the building in which the smoke or hot air is generated, except in the case of the proposed chimney or shaft being less than 6.096 metres away from an existing building. In such case, the chimney must be carried up to 0.3048 metres above the level of the ridge of such existing building.

Chimneys

(2) In the event of the owner of an existing building, referred to in sub-regulation (1), proposing to increase the height of such building, the onus of increasing the height of the chimney or shaft referred to in the said sub-regulation will fall on such owner.

**39.** No chimney shaft, boiler, hot water or steam installation shall be erected without the written consent of the Local Authority and such detail, etc., shall be supplied as the Local Authority may require.

Chimney shafts

**40. (1)** Every building intended to be used as a dwelling-house or as a place of habitual occupation for any person shall be so constructed that at least so much of the walls of every room as is equal to one-fifth of the perimeter thereof shall either be an external wall or abut on an internal space open to the sky.

External walls of buildings

(2) The width of such internal open space shall, measured in any direction, be equal to the height of the wall of the room it abuts on measured from the floor level to the highest part of such room, with a minimum of 3.048 metres.

Internal open space

(3) Every external wall of a building, built in conformity with sub-regulation (1), shall have between it and the boundary line of the adjacent plot an open space extending throughout the entire length of such wall, at least 3.048 metres wide; save that, in cases where a sanitary lane adjoins the boundary of a plot, servants' quarters and latrines may be built up to such boundary, if such quarters do not open on to the sanitary lane, and the floor level of any such latrine is not less than 0.3048 metres above the ground level, and satisfactory provision is made for the drainage of all liquid waste from such latrine:

Space between buildings and boundary of plot

Provided that in the case of existing semi-detached or terrace housing built on a single plot where external walls would, after any proposed division of the plot, be less than 3.048 metres from the proposed party boundary, the Local Authority may in its discretion exempt each unit of housing from the provisions of this sub-regulation and may in its discretion attach conditions to such exemption.

(4) No building shall be erected in such a manner as, in the opinion of the Local Authority, to block out light or ventilation from another building.

(5) Every open space, whether exterior or interior, required by this regulation shall be kept free from any erection thereon and open to the sky, and shall be kept open to access.

*(As amended by Act No. 353 of 1959)*

**41. (1)** No building shall, unless with the written permission of the Local Authority, be so erected as to have a frontage upon a sanitary lane or passage.

Frontage on sanitary lane or passage

(2) The Local Authority shall have power in every case to determine whether any street is a sanitary lane or passage, and its decision shall be final:

Local Authority has power to determine sanitary lanes and passages

Provided that no street measuring more than 9.144 metres in width shall in any circumstances be deemed to be a sanitary lane or passage.

*(As amended by Act No. 75 of 1935)*



**42.** Every habitable room in any new building shall have a floor area of not less than 8.361 square metres and no horizontal dimension shall be less than 2.1336 metres: Area of habitable rooms

Provided that-

- (i) every habitable room in a building shall have a minimum average height from floor to ceiling of at least 2.5908 metres with a minimum height of 2.4384 metres from the floor to the point of junction of the ceiling with the wall;
- (ii) the provisions of proviso (i) shall not apply to any habitable room which is wholly or partly in a roof of a building; such room shall be at least 2.4384 metres in height from floor to ceiling over an area of 75 per centum of the floor area of the room measured at 1.8288 metres above floor level;
- (iii) with the approval of the Local Authority, kitchenettes, sculleries and laundries may have a smaller area than 8.361 square metres.

*(No. 357 of 1965)*

**43.** (1) Every person who erects a domestic building shall construct in every habitable room, hall or enclosed area of such building one window, at the least, opening directly into the open air. Such person shall cause the total area of such window or, if there be more than one, of the several windows, clear of the frames, to have an area equal to at least one-tenth of the superficial floor area of such room, hall or other enclosed area, with an increase in such window area, if any window be placed under a verandah, of 11/2 per centum of floor area for each 0.3048 metres of width of verandah over 1.524 metres. Such person shall also construct every such window so that one-half, at the least, may be opened, and so that the opening may extend in every case to the top of the window. Area and situation of windows in domestic buildings and dwellings

(2) Every person who erects a domestic building shall cause every habitable room and every passage of such building to be properly and efficiently cross-ventilated. Ventilation openings

(3) Notwithstanding the requirements specified in this regulation, the Local Authority may permit, in connection only with buildings other than dwellings, alternative approved mechanical lighting and ventilation facilities.

*(As amended by Acts No. 330 of 1950 and No. 254 of 1957)*

**44.** (1) Every person who erects a new public building shall cause such building, to the satisfaction of the Local Authority, to be efficiently cross-ventilated by means of windows or fanlights or air bricks or tubes distributed around the building in such positions and in such a manner as to secure effective changes of air, and arranged so as to communicate directly with the external air. Ventilation of public buildings

(2) Every person who erects a new building of the warehouse class shall cause such building to be provided with proper and efficient lighting by means of glazed windows, and with proper, adequate and efficient means of cross-ventilation, to the satisfaction of the Local Authority. Ventilation and lighting of buildings of the warehouse class

**45.** The owner of any plot shall make adequate provision, to the satisfaction of a Medical Officer of Health, for the satisfactory carriage and disposal of all rain-water, surface water, waste water or sewage from the plot or from any building thereon, and for this purpose the Local Authority may require such owner to make such connection with the main drainage system of the township as it may think fit, or may itself make such connection and recover the cost thereof from such owner.

Drainage of plot and buildings

*(As amended by Act No. 14 of 1937)*

**46.** (1) Every new building shall be provided with sufficient closets or latrines in accordance with the requirements of a Medical Officer of Health or Local Authority, so situated as to be conveniently accessible to all persons employed or accommodated therein. Every closet or latrine erected shall be of the type and materials approved by the Local Authority with the written sanction of a Medical Officer of Health, where such officer is available.

Provision of water closets or latrines

(2) Every water closet or latrine provided for a building shall be so placed as to permit of its thorough ventilation and lighting and shall be separated by a well-lighted and ventilated passage from any kitchen, living room or work room.

**47.** All sinks, baths and other water fittings shall be trapped to the satisfaction of the Local Authority, and the traps shall have a water seal of at least 3.81 centimetres.

Sinks, baths, etc., to be trapped

**48.** (1) The following buildings shall be exempt from the operation of regulations 25 to 32 and 42 to 44, inclusive:

Exemptions

- (a) any building erected and used or designed according to the original application and plans therefor to be used exclusively as a conservatory or plant house;
- (b) any building, being a detached building, erected and used or constructed or designed according to the original application and plans therefor to be used exclusively for a poultry house, garden tool house, cycle shed, motor garage, summer house or aviary;
- (c) all railway buildings including railway station buildings and goods sheds, but exclusive of other buildings of the warehouse class and exclusive of domestic buildings.

(2) Any building hereinafter described shall be exempt from the operation of regulations 31, 32 and 33, that is to say: any building of one storey, each wall of which shall be provided with a proper damp- and white-ant-proof course as required by the regulation in that behalf, and the external wall of which shall be constructed of properly framed timber framing and covered externally with some impervious fireproof material, and the external wall of which shall, to a height of not less than 30.48 centimetres above the surface of the ground adjoining such wall-

Special provisions and exemptions for timber frame structures

- (a) be constructed of-
  - (i) good cement concrete at least 22.86 centimetres wide; or
  - (ii) good stone, bricks or other hard and suitable material at least 22.86 centimetres wide and properly bonded and solidly put together; or

(b) be carried upon-

- (i) sufficient piers constructed of good cement concrete 22.86 centimetres wide or of good stone, bricks or other hard and suitable material at least 22.86 centimetres wide, properly bonded and solidly put together; or
- (ii) metal or timber standards of sufficient strength.

Every such pier or standard shall be covered with a sheet metal cap projecting 7.62 centimetres at least beyond the face of such piers on every side.

(3) The distance of any part of such building from the boundary of any adjoining plot or sub-plot shall not be less than 3.048 metres.

Timber frame structure to be 3.048 metres from adjoining plot boundary

(4) Where any such building forms or is intended to form part of a block of new dwelling-houses, the dwelling-houses shall be separated by party walls which shall, notwithstanding anything hereinbefore contained, be constructed in accordance with the requirements of the regulations in that behalf.

All dwelling-houses to be separated by party walls

(5) Any such building at and over a height of 30.48 centimetres from the surface of the ground may have all or any of its external walls covered on the outside partly or wholly with combustible material, if such building is at least 7.62 metres from any other building and from the boundary of any adjoining plot or subplot.

Buildings of combustible material to be at least 25 feet from other buildings or adjoining plot boundary

(6) All corrugated iron and wood used in the construction of walls, roofs or fences in connection with any building to which this regulation applies which have been previously used for the structure of other works shall be in good, proper and sightly condition.

**49.** Notwithstanding anything contained in the foregoing regulations, it shall be lawful for the Local Authority to grant permits for any specified period not exceeding twelve months for temporary buildings on such obligations both as to removal thereof and otherwise and generally upon such terms as may be prescribed, and the foregoing regulations shall not apply to any building erected under such a permit unless by express stipulations.

Local Authority may grant permits for temporary buildings

**50.** (1) No person shall erect any traditional hut or commence to erect any traditional hut or make any additions, extensions or structural alterations thereto unless he shall have obtained a permit in writing from the Local Authority.

Traditional huts

(2) The person to whom a permit has been issued shall erect the hut in respect of which the permit shall have been given in accordance with the terms of such permit and on the site indicated by the Local Authority.

(3) The person to whom a permit has been granted by the Local Authority shall complete the building within six months; in the event of failure to do so, a fresh permit must be obtained.

(4) Permits issued shall state the dimensions of the huts and the area of the plot to be left unbuilt upon.

The Laws of Zambia

(5) Each compartment of any hut used for sleeping purposes shall have a superficial floor area of not less than 9.29 square metres, and shall be provided with such window space and means of ventilation as shall equal one-tenth of the floor area. The height of the walls shall not be less than 2.4384 metres.

(6) Before granting a permit, the Local Authority shall be satisfied that sufficient wholesome water supply and sanitary accommodation are available.

*(As amended by Act No. 330 of 1950)*

SCHEDULE

*(Regulation 5)*

PRESCRIBED FORMS

APPLICATION TO ERECT A BUILDING

*For office use only*

Plan submitted.....

Registered No. of plan.....

Date of registration.....

To The Local Authority

.....

I beg to submit herewith plans, sections and elevations for a .....  
(state if new building, alteration, addition or sanitary reconstruction) to be used as.....  
(state whether a domestic building or for what purpose this building will be used) to be executed by me on  
Plot No .....such plot having frontage to  
.....

I also submit the following proposed means of construction and other particulars:

External walls to be built of.....

Internal walls to be built of.....

Mortar in walls to be composed of.....

Damp course to be of.....

Foundations to be of.....

Mortar in foundations to be composed of.....

Roof to be constructed of.....

Water supply from.....

Drainage to sewer/permeable cesspit/impermeable cesspit/septic tank. (*Erase words which do not apply*)

In the case of septic tanks, state how the effluent will be disposed of.....

Material of drain pipes.....

Closet accommodation (*state type*).....

Indoor.....

Outdoor.....

.....

Name of Architect or Draughtsman.....

Address of above.....

Name of Builder (if known).....

Signature of Owner or Agent.....

Address of Owner or Agent.....

NOTE.-Extra particulars as required by the Local Authority are to be furnished in regard to public buildings, high buildings, fireproof structures and buildings in which machinery is used.

SUBMISSION OF PLANS

All plans to be submitted to the Local Authority.

All drawings to be made on cloth, or paper, as required by the Local Authority.

All drawings to be signed by the Owner or his Agent.

All drawings to be accompanied by application form duly completed as required by the Local Authority.

All drawings to be submitted in duplicate and to be of a quality approved by the Local Authority.

The Laws of Zambia

DRAWINGS REQUIRED

Scale one-eighth inch to one foot. Plans of each floor or level, having thickness of walls shown in figures.

Section through building (more than one if building is large or if required by Local Authority).

Scale one-quarter inch to one foot or larger scale. Sections if required by Local Authority of floors and roofs, verandahs and balconies, stairs, iron or steel beams, pillars and principal timbers, pavements, openings, etc., on public streets.

Scale one inch to fifty feet or larger scale. Block plan as follows:

To show plot on which buildings are to be erected.

To show plots immediately adjoining and names of the owners thereof.

To show buildings, existing or proposed, on all these plots.

To show numbers of these plots and names of the streets upon which they abut.

To indicate of what materials existing buildings are composed, i.e. bricks, wood and iron or stone, etc.

To show lines of drainage, giving size and fall of drains.

To show level and width of the street or streets upon which the proposed buildings will abut with reference to their ground floor level.

Office of the Local Authority,  
.....

THE PUBLIC HEALTH (BUILDING) REGULATIONS

BUILDING PERMIT

Permission is hereby given to (1).....to erect a building as a  
(2).....on (3).....in accordance with the plans attached hereto and with all  
conditions imposed by the above Regulations.

.....  
(Name of Officer issuing Permit)

Date.....

- (1) Name and description of applicant.
- (2) Short description of building, e.g. dwelling-house, shop and dwelling-house, factory, etc. (*Modify to suit circumstances.*)
- (3) Description of situation.

REGULATION 2 OF THE PUBLIC HEALTH (BUILDING) REGULATIONS-APPLICATION

*Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 55 of 1953)

City of Kitwe.(No. 55 of 1953)

Chingola Municipality.(No. 191 of 1946)

Chipata Township.(No. 152 of 1950)

Choma Township.(No. 249 of 1950)

Kabwe Municipality.(No. 55 of 1953)

Kafue Township.(No. 181 of 1957)

Kalomo Township.(No. 153 of 1957)

Kasama Township.(No. 280 of 1959)

Luanshya Municipality.(No. 55 of 1953)

Mansa Township.(No. 173 of 1960)

Mazabuka Township.(No. 25 of 1954)

Mbala Township.(No. 227 of 1959)

Mongu Township.(No. 107 of 1967)

Monze Township.(No. 90 of 1954)

Mufulira Municipality.(No. 55 of 1953)



Farm No. 722, Drummond Park, Livingstone District. (No. 214 of 1957)

Regulation 50 applies to-

That area which is adjacent to the Livingstone Municipality, as follows:

Starting at Mile Peg 964 in the Zambia Railways 91.44 metres Strip Reserve, the boundary runs in a straight line east-south-eastwards along the Livingstone Beer Area cut-line boundary on a bearing of 105 degrees for a distance of approximately 9326.8 metres to a point where it meets the right bank of the Nansanzu River; thence down the right bank of this river for approximately 6400.8 metres; thence crossing the Nansanzu River the boundary follows the western boundary of Reserve No. XXV Baleya in a southerly direction to where it crosses the Lutwa Stream; thence southwards down the Lutwa Stream to its confluence with the Songwe Stream; thence in a southwesterly direction down the Songwe Stream to its confluence with the Zambezi River; thence in a straight line westwards to the nearest point in the Zambezi River on the International boundary between Southern Rhodesia and Zambia; thence in a general northwesterly direction upstream along the said International boundary to a point thereon nearest to and opposite the junction of the left banks of the Zambezi and Sinda rivers; thence in a straight line northwards to that junction of the river banks; thence following the left bank of the Sinda River in a north-easterly direction to Beacon No. F239 thereon, the southwestern corner beacon of Farm No. 722 Drummond Park; thence eastwards along the southern boundary of this farm to Beacon No. F236; thence in a straight line east-north-eastwards for a distance of approximately 10607.0 metres to Mile Peg 964, the point of starting.

The Livingstone Municipality and the Victoria Falls Conservancy Area do not form part of the above described area and are hereby specifically excluded therefrom.

The above described area in extent approximately 41,200 acres is shown bordered red on Plan No. 223 deposited in the office of the Surveyor-General.

(No. 116 of 1950)

SECTION 75-THE PUBLIC HEALTH (CONTROL OF HABITATION IN FACTORIES, WORKSHOPS AND TRADE PREMISES) REGULATIONS

*Government Notices*  
275 of 1952  
291 of 1964

*Regulations by the Minister*

1. These Regulations may be cited as the Public Health (Control of Habitation in Factories, Workshops and Trade Premises) Regulations.

Title

2. The Minister may, by statutory notice, declare that on and after a date specified in such notice the whole of these Regulations shall apply to the whole of or only to such part of the area of any Local Authority as shall be specified in such notice.

Application of  
Regulations

(As amended by No. 291 of 1964)

3. No person shall use any factory, workshop or trade premises for residential or sleeping purposes except as provided in these Regulations. Prohibition as to use, etc.

4. The Local Authority, on the advice of the Medical Officer of Health, may grant to the owner or occupier of any factory, workshop or trade premises permission in writing to use any part of the premises for residential or sleeping purposes or both such purposes if such part of the premises is suitable for the purpose and complies with the provisions of regulation 42 of the Public Health (Building) Regulations and with any other relevant provisions of or regulations made under the Act, or regulations or by-laws made, or deemed to be made, under the Local Government Act. Power of Local Authority to grant permit  
Cap. 281

5. The owner or occupier of any factory, workshop or trade premises who suffers such premises to be used in such manner as to contravene any of the provisions of these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding seven hundred and fifty penalty units. Penalty

*(As amended by Act No. 13 of 1994)*

REGULATION 2 OF THE PUBLIC HEALTH (CONTROL OF HABITATION IN FACTORIES, WORKSHOPS  
AND TRADE PREMISES) REGULATIONS-APPLICATION

*Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 375 of 1953)

City of Kitwe.(No. 375 of 1953)

City of Ndola.(No. 375 of 1953)

Chingola Municipality.(No. 375 of 1953)

Chipata Township.(No. 375 of 1953)

Choma Township.(No. 375 of 1953)

Kabwe Municipality.(No. 375 of 1953)

Kafue Township.(No. 333 of 1957)

Kalomo Township.(No. 375 of 1953)

Kasama Township.(No. 273 of 1959)

The Laws of Zambia

Livingstone Municipality.(No. 375 of 1953)

Luanshya Municipality.(No. 375 of 1953)

Mansa Township.(No. 176 of 1960)

Mazabuka Township.(No. 375 of 1953)

Mbala Township.(No. 206 of 1959)

Mongu Township.(No. 112 of 1967)

Monze Township.(No. 375 of 1953)

Mufulira Municipality.(No. 375 of 1953)

Pemba Township.(No. 375 of 1953)

THE PUBLIC HEALTH (ABATTOIR AND TRANSPORT OF MEAT) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. Outside slaughter houses: approval necessary
5. Meat conveyed into district of Local Authority to be examined and passed
6. Suitable vehicles to be used for transport and meat protected
7. Stamping and passing of meat
8. Obstructing examination of meat
9. Local Authority shall fix hours of slaughtering
10. Persons using abattoir shall obey regulations and lawful orders
11. Prohibition of alcohol
12. Owners' responsibility for animals brought to abattoir
13. Interference with animals in abattoir
14. Animals awaiting slaughter to be fed and watered
15. Humane methods of slaughter
16. Prohibition of straying animals in abattoir
17. Animals to be slaughtered without delay
18. Animals to be slaughtered within 36 hours
19. Prohibition of dogs, etc.
20. Prevention of the fouling of floors
21. Responsibility of owners for cleansing abattoir after use
22. Sumps and receptacles to be emptied according to instructions of Local Authority
23. Prohibition of unauthorised persons entering the abattoir
24. Cleanliness in person and clothes required in persons using the abattoir
25. Medical Officer of Health can call for inspection of all persons employed in abattoir
26. Prohibition of persons suffering from infectious diseases or open sores and of persons not clean in person or clothing
27. Introduction of diseased animals
28. Carcasses found or suspected of being diseased to be placed in special area
29. Portions of meat not to be removed from carcasses until inspected
30. Disposal of condemned meat
31. Disposal of rejected meat
32. Any authorised officer can cut up carcass when inspecting
33. Suspension of all or any of these Regulations
34. Penalties

SECTION 82-THE PUBLIC HEALTH (ABATTOIR AND TRANSPORT OF MEAT) REGULATIONS

*Regulations by the Minister*

*Government Notices*  
78 of 1932  
3 of 1934  
12 of 1937  
175 of 1954  
135 of 1957  
291 of 1964  
*Act*  
51 of 1963  
42 of 1992  
13 of 1994

1. These Regulations may be cited as the Public Health (Abattoir and Transport of Meat) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

*(As amended by No. 291 of 1964)*

3. In these Regulations, unless the context otherwise requires- Interpretation

"abattoir" means all buildings, spaces, lairages and appurtenances within the abattoir site provided by the Government or Local Authority;

"animal" means bull, ox, bullock, cow, heifer, steer, calf, sheep, lamb, goat, pig or other quadruped commonly used for the food of man;

"butcher" means a person whose business it is to prepare for sale or to sell meat for the food of man;

"butchers' meat" means the flesh or offal of any bull, ox, bullock, cow, heifer, steer, calf, lamb, goat, pig or other quadruped intended for the food of man, but does not include canned meat or potted meat;

"Livestock Officer" means a Livestock Officer and Assistant Livestock Officer in the employment of the Government, and includes any person appointed by the Director of Veterinary Services to act as such within the district of one or more Local Authorities;

"Veterinary Officer" means the Director of Veterinary Services and any Government Veterinary Officer and includes any veterinary practitioner appointed by the Director of Veterinary Services to act as a Veterinary Officer in any area specified in such appointment.

*(As amended by No. 12 of 1937, No. 175 of 1954 and Act No. 51 of 1963)*

4. No person shall introduce for sale into the district of the Local Authority any carcass (other than game) or butchers' meat of animals slaughtered outside the district of the Local Authority, unless such animals were slaughtered at places approved by a Medical Officer of Health or Veterinary Officer.

Outside slaughter houses: approval necessary

*(As amended by No. 135 of 1957)*

5. Every owner or consignee of any butchers' meat or dead animals intended for the food of man which may be conveyed or transported into the district of the Local Authority for the purposes of sale shall submit such butchers' meat or dead animals for the purpose of examination and stamping or branding, between the hours appointed for the purpose by the Local Authority on any lawful trading day, at such places as the Local Authority may, from time to time, appoint:

Meat conveyed into district of Local Authority to be examined and passed

Provided that, except in so far as the Local Authority may allow in respect of meat and offal imported from a recognised place of slaughter and separated from other parts of the carcass, no such meat will be inspected or allowed to be brought within the district of the Local Authority except under the following conditions:

Conditions governing carcasses brought in from outside

- (a) The carcasses of pigs shall be brought for inspection whole with the head attached, and shall be accompanied with all the viscera, excepting the stomach, intestines and urinary bladder;
- (b) The carcasses of calves, sheep, lambs and goats shall be brought for inspection whole:  
Provided that the head may be detached if it be distinctly marked as to what carcass it belongs; and such carcasses shall be accompanied with all the viscera, excepting the stomach, intestines and urinary bladder;
- (c) The carcasses of bulls, oxen, bullocks, cows, heifers or steers shall be brought for inspection whole, halved or quartered with the heads detached, but, in the latter case, the several portions of such divided carcasses must be brought for inspection distinctly marked by the owners, and so that, if more than one carcass so divided is brought, the inspector may know to what animals the several portions belong, and, further, the carcasses shall be accompanied with all the viscera, excepting the stomach, intestines and urinary bladder.

*(As amended by No. 135 of 1957)*

6. (1) All meat conveyed within the district of the Local Authority as aforesaid shall be carried in suitable vehicles, and completely and efficiently protected from dust by means of a clean and suitable covering, which shall be thoroughly cleansed on each occasion immediately before use.

Suitable vehicles to be used for transport and meat protected

(2) All vehicles used for the transport of meat shall have the owner's name and address painted on a conspicuous part of the vehicle, in letters not less than two inches deep.

(3) No vehicle used for the transport of meat may be used for any other purpose without the approval of the Local Authority.

*(As amended by No. 135 of 1957)*

7. A person shall not offer or expose or deposit for sale or have in his possession for the purpose of sale or delivery within the district of the Local Authority butchers' meat, unless the same has been examined, branded, stamped or otherwise marked, and passed by the officers authorised by the Medical Officer of Health.

Stamping and passing of meat

The Laws of Zambia

- 8.** A person shall not directly or indirectly, obstruct or resist the examination referred to in regulation 5, or refuse to answer or knowingly make false answer to any inquiry in connection therewith. Obstructing examination of meat
- 9.** The Local Authority shall, from time to time, fix the hours during which the slaughtering of animals and the dressing and removal of carcasses may be carried out within the abattoir. Local Authority shall fix hours of slaughtering
- 10.** Every person employed in or using the abattoir shall be subject to the regulations herein concerning such abattoir and shall obey any orders lawfully given by the officer in charge or any other person appointed by the Local Authority. Persons using abattoir shall obey regulations and lawful orders
- 11.** A person shall not take spirits or intoxicating liquors into the abattoir, or be in possession of any spirits or intoxicating liquors therein. Prohibition of alcohol
- 12.** Owners of animals brought into the abattoir shall be responsible for such animals and shall make good any damage done by them therein. Owners' responsibility for animals brought to abattoir
- 13.** No person shall, without the authority of the owner or the officer in charge, interfere with the animals in the abattoir: Interference with animals in abattoir
- Provided that any Medical Officer of Health, Veterinary Officer, Health Inspector or Livestock Officer shall, at all times, have free access to the animals for the purpose of inspection.
- 14.** All animals brought into the abattoir shall, while awaiting slaughter, be watered and treated with due and proper care by the owner or his representatives, and such owner or representative shall not suffer or cause such animals to be without food for more than twenty-four hours or without a sufficient quantity of wholesome water. Animals awaiting slaughter to be fed and watered
- 15.** Every person who shall slaughter or assist in the slaughtering of any animal shall adopt all practical means of ensuring the infliction of as little pain or suffering as possible, and to that end shall conform to and carry out all directions which shall be given, from time to time, by the Local Authority or its officers. Humane methods of slaughter
- 16.** Animals shall not be allowed to stray at large within the abattoir, but shall be kept in the pens provided for that purpose. Prohibition of straying animals in abattoir
- 17.** Every person bringing or causing to be brought any animal to the abattoir shall cause the same to be slaughtered and the carcass thereof to be removed with the least possible delay. Animals to be slaughtered without delay
- 18.** Animals shall not be permitted to be kept in the abattoir, awaiting slaughter, for a longer period than thirty-six hours. Animals to be slaughtered within 36 hours

- 19.** A person shall not bring, keep or suffer to be brought or kept within the abattoir any dog, cat, fowl, duck or goose, or any animal not required on the premises, except those intended for slaughter for human consumption. Prohibition of dogs, etc.
- 20.** Every person engaged in the killing or dressing of any animal shall cause the contents of the stomach and entrails of such animals to be emptied with the least possible delay into proper receptacles and shall take every possible care to prevent the fouling of the floors. Prevention of the fouling of floors
- 21.** Every person engaged in slaughtering at the abattoir shall, as soon as possible after the completion of any slaughtering or dressing of the carcasses, remove all blood, manure, garbage, filth or other refuse products, and shall cause every part of the floor or pavement, and the surface of every wall or pillar or other portion of the chamber on which any blood, liquid or filth may have been spilt or splashed, or with which any offensive or noxious matter may have been brought in contact during the process of slaughtering or dressing any animal, and every article and appliance which may have been used in the slaughtering and dressing, to be thoroughly cleansed and washed immediately after the completion of such slaughtering or dressing, and shall so flush the floor and walls that no dirt or refuse shall remain on them, and that all such dirt or refuse shall flow into the sumpt provided for that purpose. The Local Authority may, if it thinks fit, engage a person or persons to perform the services enumerated herein and shall, in that case, charge a fee for each animal slaughtered, which fee shall be payable in advance. Responsibility of owners for cleansing abattoir after use
- 22.** All blood and refuse emptied into sumps or other receptacles shall be removed daily, as soon as the slaughtering and dressing are completed, to such places as may, from time to time, be appointed by the Local Authority, and shall be there disposed of in the manner laid down by the Local Authority. Sumps and receptacles to be emptied according to instructions of Local Authority
- 23.** No persons other than those using or employed in the abattoir and any Medical Officer of Health, Veterinary Officer, Health Inspector or Livestock Officer shall be allowed in the abattoir without the permission of the officer in charge: Prohibition of unauthorised persons entering the abattoir
- Provided that it shall be competent for the Local Authority, by means of an order, to grant such permission to any person.
- 24.** Every person employed in the slaughtering of animals or in the handling of carcasses or meat shall be clean in person and in good health, and shall, when handling carcasses or meat, wear a clean smock or overall and such other clean garments as the Medical Officer of Health may require. Cleanliness in person and clothes required in persons using the abattoir
- 25.** All persons employed in the slaughtering of animals or the handling of meat and carcasses shall submit themselves for medical examination to the Medical Officer of Health or Health Inspector when called upon to do so by the Medical Officer of Health. Notices calling for medical inspection shall be posted in some prominent position within the precincts of the abattoir. Medical Officer of Health can call for inspection of all persons employed in abattoir
- 26.** No person suffering from any infectious or contagious disease, and no person who has been in contact with any person so suffering who has not been disinfected to the satisfaction of the Medical Officer of Health thereafter, and no person having any discharge, ulcer or sore, and no person whose body or clothing is not in a clean condition, shall be allowed to enter the abattoir, or shall be allowed in any way to take part or assist in the slaughtering or handling of animals or carcasses therein. Prohibition of persons suffering from infectious diseases or open sores and of persons not clean in person or clothing



- 27.** Every person bringing into the abattoir, either by himself or his servants, any animal which is diseased or suspected of being diseased shall take the same to the place set apart for the reception of such animals, and shall immediately inform the responsible officer of the Local Authority. Introduction of diseased animals
- 28.** Any person slaughtering or assisting in slaughtering at the abattoir any animal which, after being slaughtered, is found or suspected of being diseased shall take the carcass thereof to the place set apart for the reception of the carcasses of diseased animals, and shall immediately inform the responsible officer of the Local Authority. Carcasses found or suspected of being diseased to be placed in special area
- 29.** No person shall cut away or remove from any carcass any portions thereof, diseased or otherwise, before inspection of the carcass by the Medical Officer of Health, Veterinary Officer, Health Inspector, Livestock Officer or person authorised in writing by the Medical Officer of Health or Veterinary Officer to carry out inspections of carcasses or meat. Portions of meat not to be removed from carcasses until inspected
- 30.** The carcasses of animals condemned on account of disease or other reason as unfit for human consumption shall be dealt with and disposed of by the owner thereof, in such manner as the Medical Officer of Health or Veterinary Officer shall direct. Disposal of condemned meat
- 31.** The carcasses of animals submitted for examination and rejected on account of non-compliance with the conditions laid down in regulation 5 shall be dealt with and disposed of by the owner thereof in such manner as the Medical Officer of Health or Veterinary Officer shall direct. Disposal of rejected meat
- (No. 3 of 1934)
- 32.** Any duly authorised officer, when inspecting carcasses, either whole or in halves or quarters or otherwise, may cut into any portion of a carcass during the course of his inspection, and no liability shall be incurred by reason of anything which he does for the purposes of inspection or examination. Any authorised officer can cut up carcass when inspecting
- 33.** To meet cases of emergency, the Medical Officer of Health or the Veterinary Officer may authorise the suspension of all or any of these Regulations. Suspension of all or any of these Regulations
- 34.** Any person guilty of an offence against or contravention of, or default in complying with, any provision of these Regulations shall be liable, on conviction, to a fine not exceeding seven hundred and fifty penalty units, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which the offence, contravention or default continues. Penalties

(As amended by Act No. 13 of 1994)

REGULATION 2 OF THE PUBLIC HEALTH (ABATTOIR AND TRANSPORT OF MEAT)  
REGULATIONS-APPLICATION

*Notice by the Minister*

The whole of the Regulations apply to-

City of Ndola.(No. 98 of 1932)

SECTION 82-THE PUBLIC HEALTH (LIVINGSTONE ABATTOIR) (SLAUGHTER OF WESTERN PROVINCE CATTLE) REGULATIONS

*Regulations by the Minister*

*Government Notices  
3 of 1939  
497 of 1964  
Act  
13 of 1994*

- |  |   |
|--|---|
| <p>1. These Regulations may be cited as the Public Health (Livingstone Abattoir) (Slaughter of Western Province Cattle) Regulations.</p>   | <p>Title</p>  |
| <p>2. In these Regulations, unless the context otherwise requires-</p> <p>"abattoir" means the municipal abattoir at Livingstone;</p> <p>"cattle" means cattle exported from the Western Province of Livingstone.</p>  | <p>Interpretation</p>   |
| <p>3. No cattle shall be slaughtered except in the abattoir and under the direct supervision and control of an official of the Veterinary Department.</p>  | <p>Slaughter to be under control of Veterinary Department</p> |
| <p>4. Cattle shall be slaughtered at such times as the official of the Veterinary Department controlling such slaughtering shall direct.</p>   | <p>Time of slaughtering</p>                                   |
| <p>5. The organs contained in the chest cavity and the parietal pleura and any other portions (including the whole) of the carcasses of cattle, as the official of the Veterinary Department supervising the slaughtering shall direct, shall be destroyed by being incinerated within the abattoir enclosure.</p>                         | <p>Portions of carcasses to be incinerated</p>                |
| <p>6. Any official of the Veterinary Department may order the person in charge of the abattoir to take such precautions as such official may think fit to ensure that no cattle shall escape from the abattoir enclosure, and that the portions of carcasses which are to be destroyed under regulation 5 are efficiently incinerated.</p> | <p>Precautions to be taken as ordered</p>                     |
| <p>7. If the person in charge of the abattoir fails to carry out any order given by the official of the Veterinary Department under the last preceding regulation, he shall be guilty of a breach of these Regulations.</p>  | <p>Failure to obey order to be an offence</p>                 |
| <p>8. Any person committing or assisting in the commission of a breach of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding seven hundred and fifty penalty units.</p>   | <p>Penalty</p>  |

*(As amended by Act No. 13 of 1994)*

THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I  
GENERAL

*Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. No meat to be sold unless marked as fit for consumption
5. Obstruction of authorised officer
6. Onus of proof

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MANAGEMENT OF ABATTOIRS

7. Abattoir provided by Local Authority
8. Persons slaughtering animals to comply with First Schedule
9. Dead or dying animals
10. Examination by Veterinary Officer before slaughter
11. Animals awaiting slaughter to be fed and watered
12. Straying animals
13. Animals to be slaughtered without delay
14. Exclusion of animals not intended for slaughter
15. Prevention of fouling of floors
16. Persons slaughtering to cleanse abattoir after use
17. Cleanliness in person and dress
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19. Communicable diseases
20. Diseased animals
21. Disposal of suspected or diseased carcasses
22. Local Authority to fix days for slaughtering
23. Fees

PART III  
INSPECTION AND MARKING OF MEAT

*Regulation*

24. Exclusion from abattoir of persons convicted of obstruction
25. Meat Inspector to comply with Second Schedule
26. Cutting of carcasses
27. Meat Inspector to comply with Third Schedule
28. Meat Inspector to mark meat passed as fit
29. Meat Inspector to seize meat not passed as fit
30. Unauthorised persons not to interfere with seized carcasses
31. Owner to be notified of seizure
32. Voluntary surrender of seized meat
33. Seized meat not voluntarily surrendered
34. Seized meat found fit for consumption
35. Disposal of seized meat found unfit for consumption
36. No responsibility for loss due to decomposition
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SECTIONS 82 AND 114-THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS

*Regulations by the Minister*

*Government Notices*

154 of 1940

213 of 1943

139 of 1946

326 of 1950

172 of 1952

169 of 1954

136 of 1957

291 of 1964

*Statutory Instrument*

45 of 1966

92 of 1992

*Act*

51 of 1963

13 of 1994

PART I

GENERAL

1. These Regulations may be cited as the Public Health (Meat, Abattoir and Butcheries) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole or only such part of the district of any Local Authority as shall be defined in such notice.

Application of Regulations

*(As amended by No. 291 of 1964)*

3. In these Regulations, unless the context otherwise requires-

Interpretation

"abattoir" means a place provided by the Government or by the Local Authority or approved by the Local Authority for the slaughter of animals intended for sale for the food of man and includes all buildings, lairs, stalls and spaces within the abattoir site;

"animal" means bull, ox, bullock, cow, heifer, steer, calf, sheep, lamb, goat or other quadruped commonly used for the food of man;

"butcher" includes the owner, occupier and manager of a butchery;

"butchery" means any premises in which is carried on any of the processes of or incidental to the selling, storage or preparation of meat or meat products for the use of persons other than those residing on the premises;

"meat" means the flesh or offal or other part used or intended for the food of man derived from any animal as defined above, but does not include canned meat, potted meat, bacon or ham;

"Meat Inspector" means any suitably qualified person employed by any Local Authority to act as Meat Inspector or any other suitably qualified person authorised in writing by the Director of Medical Services to act as such.

"offal" means the skin, head, horns, feet, trotters, stomach and intestines from any animal as defined above;

"cleaned offal" means offal which has been cleaned and skinned or scraped to the satisfaction of the Medical Officer of Health;

"uncleaned offal" means offal which has not been cleaned and skinned or scraped to the satisfaction of the Medical Officer of Health.

*(As amended by No. 139 of 1946, No. 169 of 1954, Act No. 51 of 1963 and S.I. No. 42 of 1992)*

4. (1) From the commencement of the whole or any part of these Regulations no person shall expose, offer, deposit or accept for sale or for consumption in a restaurant or sell or deliver within any area to which these Regulations apply any meat unless the same has been examined and stamped or branded or otherwise marked as may be approved by the Local Authority as having been passed by the Meat Inspector as fit for use as the food of man.

No meat to be sold unless marked as fit for consumption

(2) For the purposes of this regulation, "restaurant" includes a tea room, hotel or boarding-house and means any premises where any article of food or drink is sold, or is prepared or cooked for sale, for consumption on the premises.

(As amended by Act No. 136 of 1957)

5. No person shall directly or indirectly obstruct or resist the Meat Inspector, the Medical Officer of Health, the Veterinary Officer or other duly authorised officer in the lawful execution of any of the provisions of these Regulations. Obstruction of authorised officer

6. Where any question shall arise as to whether any carcass or meat was intended for sale or was intended for the food of man, the onus of proof that such carcass or meat was not so intended shall rest upon the owner of such carcass or meat. Onus of proof

## PART II

### MANAGEMENT OF ABATTOIRS

7. Where an abattoir is available in the area of a Local Authority, no person shall slaughter any animal the flesh of which is intended for sale for the food of man in any other place within the area of the Local Authority. Abattoir provided by Local Authority

8. Every person engaged in the work of slaughtering animals the flesh of which is intended for sale as food of man and every person engaged in the dressing of carcasses intended for such purpose or engaged in any way in the preparation of such carcasses or of meat derived therefrom shall comply with the instructions in the First Schedule. Persons slaughtering animals to comply with First Schedule

9. No person shall bring any dead or dying animal into any abattoir without first obtaining the written consent of the Veterinary Officer. Dead or dying animals

10. When such is thought necessary by the Meat Inspector and the same is reasonably practicable, an animal intended for slaughter for sale as the food of man shall be examined by a Veterinary Officer before slaughter and for this purpose the Meat Inspector may prohibit the slaughter of any animal until such examination shall have been made, provided that slaughter may not be delayed more than twenty-four hours for this purpose. Examination by Veterinary Officer before slaughter

11. All animals brought into the abattoir shall be fed, watered and treated with due and proper care by the owner or his representative, and such owner or his representative shall not suffer or cause such animals to be without food for more than twenty-four hours nor to be at any time without a sufficient quantity of wholesome water. Animals awaiting slaughter to be fed and watered

12. No animal shall be allowed to stray at large within the abattoir but shall be kept by the owner in the pens provided for that purpose. Straying animals

- 13.** Every person bringing or causing any animal to be brought to the abattoir shall cause the same to be slaughtered and the carcass thereof, if passed, to be removed with the least possible delay, and in no case may any animal be kept in the abattoir awaiting slaughter for a longer period than thirty-six hours. Animals to be slaughtered without delay
- 14.** No person shall bring or keep or suffer to be brought or kept within the abattoir any animal save those intended for slaughter for the food of man. Exclusion of animals not intended for slaughter
- 15.** Every person engaged in the slaughter of any animal or the dressing or preparation of any carcass shall cause the contents of the stomach and entrails of such animal to be emptied with the least possible delay into proper receptacles and shall take every possible care to prevent fouling of the floors. Prevention of fouling of floors
- 16.** Every person engaged in slaughtering or engaged in the dressing or handling of any carcass or meat at any abattoir shall as soon as possible after the completion of such slaughtering, dressing or handling remove all blood, manure, garbage, filth or other refuse and shall cause every part of the floor or pavement and the surface of every wall, pillar or other portion of the abattoir on which any blood, manure, garbage, filth or other refuse may have been splashed or deposited, or with which any offensive or noxious matter may have been in contact and every article and appliance which may have been used in slaughtering, dressing or handling, to be thoroughly washed and cleansed immediately after the completion of such slaughtering, dressing or handling, and shall so flush the floor and walls that no dirt or refuse shall remain on them, and all blood, manure, garbage, filth or other refuse removed or washed from the abattoir in accordance with this regulation shall be disposed of as may be directed by the Meat Inspector. Persons slaughtering to cleanse abattoir after use
- 17.** Every person engaged in the slaughtering of animals or the dressing or handling of carcasses or meat shall be clean in person and shall, when dressing or handling carcasses or meat, wear a clean smock or overall over his other garments which shall also be clean to the satisfaction of the Meat Inspector. Cleanliness in person and dress
- 18.** All persons engaged in slaughtering animals or in dressing or handling carcasses or meat shall submit themselves to medical examination by the Medical Officer of Health when called upon to do so by the Medical Officer of Health, Veterinary Officer or Meat Inspector and, if it shall appear to the Medical Officer of Health, Veterinary Officer or Meat Inspector that any person engaged as aforesaid is not in good health, the Medical Officer of Health, Veterinary Officer or Meat Inspector may exclude such person from the abattoir until such person has been examined by the Medical Officer of Health and reported to be in good health. Medical examination
- 19.** No person suffering from any contagious or infectious disease shall enter any abattoir; and no person who has been in contact with any person so suffering or who has any discharge, ulcer or sore shall enter any abattoir without authority from the Medical Officer of Health. Communicable diseases
- 20.** Every person bringing into any abattoir either by himself or by his servants any animal which is diseased or suspected of being diseased shall take the same to the place, if any, set apart for the reception of such animals and, if no special place shall have been so set apart, shall inform the Meat Inspector of having taken to the abattoir an animal diseased or suspected of being diseased and shall immediately take such animal to such place in or part of the abattoir as the Meat Inspector may direct. Diseased animals



**21.** Any person slaughtering or assisting in slaughtering at any abattoir any animal which after slaughter is found or suspected to be diseased or abnormal shall take the carcass of such animal to the place, if any, set apart for the reception of the carcasses of diseased animals and shall immediately inform the Meat Inspector of having done so. If no special place shall have been set apart as aforesaid, any person slaughtering or assisting in slaughtering at any abattoir any animal which after slaughter is found or suspected to be diseased or abnormal shall immediately inform the Meat Inspector of such finding or suspicion and shall take the carcass of such animal to such place in or part of the abattoir as the Meat Inspector may direct.

Disposal of suspected or diseased carcasses

**22.** The Local Authority may fix the days on which the slaughtering of animals may be carried out within the abattoir and may fix the time at or before which any animal brought into the abattoir for slaughtering shall be placed in the pen provided for the keeping of such animal. A notice specifying such days and time shall be affixed to the door of the abattoir or posted up in some other conspicuous place within the abattoir.

Local Authority to fix days for slaughtering

*(No. 213 of 1943)*

**23.** An inclusive fee for each kilo dressed weight may be charged by a Local Authority or Meat Inspector in respect of each or any combination of the following, namely the slaughtering, examination, stamping, branding, marking, re-examination re-stamping, re-marking of any animal or meat or carcass. Such fee shall become due and payable upon the rendering of an account thereof by the Local Authority or the Meat Inspector.

Fees

*(As amended by S.I. No. 92 of 1992)*

### PART III

#### INSPECTION AND MARKING OF MEAT

**24.** No person shall interfere with or obstruct the Meat Inspector, the Medical Officer of Health, the Veterinary Officer or other duly authorised officer in the course of the duties incidental to the examination and marking of meat as required by these Regulations, and any person convicted of a breach of this regulation may be excluded by the Meat Inspector from the abattoir.

Exclusion from abattoir of persons convicted of obstruction

**25.** In the examination of meat intended for sale for the food of man, the Meat Inspector shall inspect the whole carcass with the internal organs and shall comply with the instructions contained in the Second Schedule.

Meat Inspector to comply with Second Schedule

**26.** Notwithstanding any restriction as to cutting any carcass or part of a carcass which may be ordinarily imposed upon the Meat Inspector by the last preceding regulation and the instructions therein referred to, the Meat Inspector or the Medical Officer of Health or the Veterinary Officer may, when inspecting carcasses or any part thereof and when the protection of the public health demands such action, cut into any portion of the carcass or part of the carcass, and no liability shall be incurred by reason of such cutting or by reason of anything which such officers may lawfully do for the purposes of inspection and examination of meat.

Cutting of carcasses

**27.** In determining the action to be taken in the event of evidence of disease or of abnormality being found in any carcass or in the organs or viscera, the Meat Inspector shall comply with the instructions in the Third Schedule.

Meat Inspector to comply with Third Schedule

- 28.** The Meat Inspector having examined in accordance with these Regulations the carcass, organs or viscera of any animal intended for sale for the food of man shall brand, stamp or otherwise mark in a manner approved by the Local Authority all meat passed by him as free from disease, sound, wholesome and fit for the food of man.
- Meat Inspector to mark meat passed as fit
- 29.** The Meat Inspector having examined in accordance with these Regulations the carcass, organs or viscera of any animal intended for sale for the food of man and finding or suspecting the same to be diseased or unsound or unwholesome and unfit for the food of man shall, when such action is directed in the Third Schedule, seize the said carcass, part of a carcass, organ or viscera for examination by the Medical Officer of Health or Veterinary Officer.
- Meat Inspector to seize meat not passed as fit
- 30.** No person save the Medical Officer of Health, Veterinary Officer or a person acting under the instructions of either of them shall remove, cut or in any way interfere with any carcass or part of a carcass, organ or viscera which may have been seized by the Meat Inspector unless and until the same shall have been passed by the Medical Officer of Health or Veterinary Officer.
- Unauthorised persons not to interfere with seized carcasses
- 31.** The Meat Inspector shall within six hours of seizing any carcass, part of a carcass, organ or viscera notify in writing to the owner the fact of and the reason for such seizure. The written notice to the owner, which shall be in the form set out in the Fourth Schedule, may be handed to any representative or employee of the owner at the abattoir.
- Owner to be notified of seizure
- 32.** Any carcass or meat seized by the Meat Inspector in accordance with regulation 29 may be voluntarily surrendered to the Meat Inspector by the owner, and any carcass or meat so surrendered shall be forthwith dealt with in accordance with regulation 35.
- Voluntary surrender of seized meat
- 33.** If any carcass or meat seized by the Meat Inspector is not voluntarily surrendered by the owner, the Meat Inspector shall forthwith notify the Medical Officer of Health or Veterinary Officer who shall, within twenty-four hours of receiving such notice, personally inspect the said carcass or meat.
- Seized meat not voluntarily surrendered
- 34.** Any carcass or meat seized by the Meat Inspector which, in the opinion of the Medical Officer of Health or Veterinary Officer, is fit for the food of man shall be forthwith passed and stamped, branded or otherwise marked as provided for in regulation 28.
- Seized meat found fit for consumption
- 35.** Any carcass or meat seized by the Meat Inspector which is voluntarily surrendered by the owner or which, in the opinion of the Medical Officer of Health or Veterinary Officer, is diseased or unsound or unwholesome and unfit for use as the food of man shall be condemned and shall be destroyed or rendered unsaleable as food of man or animal or otherwise disposed of in such manner as the Medical Officer of Health may direct.
- Disposal of seized meat found unfit for consumption
- 36.** Neither the Local Authority nor the Medical Officer of Health nor the Veterinary Officer nor the Meat Inspector shall be held responsible in any way for any loss which may be suffered by the owner from natural decomposition of meat occurring during the period between slaughter of the animal concerned and inspection by the Medical Officer of Health or Veterinary Officer as provided for in regulation 33.
- No responsibility for loss due to decomposition

**37.** No compensation shall be paid or payable by the Local Authority in respect of any meat which has been lawfully seized, condemned, destroyed or rendered unsaleable or otherwise disposed of in accordance with these Regulations.

No compensation for meat lawfully disposed of

#### PART IV

#### TRANSPORT OF MEAT

**38.** A person shall not introduce for sale into the area of the Local Authority any carcass or meat (other than game) derived from any animal slaughtered outside the area of the Local Authority, unless such animal was slaughtered at a place approved by the Medical Officer of Health and unless the meat was conveyed from the place of slaughter to the area of the Local Authority in a vehicle conforming to the provisions of regulations 41 and 42 and in accordance with the other provisions of this Part.

Outside slaughter

*(As amended by No. 136 of 1957 and No. 45 of 1966)*

**39.** Every owner or consignee of any carcass or meat intended for sale for the food of man which may be conveyed or transported into the area of the Local Authority shall submit such carcass or meat for the purpose of examination, stamping, branding or otherwise marking in accordance with regulation 4 at such place and at such hours on any lawful trading day as the Local Authority may from time to time appoint for such purpose:

Marking of carcasses brought in from outside

Provided that-

- (i) no such carcass or meat shall be brought within the area of the Local Authority except under the conditions prescribed in regulation 38 and in the Fifth Schedule;
- (ii) a Local Authority may waive the conditions set out in the Fifth Schedule in respect of meat and offal imported from a recognised place of slaughter when separate from other parts of the carcass.

*(As amended by No. 136 of 1957)*

**40.** Carcasses or meat brought within the area of the Local Authority in contravention of either of the last two preceding regulations shall be seized by the Medical Officer of Health, Veterinary Officer or Meat Inspector and shall be disposed of in such manner as the Medical Officer of Health may direct.

Seizure of meat brought in unlawfully

**41.(1)** All meat conveyed within the area of the Local Authority or conveyed into the said area as provided for in regulations 38 and 39 shall be conveyed in suitable vehicles and completely and efficiently protected from dust and from the access of insects, and the said vehicles shall on each occasion be thoroughly cleansed immediately after use and if necessary be again cleansed immediately before subsequent use.

Meat to be transported in suitable vehicles

(2) Where uncleaned offal or cleaned offal is so conveyed, it shall be kept in separate watertight vessels of enamelled or galvanised metal, each having a close-fitting lid, so that cleaned offal cannot come into contact with uncleaned offal and so that no offal can come into contact with other meat.

(3) Where all or any of the following parts from any animal, that is to say, the heart, liver, lungs, spleen, tail or tongue, are so conveyed, they shall either-

- (a) be kept in a watertight vessel of enamelled or galvanised metal, having a close-fitting lid; or
- (b) be wrapped in clean, waterproof material;

so that they cannot come into contact with the floor of the vehicle or with any uncleaned offal, cleaned offal or other meat.

*(As amended by No. 45 of 1966)*

**42.** From and after ninety days after the commencement of regulation 41 in the area of any Local Authority, a vehicle used for the conveyance of meat shall not be deemed to be a "suitable vehicle" as required by regulation 41 unless it shall comply with the requirements set out in the Sixth Schedule and be maintained at all times in thoroughly clean condition and in compliance with such requirements. No vehicle used for the transport of meat may be used for any other purpose without the approval of the Local Authority.

Vehicles to comply with Sixth Schedule

*(As amended by No. 136 of 1957)*

**43.** Every vehicle used for the transport of meat shall have the owner's name and address painted on a conspicuous part of the vehicle in letters not less than 5.08 centimetres in height.

Owner's name to be shown on vehicle

## PART V

### BUTCHERIES

**44.** (1) A butcher shall not carry on business in a butchery unless he is in possession of a valid certificate in writing from the Local Authority that such butchery conforms to the provisions of regulation 45.

Butcheries to be approved by Local Authority

(2) Every such certificate shall be exhibited at all times in the butchery to which it relates.

(3) The Local Authority may revoke the certificate at any time on being satisfied that the butchery has ceased to conform to the provisions of regulation 45.

*(As amended by No. 326 of 1950)*

**45. Every butchery shall comply with the following:**

Conditions to be  
complied with by  
butcherries

- (a) The premises shall be constructed of materials approved by the Local Authority. All internal walls are to be rendered with non-absorbent easily cleaned material to a height of at least 6 feet. All floors shall be of non-absorbent material and shall be drained to the satisfaction of the Local Authority;
- (b) Every room, with the exception of a room used as a cold store, must be adequately lighted and ventilated;
- (c) All counters and tables upon which meat is placed shall be surfaced with non-absorbent material;
- (d) The doors and windows shall be provided with effective fly screens of wire gauze of not less than 144 meshes to the square inch and the said screens shall be maintained in a state of thorough repair. All screened doors shall be so made as to be automatically self-closing;
- (e) Every door, window, ventilator or other opening of any butchery shall be so placed as to be at least 6.096 metres from any privy and from the door or window of any stable, and no butchery shall communicate by door or window or otherwise with a sleeping or living room;
- (f) A proper and sufficient supply of pure water, free from risk of contamination, and proper and sufficient latrine accommodation, to the satisfaction of the Medical Officer of Health, shall be provided for all persons employed;
- (g) A dressing room shall be provided in which the overalls of the employees may be kept in a clean and sanitary condition. Such room shall be separate from any place where meat or meat products or materials are stored or handled and shall be furnished with the necessary lavatory accommodation for employees to wash themselves.

**46. Every butcher shall-**

Duties of butchers in  
respect of butcherries

- (a) at all times maintain his butchery in a state of thorough cleanliness and ventilation;
- (b) cause all vessels and utensils and all carts or other vehicles, sacks, baskets or other receptacles used in his business for the preparation, conveyance or storage of meat or meat products to be kept in a clean and wholesome state;
- (c) cause all inside walls of his butchery to be painted with three coats of oil paint or varnish to a height of at least 1.8288 metres from the floor and cause all ceilings and all inside walls above the height of 1.8288 metres to be either painted with three coats of oil paint or varnish or to be limewashed.

Where oil or paint varnish is used it shall be renewed at least once in every five years; where limewash is used it shall be renewed at least once in every six months.

The part of the walls which is painted or varnished in accordance with this regulation shall be washed with hot water and soap at least once in every week;

- (d) cause all persons employed in his butchery to be clean and dressed in clean overalls made of washable materials while so employed;
- (e) maintain in the lavatory a sufficient supply of soap, nail brushes and clean towels for the use of his employees;
- (f) provide suitable means for protecting all meat and meat products from contamination by dust, dirt or flies while retained in the butchery or by means of closed cases or vehicles when in the course of conveyance through the streets of the district of the Local Authority;
- (g) provide a sufficient number of approved vessels or receptacles properly constructed of galvanised iron or other impervious material and furnished with close-fitting covers, for the purpose of receiving or conveying from his butchery all refuse products of the business.

- 47.** No butcher shall keep or permit to be kept or to be sold any uncleaned offal in a butchery in which meat other than uncleaned offal is kept or is sold. Uncleaned offal
- (No. 139 of 1946)*
- 48.** Uncleaned offal shall be only kept and sold in a separate butchery situated on a site approved by the Medical Officer of Health, and such butchery shall conform to the provisions of regulation 45. Separate butchery for uncleaned offal
- (No. 139 of 1946)*
- 49.** No person shall spit in any butchery. Prohibition of spitting
- 50.** No butcher shall at any time keep or cause or suffer to be kept or to be in the butchery any dog, cat, pig or other animal, or any fowl, pigeon or any other bird in the live state. Prohibition of animals in butcheries
- 51.** No butcher shall knowingly cause or permit any person (whether himself or another) suffering from any infectious or contagious disease to be employed in or about his butchery or in the delivery of meat or meat products. Exclusion of persons suffering from communicable disease
- 52.** Every butcher shall without delay inform the Medical Officer of Health of the occurrence of any infectious or contagious disease among any of the persons employed or residing on his premises, and shall comply with any directions the Medical Officer of Health or Health Inspector may give for the purpose of preventing the spread of such disease. Occurrence of communicable disease to be reported
- 53.** All persons engaged in the handling of meat or meat products shall submit themselves to medical examination by the Medical Officer of Health when called upon to do so by him. Medical examination

## PART VI

### PENALTIES AND REVOCATION

- 54.** Any person found guilty of an offence against or contravention of or default in complying with any provision of these Regulations shall be liable on conviction to a fine not exceeding seven hundred and fifty penalty units and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding ninety penalty units for each day during which the offence, contravention or default continues. Penalties
- (As amended by Act No. 13 of 1994)*
- 55.** Whenever these Regulations or any of the provisions thereof shall be applied to the district of any Local Authority or any part thereof, to which district or part thereof the Public Health (Abattoir and Transport of Meat) Regulations apply, the said Public Health (Abattoir and Transport of Meat) Regulations shall cease to apply to such district or part thereof from the date of the application of these Regulations or of any of the provisions thereof to such district or part thereof. Revocation

FIRST SCHEDULE

*(Regulation 8)*

INSTRUCTIONS TO PERSONS ENGAGED IN SLAUGHTERING ANIMALS OR IN DRESSING OR HANDLING OR PREPARING CARCASSES OR MEAT

- 1 Slaughtering shall be carried out only by humane methods approved by the Local Authority.
- 2 Notice of intention to slaughter an animal for emergency reasons shall be made to the Meat Inspector before slaughter and so far as may be practicable all such animals shall be examined alive by a Veterinary Officer.
- 3 Evidence of disease or abnormality in a carcass or organ shall not be modified, obscured or obliterated by washing, rubbing, stripping, or in any other manner except under the direct supervision of the Meat Inspector and in accordance with his instructions.
- 4 In no case other than cases of "back bleeding", "over sticking" or "sticking in" shall any serous membrane be stripped except by direction of the Meat Inspector and in any case of "back bleeding", "over sticking" or "sticking in" in which immediate stripping is necessary to preserve the marketability of the carcass, the membrane shall not be completely detached from the carcass until the membrane has been examined by the Meat Inspector and he has authorised its detachment.
- 5 No carcass presenting evidence of disease shall be wiped down with a wiping cloth used for healthy carcasses and no cloth which has been used for wiping down a diseased carcass shall again be used until it has been boiled for 15 minutes in water containing soda.
- 6 Where the carcass is not examined by the Meat Inspector at the time of slaughter, the whole of the organs and viscera shall be so kept or labelled pending such examination as to enable them to be identified with the carcass from which they have been derived.
- 7 Knives that have been used in cutting any diseased organ, gland or tissue shall not again be used for any purpose until they have been cleansed in boiling water or other disinfectant approved by the Meat Inspector.

SECOND SCHEDULE

*(Regulation 25)*

INSTRUCTIONS TO MEAT INSPECTORS AS TO METHOD OF EXAMINATION OF CARCASSES AND MEAT

PART I

## The Laws of Zambia

### General Instructions

1. When any abnormal condition is observed or suspected, the nature and significance of which cannot be determined by observation and palpation, the part of the carcass, organ or gland shall be incised and the incisions shall be made in such manner as to avoid soiling or contaminating or unnecessarily depreciating the value of any part of the carcass or organ or viscera which may be passed as fit for human consumption.
2. The lymph glands shall be examined by multiple incisions into their substance.
3. All organs and viscera shall be examined as they are removed from the carcass or in such circumstances as will ensure that they are the organs and viscera of the particular carcass.
4. All organs and viscera together with the associated lymph glands shall be examined by observation and palpation, incision being made when necessary.
5. The carcass shall be examined for (1) condition of nutrition; (2) evidence of bruising, haemorrhage, or discoloration; (3) local or general dropsy (oedema); (4) the efficiency of bleeding; and (5) swellings or deformities of bones or joints, or swellings or other abnormality in the musculature.
6. The serous membranes (pleura and peritoneum) shall be examined in every case, and in no case shall they be removed nor shall any evidence of disease be modified or obliterated by washing, rubbing, stripping or in any other manner before examination.
7. Where a carcass is split, the sternum, ribs, vertebrae and spinal cord shall be examined.

## PART II

### Detailed Instructions for Routine Inspection of Carcasses, Organs, and Viscera of Bovines and Swine

1. *Head*-The head, including (a) the surface and substance of the tongue (which shall be loosened but not detached before examination, (b) the palate or roof of the mouth and (c) the lymph glands of the throat (retropharyngeal, submaxillary and parotid), shall be examined; and the cheek muscles shall be examined by a linear incision parallel to the lower jaw.
2. *Abdominal Cavity*-(a) *Stomach, Intestines and Spleen*.-The inner and outer surface of the stomach and intestines and the surface and substance of the spleen shall be examined, together with the glands of the stomach and bowel (gastro-splenic and mesenteric) and the web (omentum). (b) *Liver*.- The surface and substance of the liver shall be examined, an incision being made into the thick end in the case of cattle. The associated glands (hepatic) shall also be examined and the bile ducts incised. (c) *Kidneys*.-The lymph glands of the kidneys (renal) and the adrenal glands shall be examined before the removal of the kidneys. Thereafter the kidneys shall be removed and the surface examined and, if necessary, the kidneys shall be split by incision and the substance examined. (d) *Uterus and Ovaries*.-The inner and outer surface of the uterus and the substance of the ovaries shall be examined.
3. *Thoracic Cavity*.-The pluck shall be examined in the following manner before the various organs are separated from each other:
  - (a) *Lungs*.-The lungs shall be examined by observation and by palpation and, unless obviously diseased, they shall be incised at the base. The associated lymph glands (bronchial and mediastinal) shall also be examined and, unless obviously diseased, shall be incised.
  - (b) *Heart*.-The heart sac (pericardium) shall be opened; and the walls of the heart shall be incised so as to open the ventricles.
4. *Udder*.-The udder shall be examined by observation and by palpation; incisions shall be made at the base of the teats; and the associated glands (supramammary) shall also be incised.
5. *Testicles and Penis*.-The outer surface and the substance of the testicles and penis and the superficial inguinal glands shall be examined.
6. *Serous Membranes*.-The lining (serous) membranes of the chest and abdomen (pleura and peritoneum) shall be examined in every case.
7. The following lymph glands shall be examined as a matter of routine in *all* cases:
  - (a) retro-pharyngeal (in bovines) and submaxillary (in swine);
  - (b) bronchial and mediastinal;
  - (c) hepatic; and
  - (d) mesenteric.

## PART III



The Laws of Zambia

*Additional Instructions as to Method of Inspection for Evidence of Tuberculosis in Bovines and Swine*

1. All organs and viscera and the associated lymph glands shall be examined for evidence of tuberculosis both in the substance and in the covering membranes (capsules). *The existence of tuberculosis in the lymph gland of an organ shall be held to be evidence of the disease in the organ.*

2. The carcass lymph glands shall be examined in accordance with the following instructions (the glands in every case being exposed before examination, and incised):

- (a) when visible evidence of tuberculosis is found in a carcass or in the organs or viscera, those glands which, having regard to such visible evidence, are least likely to be infected shall be examined first, e.g., if evidence of tuberculosis is found on the pleura, the glands of the hindquarters shall be examined before those of the forequarters;
- (b) if a tuberculous lesion or an abscess is found in any carcass lymph gland, all the other carcass lymph glands shall be examined;
- (c) if evidence of tuberculous disease is found on a serous membrane (pleura or peritoneum), all the carcass lymph glands shall be examined;
- (d) if the throat glands (retro-pharyngeal, submaxillary or parotid) are affected with tuberculosis, the cervical, pre-pectoral and pre-scapular glands shall be examined;
- (e) if the bronchial and/or mediastinal glands are affected with tuberculosis, the pre-pectoral, supra-sternal, pre-scapular, intercostal and xiphoid glands shall be examined;
- (f) if the liver and/or the associated lymph glands (hepatic) are affected with tuberculosis, all the carcass lymph glands shall be examined;
- (g) if the bowel glands (mesenteric) are affected with tuberculosis, the superficial inguinal (or supramammary), the lumbar, renal, iliac and pre-crural glands shall be examined;
- (h) if the uterus is affected with tuberculosis, the iliac pre-crural, lumbar and sacral glands shall be examined;
- (i) if the penis or the testicles are affected with tuberculosis, the superficial inguinal, iliac, sacral, popliteal and pre-crural glands shall be examined;
- (j) if tuberculous lesions are found in the bones, joints, limbs or the spinal cord, all the carcass lymph glands shall be examined;
- (k) if the submaxillary gland in a pig is affected with tuberculosis, the carcass shall be split and all the carcass lymph glands shall be examined;
- (l) the carcass of a pig in which lesions of tuberculosis are found in any situation or in any degree shall be split and the bones of the vertebrae examined and all the carcass lymph glands shall be examined.

THIRD SCHEDULE

*(Regulation 27)*

INSTRUCTIONS TO MEAT INSPECTORS AS TO ACTION TO BE TAKEN IN THE EVENT OF EVIDENCE OF DISEASE  
OR ABNORMALITY BEING FOUND IN ANY ANIMAL

PART I

The Laws of Zambia

*Evidence of Tuberculosis*

1. An organ shall be seized when tuberculosis exists on its capsule, or in its substance, or in the associated lymph glands.
2. The head, including the tongue, shall be seized-
  - (a) when the retro-pharyngeal, parotid and submaxillary glands, or any two of these, are affected;
  - (b) when the retro-pharyngeal gland alone in bovines, or the submaxillary gland alone in swine, is affected, unless the lesions are small, inactive and calcareous, and the gland is not enlarged, in which case the head shall be passed, after removal of the glands, the base of the tongue, and the pharynx with the structures in its immediate neighbourhood.
3. The entire carcass, and all the organs and viscera, shall be seized when the following conditions are found:
  - (a) tuberculosis with emaciation;
  - (b) generalized tuberculosis.

In determining whether the disease is generalised, the judgment shall be based on the sum of the evidence of disease throughout the entire carcass and organs. The following shall be regarded as evidence of this condition:

- (i) miliary tuberculosis of both lungs, with any evidence of tuberculosis elsewhere;
- (ii) where lesions are multiple, acute and actively progressive;
- (iii) where there is multiple and widespread infection of the carcass lymph glands;
- (iv) where there are diffuse acute lesions of both serous membranes (pleura and peritoneum) and any of the carcass lymph glands are enlarged or contain visible tuberculous lesions;
- (v) where, in addition to the presence of tuberculous lesions in the respiratory and digestive tracts, there are also lesions present in the substance of any two of the following:-spleen, kidney, udder (or uterus or ovary), testicle, brain and spinal cord or their membranes;
- (vi) congenital tuberculosis in calves.

4. All cases of tuberculosis not included in paragraph 3 shall be regarded and treated as localised lesions, and the parts containing the lesions and contiguous thereto shall be seized.

In the application of this paragraph, in cases of widespread infection that do not fall within the category of generalised tuberculosis as laid down in paragraph 3, the rump or rumps shall be seized only when lesions exist in the popliteal gland, and the shoulder blade or shoulder blades shall be seized only when lesions exist in the pre-scapular or brachial glands.

5. If any portion of a carcass, or any organ or viscera, becomes contaminated by tuberculous material, it shall be treated as if it were a case of localised tuberculosis.

PART II

The Laws of Zambia

Evidence of other Disease or Abnormality

1. The entire carcass and all the organs and viscera shall be seized if evidence of any of the following diseases is found:

- (1) Actinomycosis, generalised.
- (2) Anaemia (if pronounced).
- (3) Anthrax.
- (4) Blackleg.
- (5) Bruising, general, extensive, and severe, with or without gangrene.
- (6) *Cysticercus cellulosae* (measly pork).

Note.-In the examination of all pig carcasses, the "leaf seam" (sub-peritoneal fat) shall be raised and the inner surface of the abdominal muscles examined for evidence of *Cysticercus cellulosae*.

- (7) Decomposition.
- (8) Dropsy, general.
- (9) Emaciation, general pathological.
- (10) Fever.
- (11) Glanders (or Farcy).
- (12) Immaturity (*i.e.* stillborn or unborn carcass).
- (13) Jaundice.
- (14) Lymphadenitis, caseous (generalised).
- (15) Malignant catarrh.
- (16) Malignant neoplasms-unless localised, in situation and effect, to one organ.
- (17) Mammitis, acute septic or gangrenous.
- (18) Melanosis, generalised-or any generalised pigmentation.
- (19) Metritis, acute septic.
- (20) Odour, associated with disease or otherwise prejudicial to health.
- (21) Pericarditis, septic.
- (22) Pneumonia, septic or gangrenous.
- (23) Pyaemia-including joint-ill, or umbilical pyaemia.
- (24) Rickets, with malnutrition.
- (25) Sarcocysts-if generalised in the musculature and visible to the naked eye.
- (26) Septicaemia, or septic infection.
- (27) Swine erysipelas, acute.
- (28) Swine fever.
- (29) Tetanus.
- (30) Trichinosis.
- (31) Tumours, multiple, in musculature.
- (32) Uraemia.

2. (1) Every Meat Inspector finding evidence of bladderworm disease (measles) in a slaughtered animal during examination shall make the following additional examination of such animal:

- (a) Head-inspection incisions into inner and outer muscle of jaw.
- (b) Tongue-inspection of surface and incisions into the muscles of attachment and tongue proper.
- (c) Pluck-examination of heart and oesophagus.
- (d) Stomach and intestines-examination of the outer surface of stomach and intestines.
- (e) Carcass-inspection incisions into each side of the carcass.

Muscles of shoulder behind the elbow-7 incisions.

Chuck (by which is understood the muscles on the dorsal aspect of the thoracic cavity)-1 incision.

Brisket-1 incision.

Muscular diaphragm-2 incisions.

Fillet-3 incisions.

In addition to such examinations, a large muscular surface exposed by the splitting of the carcass shall be examined

The Laws of Zambia

3. In all cases in which evidence of diseases not enumerated in paragraphs 1 and 2 are found, the organ or portion of the carcass (or organs or portions of the carcass) affected by the disease, and the organs or portions contiguous thereto, shall be seized.

FOURTH SCHEDULE

(Regulation 31)

LOCAL AUTHORITY OF.....

THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS

NOTIFICATION OF SEIZURE OF CARCASS, ETC.

To.....

Take notice that in accordance with regulation 29 of the above-named Regulations I have seized the following for the reasons stated:

Article Seized	Reason for Seizure

If you wish voluntarily to surrender the above articles as provided for in regulation 32, you should sign your name to the following declaration and return this paper to me.

Date.....

Signature of Meat Inspector.....

Being the owner thereof, I voluntarily surrender to the Meat Inspector the seized meat mentioned above.

Date.....

Signature of Owner.....

For use by M.O.H. or V.O. Delete either (a) or (b).

Having examined the above-mentioned seized meat I certify that in my opinion it is:

- (a) "Fit for the food of man" (Regulation 34).
- (b) "Diseased or unsound or unwholesome and unfit for use as the food of man" (Regulation 35).

Date.....

Signature of M.O.H. or V.O.....

FIFTH SCHEDULE

(Regulation 39)

CONDITIONS UNDER WHICH CARCASSES AND MEAT MAY BE BROUGHT INTO THE AREA OF A LOCAL AUTHORITY

## The Laws of Zambia

1. The carcasses of pigs shall be brought for inspection whole with the head attached and shall be accompanied by all the viscera excepting the stomach, intestines and urinary bladder.

2. The carcasses of calves, sheep, lambs and goats shall be brought for inspection whole, but the head may be detached provided that it be distinctly marked so as to be easily identified with the carcass to which it belongs, and shall be accompanied by all the viscera excepting the stomach, intestines and urinary bladder.

3. The carcasses of bulls, oxen, bullocks, cows, heifers or steers shall be brought for inspection whole or halved or quartered with the heads detached provided that in every case of halving, quartering or detachment of the head the several portions of each divided carcass are brought for inspection distinctly marked in such a way that they are easily identifiable as having been derived from the same animal and every carcass whether divided or whole shall be accompanied by all the viscera, except the stomach, intestines and urinary bladder.

*(As amended by No. 136 of 1957)*

## SIXTH SCHEDULE

*(Regulation 42)*

### REQUIREMENTS AS TO VEHICLES USED FOR THE CONVEYANCE OF MEAT WITHIN OR INTO ANY AREA OF WHICH THE REGULATIONS HAVE BEEN APPLIED

1. That part of the vehicular body actually used for the conveyance of meat shall be of van type totally enclosed, and braced with iron where necessary to form a rigid whole, and shall be made fly proof, dust proof and weather proof.

2. The interior lining of the floor and walls of the part used to contain meat shall be made of galvanised iron smoothly fitted and soldered at the joints.

3. A proper close-fitting hinged door or doors shall be provided.

4. The side walls or door or doors shall be provided with louvred vents or openings totalling not less than 0.1858 square metres in area. Such opening or openings shall be completely covered with wire gauze of not less than 10 meshes to 2.54 centimetres.

5. A movable duck board or grid shall be provided of the full size of the floor of that part of the vehicle actually used for the conveyance of meat, upon which the meat may rest when the vehicle is loaded.

6. Every vehicle used for the conveyance of offal simultaneously with other meat shall be provided with a sufficient number of watertight vessels of enamelled or galvanised metal, each having a close-fitting lid, within which uncleaned offal and cleaned offal may be separately placed.

*(As amended by No. 45 of 1966)*

### REGULATION 2 OF THE PUBLIC HEALTH (MEAT, ABATTOIR AND BUTCHERIES) REGULATIONS-APPLICATION

#### *Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

Bancroft Mine Township.(No. 313 of 1969)

Broken Hill Mine Township.(No. 268 of 1940)

Chingola Municipality.(No. 192 of 1946)

Chipata Township.(No. 63 of 1941)

Choma Township.(No. 231 of 1952)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 86 of 1952)

Livingstone Municipality.(No. 268 of 1940)

Luanshya Municipality.(No. 47 of 1953)

Mufulira Mine Township.(No. 268 of 1940)

Mufulira Municipality.(No. 47 of 1953)

Nchanga Mine Township.(No. 277 of 1949)

Nkana Mine Township.(No. 268 of 1940)

Roan Mpatamatu Mine Township.(No. 268 of 1940)

That part of the Kitwe District lying within a circle of four miles' radius with its centre at Kitwe Post Office.

(No. 268 of 1940)

That part of the Chingola District lying within a circle of five miles' radius with its centre at Chingola Post Office, excluding therefrom-

(a) Chingola Municipality; and

(b) Nchanga Mine Township.

(No. 277 of 1949 as amended by Act No. 39 of 1952)

That part of the Kabwe Urban District lying within a circle of ten miles' radius having its centre at the Kabwe Post Office.

(No. 240 of 1955)

The Laws of Zambia

The whole of the Regulations, other than regulations 4,8,28 and 39, apply to-

Kalomo Township.(No. 44 of 1956)

Kasama Township.(No. 72 of 1955)

Mansa Township.(No. 72 of 1955)

Mazabuka Township.(No. 268 of 1940)

Mbala Township.(No. 22 of 1950)

Mongu Township.(No. 103 of 1967)

Monze Township.(No. 212 of 1961)

*\*(8)Mumbwa.(No. 152 of 1955)*

*\* A description of the area of this former township is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.*

Pemba Township.(No. 164 of 1961)

*\*A description of the area of this former township is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.*

THE PUBLIC HEALTH (MILK) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. Premises to be registered
5. Certificate of registration
6. Application for certificate
7. Conditions to be complied with
8. Safeguards
9. Storage of milk
10. Licensing of purveyor of milk
11. Production of licence
12. Form of licence
13. Application for licence
14. Change of circumstances
15. Medical fitness of applicant
16. Cleanliness
17. Sickness
18. Occurrence of infectious or contagious disease
19. Suspected spread of disease
20. Prohibition of dealings with milk and milk products
21. Milk *prima facie* for human consumption
22. Adulterated milk
23. Obstruction of officers
24. Penalties
25. Milk other than cows' milk
26. Exemption

FIRST SCHEDULE-Prescribed forms

SECOND SCHEDULE-Standards of composition and quality of milk

THIRD SCHEDULE-Pasteurised milk

FOURTH SCHEDULE-Phosphatase test



SECTIONS 82 AND 114-THE PUBLIC HEALTH (MILK) REGULATIONS

*Regulations by the Minister*

*Government Notices*  
79 of 1951  
177 of 1954  
291 of 1964  
497 of 1964  
*Federal Government Notices*  
160 of 1961  
*Act No.*  
51 of 1963  
*Statutory Instruments*  
344 of 1965  
215 of 1966  
*Act No.*  
13 of 1994

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

Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only to such part of the area of any Local Authority as shall be defined in such notice.

Application of Regulations

*(As amended by No. 291 of 1964)*

3. In these Regulations, unless the context otherwise requires-

Interpretation

"licence" means a licence granted under regulation 10;

"milk" means the normal fresh secretion of the cow's udder without addition or subtraction of any kind whatever;

"milk shop" means any premises (other than premises registered under the provisions of the Dairies and Dairy Produce Regulations or exempted from registration by the provisions of these Regulations), from which milk is supplied otherwise than in receptacles which have been properly closed and sealed prior to delivery to the premises and which remain properly closed and sealed during the whole time from their delivery to the premises until their removal therefrom;

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"pasteurised milk" means milk which has been subjected to a special treatment of pasteurisation prescribed in the Third Schedule;

"purveyor of milk" means any person in possession or occupation of or keeping any milk or shop or who sells milk for human consumption:

Provided that no person shall be deemed to be a purveyor of milk-

- (i) if he supplies milk solely to premises registered under the provisions of the Dairies and Dairy Produce Regulations or to premises registered under the provisions of these Regulations; or

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- (ii) if his trade in milk is carried on in premises registered under the provisions of the Dairies and Dairy Produce Regulations and is solely in connection with the manufacture of butter, cheese or other dairy products approved by the Director of Medical Services.

*(As amended by No. 177 of 1954, Acts No. 51 of 1963,  
No. 344 of 1965 and No. 215 of 1966)*

- 4.** Premises within the area of the Local Authority shall be used as a milk shop unless such premises have been first registered under these Regulations by such Local Authority. Premises to be registered
- 5.** Every certificate of registration of any premises as a milk shop issued under these Regulations shall be in Form 1 in the First Schedule and shall expire on the 31st December of the year for which it shall have been granted. Certificate of registration
- 6.** Every person desiring a certificate of registration of premises as a milk shop under these Regulations shall make application in writing to the appropriate Local Authority and shall supply the following information: Application for certificate
- (a) the name and address of the applicant;
  - (b) the situation of the premises in respect of which the certificate of registration is desired;
  - (c) a full description and particulars of the premises;
  - (d) the source of the applicant's milk supply; and
  - (e) any other relevant information required by the Local Authority or Medical Officer of Health.
- 7.** No certificate of registration of any premises as a milk shop shall be granted by the Local Authority unless the premises are in the opinion of the Local Authority, on the report of the Medical Officer of Health, suitable for registration in respect of drainage, lighting, ventilation, locality, construction and general sanitation and unless the requirements of these Regulations and all such other regulations, orders or rules as may be applicable to such premises are complied with. Conditions to be complied with
- 8.** No certificate of registration of any premises as a milk shop under these Regulations shall be granted by the Local Authority unless, within a period specified in the certificate after the issue thereof, there shall at all times during the currency thereof be provided and maintained- Safeguards
- (a) a wholesome and conveniently accessible water supply in sufficient quantity for all purposes connected with the business including the cleaning of all utensils and appliances;
  - (b) when so required by the Local Authority, an impervious floor to the whole of or to any part of such premises, constructed to the satisfaction of the Local Authority;
  - (c) proper and sufficient arrangements for safeguarding the milk from contamination by flies, vermin, dust or any impurities;
  - (d) suitable arrangements for the washing, and storage when not in use, of the receptacles used in the business;
  - (e) suitable arrangements for the sterilising by steam or boiling water of all bottles, cans and other receptacles used in the business; and
  - (f) for persons employed in the premises-
- (i) suitable and sufficient sanitary and ablution accommodation;

(ii) a change room with soap and towels; and

(iii) suitable white overalls.

**9.** Milk intended for sale shall not be deposited, kept or stored upon registered premises- Storage of milk

- (a) in any room or place where such milk would be liable to infection or contamination;
- (b) in any room used as a kitchen, living, sleeping, work or change room;
- (c) in any room or building communicating directly with any sanitary convenience or with any room used as a sleeping room;
- (d) in any milk vessel not properly covered so as effectually to prevent the contamination of the milk contained therein;
- (e) in any milk vessel which has not been thoroughly cleaned and sterilised since the last occasion of use and which is not in a thoroughly clean condition at the time of use.

**10.** No person shall within the area of the Local Authority be a purveyor of milk without being first licensed by such Local Authority. A person who is a purveyor of milk within the area of more than one Local Authority shall be required to be licensed by each and every Local Authority within whose area he purveys milk: Licensing of purveyor of milk

Provided that, notwithstanding anything contained in these Regulations, a person may convey milk through the area of such Local Authority without being licensed as aforesaid where such person shall prove to the satisfaction of such Local Authority that the milk so conveyed is not for sale and is not intended for sale within the area of such Local Authority.

**11.** Every licensed purveyor of milk shall exhibit in his place of business or carry upon his person his licence as a purveyor of milk whilst in any manner engaged in his business as a purveyor of milk and shall, on request made to him by the Medical Officer of Health, Sanitary Inspector or any duly authorised officer of the Local Authority, produce his licence as a purveyor of milk. Production of licence

**12.** (1) Every licence granted to any person as a purveyor of milk under these Regulations shall be in Form 2 in the First Schedule and shall expire on the 31st December of the year for which it shall have been granted. Form of licence

(2) No licence as a purveyor of milk shall in any case be transferable from the licensee to any other person and such licence shall only be valid in the area of the Local Authority by whom it was granted.

**13.** Every person desiring a licence under these Regulations shall make personal or written application to the Local Authority within whose area he intends to purvey milk and shall supply the following information: Application for licence

- (a) his name, address and occupation;
- (b) the name and address of the person (if any) by whom he is employed or to be employed as a purveyor of milk;
- (c) the source of the milk supply;
- (d) the name and address of the person (if any) from whom the applicant intends to purchase his milk supply; and
- (e) any other relevant information required by the Medical Officer of Health.

**14.** (1) Every licensed purveyor of milk shall, if any of the following circumstances occur, at once report the same to the Local Authority or Authorities by whom his licence was issued: Change of circumstances

- (a) any change of employer;
- (b) any change from the condition of a purveyor of milk as an employee to that of a purveyor of milk on his own account or *vice versa*;
- (c) any change in source of supply.

(2) On such report the Local Authority shall cause the licence to be endorsed accordingly.

**15.** No licence shall be issued by the Local Authority to any applicant where the Medical Officer of Health shall have certified in writing that the applicant is not a fit and suitable person on medical grounds to be a purveyor of milk, or where such applicant shall have refused to submit himself for medical examination when so required by the Medical Officer of Health. Medical fitness of applicant

**16.** Every purveyor of milk shall ensure that when he himself or when on his behalf any other person handles, conveys, distributes, delivers, or sells milk he shall be clean as to his hands, person and clothing whilst so employed or engaged, and he shall further ensure that every vehicle or carrier used for the purposes of his trade or business as a purveyor of milk shall be kept in a thoroughly clean condition and in such a manner that it shall not lead to the contamination or infection of the milk carried or conveyed therein. Such vehicle or carrier shall be conspicuously inscribed with the name and address of the purveyor or of his employer. Cleanliness

**17.** Every purveyor of milk shall by inquiry keep himself informed of any sickness occurring amongst his employees or in any premises in which he or his employees reside and it shall not be lawful for any purveyor of milk- Sickness

- (a) knowingly to allow any person suffering from any contagious or infectious disease or who is living in any premises in which there is a case of contagious or infectious disease or who has recently been in contact with a person so suffering to take part in the trade or business of a purveyor of milk or to enter any milk shop; or
- (b) if he himself is so suffering or has recently been in contact with an infected person or living in any infected premises as aforesaid to take part in the trade or business of a purveyor of milk or to enter any milk shop until in each case all danger therefrom of the communication of infection to the milk or of its contamination has in the opinion of the Medical Officer of Health ceased.

- 18.** Every purveyor of milk shall immediately inform the Medical Officer of Health of each Local Authority by whom he is licensed of the occurrence of any infectious or contagious disease amongst any persons residing or engaged or employed upon his registered premises or amongst any of his employees, and shall comply with all requirements of the Medical Officer of Health for disinfecting the premises and preventing the spread of such diseases. Occurrence of infectious or contagious disease
- 19.** Whenever the Medical Officer of Health of the district of any Local Authority to which these Regulations have been applied shall be of the opinion that the outbreak or spread of any sickness or disease within his district may be attributable to milk sold or purveyed or distributed by any purveyor of milk, such purveyor shall, on being required in writing by the Medical Officer of Health, furnish forthwith- Suspected spread of disease
- (a) a full and complete list of the names and addresses of the customers or persons supplied with such milk by such purveyor of milk; and
  - (b) a full and complete list of the names and addresses of the persons from whom and of the situation of the places from which, during a period to be specified by the Medical Officer of Health, the milk or any part of the milk sold or distributed by such purveyor of milk was obtained.
- 20.** If it appears to the Local Authority, on the certificate of the Medical Officer of Health, that the consumption of any milk or milk products from any source within or outside the district of such Local Authority is likely to cause the outbreak of or to spread infectious or contagious disease, such Local Authority may forthwith prohibit the introduction or storage or sale or use within its district of such milk or milk products for a period to be specified by such Local Authority on the advice of the Medical Officer of Health. Prohibition of dealings with milk and milk products
- 21.** Any milk found in the possession of any purveyor of milk or in any milk shop or in any bottle or carrier or milk vessel in the possession of any purveyor of milk shall be deemed to be intended for sale for human consumption until the contrary shall have been proved to be the case by such purveyor. Milk *prima facie* for human consumption
- 22.** (1) No person shall sell, cause to be sold, or expose, deposit, convey, or cause to be exposed, deposited, or conveyed, for the purpose of sale or deliver or cause to be delivered for or in the process of sale any milk or fluid described as milk which is not genuine, clean, pure, wholesome and free from contamination and pollution or which is in such a state or condition as to be liable to be injurious or dangerous to the health of man or from which any ingredient or part thereof has been abstracted or to which any water or any preservative or other matter or ingredient has been added or which does not comply with the provisions of regulation 3 and the Second Schedule when sold as "cows' milk" or "pasteurised milk" respectively. Adulterated milk
- (2) On analysis by a Government analyst or by a Government bacteriologist or other person approved by the Director of Medical Services, the fact that any milk is found to be not in accordance with the provisions of this regulation it shall be presumed until the contrary is proved that such milk is not genuine or is injurious to health.
- (As amended by No. 177 of 1954, Act No. 51 of 1963, No. 344 of 1965 and No. 215 of 1966)
- 23.** Any person who wilfully obstructs the Medical Officer of Health, Sanitary Inspector or any other duly authorised officer in the performance of his duties under these Regulations shall be guilty of an offence. Obstruction of officers

**24.** (1) Any person who contravenes any of these Regulations shall be guilty of an offence and shall be liable to a fine not exceeding seven hundred and fifty penalty units. Penalties

(2) On the conviction of any licensed purveyor of milk for an offence under these Regulations the court may, on the application of the Local Authority, cancel his certificate of registration or licence, as the case may be, and order that no new certificate or licence shall be granted under these Regulations to such person for a period not exceeding two years from the date of such cancellation and thereupon such person shall become disqualified to hold a certificate or licence during such period of cancellation.

*(As amended by Act No. 13 of 1994)*

**25.** The foregoing Regulations shall *mutatis mutandis* apply to the sale, production, collection, storing, keeping, preparation, delivery, conveying, transmission, or exposure for sale of milk intended for human consumption from any animal other than a cow. Milk other than cows' milk

**26.** Hotels and lodging-houses where milk is kept or prepared solely for the use of customers on the premises shall be exempted from the provisions of these Regulations which relate to the registration of premises, and persons so keeping and preparing milk shall not be required to be licensed as purveyors of milk. Exemption

#### FIRST SCHEDULE

#### PRESCRIBED FORMS

REPUBLIC OF ZAMBIA

of THE PUBLIC HEALTH (MILK) REGULATIONS.....Number..... Municipality/Township  
.....

CERTIFICATE OF REGISTRATION OF PREMISES AS A MILK SHOP

The premises numbered.....on plot number.....in the Municipality/Township of  
.....  
are hereby registered as a milk shop.  
This certificate of registration expires on 31st December, 19.....  
Date.....

*Signed:* Town Clerk/Secretary.....  
Medical Officer of Health.....

REPUBLIC OF ZAMBIA

THE PUBLIC HEALTH (MILK) REGULATIONS.....Number..... Municipality/Township  
of

.....

LICENCE AS A PURVEYOR OF MILK

.....of.....is hereby licensed as a purveyor of milk  
within the Municipality/Township of.....

This certificate of licence expires on 31st December, 19.....

*Delete whichever is not requirea* Purveyor on own account.  
Employee of.....

Date.....

*Signed:* Town Clerk/Secretary.....  
Medical Officer of Health.....



SECOND SCHEDULE

*(Regulation 22 (1))*

STANDARDS OF COMPOSITION AND QUALITY OF MILK

1. When milk is sold as cow's milk-
  - (a) it shall not be subjected to any form of physical or chemical treatment except cooling;
  - (b) it shall contain-
    - (i) not less than 3 per centum of milk fat;
    - (ii) not less than 8.5 per centum of milk solids not fat;
  - (c) it shall not contain-
    - (i) any faecal coli in 0.01 ml.;
    - (ii) any pathogenic organisms.
2. When milk is sold as pasteurised milk-
  - (a) it shall contain-
    - (i) not less than 3 per centum of milk fat;
    - (ii) not less than 8.5 per centum of milk solids not fat;
  - (b) it shall not contain-
    - (i) any coliform organisms in 0.01 ml.;
    - (ii) any pathogenic organisms;
  - (c) it shall have been subjected to the treatment prescribed in the Third Schedule and shall satisfy the requirements of the phosphatase test as prescribed in the Fourth Schedule.

*(F.G.N. No. 160 of 1961 as amended by No. 344 of 1965 and No. 215 of 1966)*

THIRD SCHEDULE

*(Regulation 3)*

PASTEURISED MILK

## The Laws of Zambia

1. Pasteurisation of milk shall mean that milk shall be raised to a temperature of between 75.4°C. and 78°C. and held at that temperature for a period of thirty minutes and shall be cooled immediately to a temperature of not more than 28.6°C. and held at or below that temperature until the milk is bottled or placed in approved containers or shall be raised to a temperature of between 84.24°C. and 86.84°C. and retained at that temperature for at least fifteen seconds and shall be cooled immediately to a temperature of not more than 28.6°C. and held at or below that temperature until the milk is bottled or placed in approved containers.
2. All reasonable precautions shall be taken to prevent contamination between the time of pasteurisation and bottle filling.
3. On a sample being taken after pasteurisation and before delivery to the consumer the milk shall satisfy the phosphatase test, as prescribed in the Fourth Schedule.
4. The milk must not be heated more than once and must not otherwise be treated by heat.
5. An indicating thermometer and a recording thermograph must be inserted in a suitable place in the apparatus used for the pasteurising process. The type of apparatus and the methods employed must be such as are approved by the Director of Medical Services.
6. All practicable steps shall be taken to clean and sterilise all piping, tanks and apparatus immediately after each completed pasteurisation operation, and to exclude air during the pasteurisation of the milk.
7. No person shall apply the designation "pasteurised milk" to any milk unless such milk has been subjected to the treatment of pasteurisation prescribed in this Schedule.
8. No person shall apply any other special designation to milk unless details of the production and treatment of such milk have first been submitted in writing to the Director of Medical Services and his approval in writing to the use of such special designation has been obtained.

*(As amended by No. 177 of 1954 and Act No. 51 of 1963)*

### FOURTH SCHEDULE

*(Second and Third Schedules)*

#### PHOSPHATASE TEST

The phosphatase test shall be carried out in accordance with the instructions given below. Such tests shall be deemed to be satisfied by milk giving a reading of 2.3 Lovibond blue units or less.

#### METHOD OF PERFORMING THE TEST

##### *Reagents*

Buffer-substrate solution must be prepared at the strength of 1.09 gm. of disodium phenyl phosphate and 11.54 gm. of sodium diethyl barbiturate in 1 litre of distilled water saturated with chloroform. Alternatively, buffer-substrate tablets may be used to make up a solution of the same strength and a few drops of chloroform added. The solutions must be kept in a cool, dark place and must not be kept longer than three days.

Test reagent: Add 1 volume of Folin and Ciocalteu's Reagent to 2 volumes of a 5 per centum solution of sodium hexameta-phosphate.

#### METHOD OF CARRYING OUT THE TEST

## The Laws of Zambia

To 10 ml. of the buffer-substrate solution contained in a test tube, add 0.5 ml. of well-mixed milk. Add 3 drops of chloroform, stopper the tube, mix the contents and incubate at 37+ 1 degree C, for 24+2 hours. At the end of this time, cool, add 4.5 ml. of the test reagent, mix, allow to stand for 3 to 5 minutes, and filter into a test tube marked at 10 ml. of the filtrate, add 2 ml. of a 14 per centum solution of pure anhydrous sodium carbonate, mix and place the test tube for exactly 2 minutes in boiling water (kept boiling). Cool and read the colour, using comparator or tintometer.

### *Control tests*

Keep the remainder of all milk samples in the refrigerator. *After completing the test* carry out the control tests on those samples which have given a positive phosphate reaction.

Mix thoroughly to 10 ml. of the buffer-substrate solution with 4.5 ml. of the test reagent, add 0.5 ml. of milk and mix. Allow to stand 3 to 5 minutes and filter into a test tube marked at 10 ml. To 10 ml. of the filtrate, add 2 ml. of the sodium carbonate solution, mix and place the tube for exactly 2 minutes in a boiling water-bath (kept boiling). Cool and read the colour developed. The colour must not exceed 1.5 Lovibond blue units.

### *Precautions*

- (a) Phenols, disinfectants containing phenols, and soap containing carbolic acid must be kept at a safe distance from the test reagents and apparatus;
- (b) the use of bottle caps made from phenolic resins must be avoided;
- (c) new rubber stoppers must be tested for phenolic impurities before use;
- (d) all glassware must be clean;
- (e) contamination of pipettes by saliva must be avoided;
- (f) a fresh pipette must be used for each sample of milk;
- (g) all reagents must be kept in a cool, dark place and well protected from dust;
- (h) tests must not be carried out in direct sunlight;
- (i) freshly boiled distilled water must be used throughout;
- (j) samples which show a taint or clot on boiling must not be tested.

## TEST OF REAGENTS

The purity of the reagents must be tested by performing a blank test without milk, with each batch of samples tested. The colour must not exceed 0.5 Lovibond blue units.

## REGULATION 2 OF THE PUBLIC HEALTH (MILK) REGULATIONS-APPLICATION

### *Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka.(No. 47 of 1953)

City of Kitwe.(No. 47 of 1953)

City of Ndola.(No. 54 of 1952)

Bancroft Mine Township.(No. 315 of 1969)

Chingola Municipality.(No. 309 of 1951)

Choma Township.(No. 309 of 1951)

Kabwe Municipality.(No. 47 of 1953)

Kafue Township.(No. 309 of 1951)

Livingstone Municipality.(No. 15 of 1956)

Luanshya Municipality.(No. 47 of 1953)

Mazabuka Township.(No. 309 of 1951)

Mbala Township.(No. 166 of 1965)

Mongu Township.(No. 108 of 1967)

Mufulira Mine Township.(No. 54 of 1967)

Mufulira Municipality.(No. 47 of 1952)

Nchanga Mine Township.(No. 309 of 1951)

Nkana Mine Township.(No. 309 of 1951)

Roan Mpatamatu Mine Township.(No. 309 of 1951)

The whole of the Regulations, other than regulations 4, 5, 6, 7, 8 and 9, apply to-

Chipata Township.(No. 190 of 1952)

Mansa Township.(No. 260 of 1961)

#### THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Application of Regulations
3. Interpretation
4. Registration of premises
5. Form of certificate of registration
6. Application for registration of premises
7. Premises must be suitable for registration
8. Safeguards
9. Storage of ice-cream, water ices and ingredients
10. Manufacture of ice-cream and water ices
11. Street traders, etc., to be licensed
12. Manufacturer or dealer to give notice of milk-borne disease
13. Prohibition of ice-cream, etc., likely to spread disease
14. Obstruction of officer
15. Prohibition of sale as ice-cream or water ices of other substances
16. Penalties
17. Exemption

SCHEDULE-Prescribed forms

SECTION 82-THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

*Regulations by the Minister*

*Government Notices*  
314 of 1953  
253 of 1956  
291 of 1964  
*Federal Government*  
*Notice*  
156 of 1962  
*Act No.*  
13 of 1994

1. These Regulations may be cited as the Public Health (Ice-cream) Regulations. Title
  2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice the whole of these Regulations or only such provisions thereof as are mentioned in such notice shall apply to the whole of or only to such part of the area of any Local Authority as shall be defined in such notice. Application of Regulations
- (As amended by No. 291 of 1964)*
3. In these Regulations, unless the context otherwise requires- Interpretation

"complete cold mix" means a product which is capable of manufacture into ice-cream or water ice with the addition of water only, is sent out by the manufacturer in airtight containers and which has been made by evaporating a liquid mixture which has already been submitted to heat treatment comparable with that prescribed in these Regulations;

"ice-cream" means a preparation of milk or milk products and other wholesome ingredients containing not less than eight per centum by weight of milk fats, ten per centum by weight of sugar and not less than thirty per centum by weight of total solids, including milk fats and sugar, and one Imperial gallon of such ice-cream shall weigh not less than five and a half Imperial pounds when frozen and in the form in which it is sold to the public. The bacterial content shall be not more than 200,000 organisms per cubic centimetre and no Coliform bacilli or any pathogenic organisms shall be present in a sample of 0.01 cubic centimetre;

"ingredients" means wholesome food articles usually or normally used for human consumption and includes sugar and dried egg, but does not include colouring or flavouring materials or fruit or fruit juices, nuts, chocolate or other similar substances;

"milk-borne diseases" includes enteric fever (including typhoid and paratyphoid fevers), dysentery, diphtheria, scarlet fever, acute inflammation of the throat, gastro enteritis and undulant fever;

"water ices" means all other preparations manufactured in a similar manner to ice-cream and sold to the public in a frozen or semi-frozen state, whether resembling ice-cream or not; and when resembling ice-cream in appearance or consistency, containing not less than six per centum by weight of milk fat and not less than eight per centum by weight of milk solids not fat. The bacterial content of all water ices shall be not more than 200,000 organisms per cubic centimetre and no Coliform bacilli or any pathogenic organisms shall be present in a sample of 0.01 cubic centimetre.

*(As amended by F.G.N. No. 156 of 1962)*

4. (1) Subject to the provisions of regulation 12, no premises shall be used for the sale, storage for sale, or manufacture for sale for human consumption of ice-cream or water ices unless such premises have been registered for that purpose by the Local Authority.

Registration of premises

(2) The Local Authority may register premises for the sale or storage for sale of ice-cream or water ices when such ice-cream or water ices are brought to the premises in a suitable wrapping or container and sold from or stored in approved refrigerating appliances.

(3) Where a certificate of registration for the sale or storage for sale of ice-cream or water ices is granted under the conditions prescribed in sub-regulation (2), the Local Authority may dispense with such provisions of these Regulations as it may deem proper.

5. Every certificate of registration of any premises for the sale, storage for sale or manufacture for sale of ice-cream or water ices issued under these Regulations shall be in Form 1 in the Schedule and shall expire on the 31st December of the year for which it shall have been granted.

Form of certificate of registration

- 6.** Every person desiring to have premises registered under these Regulations shall make application in writing to the appropriate Local Authority and shall supply the following information: Application for registration of premises
- (a) the name and address of the applicant;
  - (b) the situation of the premises in respect of which the certificate of registration is desired;
  - (c) a full description and particulars of the premises;
  - (d) the source or sources of ingredients including fresh milk to be used by the applicant for the manufacture of ice-cream or water ices;
  - (e) any other relevant information required by the Local Authority or Medical Officer of Health.
- 7.** No certificate of registration shall be granted in respect of any premises under these Regulations unless the premises are, in the opinion of the Local Authority on the report of the Medical Officer of Health, suitable for registration in respect of drainage, lighting, ventilation, locality, construction and general sanitation and unless the requirements of these Regulations and all such other regulations, orders or rules as may be applicable to such premises are complied with. Premises must be suitable for registration
- 8.** A certificate of registration granted in respect of any premises under these Regulations may be revoked at any time if during the currency of such certificate there is not provided and maintained in respect of such premises- Safeguards
- (a) a wholesome and conveniently accessible water supply in sufficient quantity for all purposes connected with the business, including the cleaning of all utensils and appliances;
  - (b) when so required by the Local Authority, an impervious floor and walls to the whole of or to any part of such premises and constructed to the satisfaction of the Local Authority;
  - (c) proper and sufficient arrangements for safeguarding the ice-cream or water ices or ingredients intended for the manufacture of ice-cream or water ices from flies, vermin, dust or any impurities;
  - (d) suitable arrangements for the washing, sterilisation by steam or boiling water and storage when not in use of the receptacles and appliances used in the business; and
  - (e) for persons employed in the premises-
    - (i) a change room containing suitable ablution facilities with a sufficient supply of hot and cold water, soap and towels; and
    - (ii) suitable and sufficient and reasonably accessible sanitary facilities; and
    - (iii) suitable white overalls.

**9.** Ice-cream or water ices intended for sale and any ingredients intended for use in the manufacture of ice-cream or water ices for sale shall not be deposited, kept or stored-

Storage of ice-cream, water ices and ingredients

- (a) in any room or place where such ice-cream, water ices or ingredients would be liable to infection or contamination;
- (b) in any room used as a kitchen, bathroom, lavatory, sleeping, work or change room;
- (c) in any room or building communicating directly with any sanitary convenience or with any room used as a sleeping room;
- (d) in any vessel not properly covered so as effectually to prevent contamination of the contents thereof;
- (e) in any vessel which has not been thoroughly cleansed and sterilised since the last occasion of use and which is not in a thoroughly clean condition at the time of use.

**10.** The following requirements shall be observed in the manufacture of ice-cream and water ices intended for sale for human consumption:

Manufacture of ice-cream and water ices

- (a) where a complete cold mix is used which is reconstituted with wholesome drinking water and to which nothing is added other than colouring or flavouring materials, fruit or juices, nuts, chocolate or other similar substances, the reconstituted product shall be converted into ice-cream or water ices within one hour of reconstitution;
- (b) in any other case after the ingredients have been mixed together, the following provisions shall apply:
  - (i) the mixture shall not be kept for more than one hour at any temperature which exceeds 23.4 degrees Celsius before being subjected to heat treatment in accordance with sub-paragraph (ii);
  - (ii) the mixture shall be subjected to heat treatment as follows: It shall be raised to and kept at a temperature of not less than 78 degrees Celsius for thirty minutes or alternatively of not less than 83.2 degrees Celsius for ten minutes;
  - (iii) after the mixture has been subjected to heat treatment as aforesaid, it shall be reduced to a temperature of not more than 23.4 degrees Celsius within one and a half hours and shall be kept at such a temperature until the freezing process is begun;
  - (iv) such indicating and recording thermometers shall be used as the Local Authority considers requisite for indicating and recording the temperatures to or at which the ice-cream or water ices are raised, kept or reduced;
  - (v) the records of any thermometers used to record the temperatures to or at which the ice-cream or water ices are raised, kept or reduced shall be preserved for a period of not less than one month;
  - (vi) all apparatus used for the purposes of this paragraph shall be installed, maintained and operated to the satisfaction of the Local Authority and the Medical Officer of Health.

**11.** (1) Any person may make application to the Local Authority for a licence to sell ice-cream or water ices in any street or public place within the area of the Local Authority, and any such applicant shall supply the following information:

Street traders, etc., to be licensed



- (a) the name and address of the applicant;
- (b) a full description of the equipment to be used and the manner in which the ice-cream or water ices are to be sold.
- (c) the period for which the licence is required;
- (d) the source from which the ice-cream or water ices are to be obtained.

(2) On receipt of such application a Local Authority may grant a licence in Form 2 in the Schedule with or without special conditions for any period it may deem proper expiring not later than the 31st December of the year in which it is granted.

(3) Ice-cream and water ices sold in any street or public place in accordance with a licence granted under this regulation shall only be sold from a refrigerating appliance approved by the Local Authority and shall only be sold in the wrapping or container in which they were originally placed in such appliance.

**12.** Every manufacturer or dealer in ice-cream or water ices shall upon the occurrence of any milk-borne disease among the persons living or working in or about the premises on which the ice-cream or water ices are manufactured, stored or sold, forthwith give notice thereof to the Medical Officer of Health or the Local Authority.

Manufacturer or dealer to give notice of milk-borne disease

**13.** If it appears to the Local Authority, on the certificate of the Medical Officer of Health, that the consumption of any ice-cream or water ices from any source within or without the district of such Local Authority is likely to cause the outbreak of or to spread infectious or contagious disease, such Local Authority may forthwith prohibit the introduction, storage, sale or use within its area of such ice-cream or water ices for a period to be specified by such Local Authority on the advice of the Medical Officer of Health.

Prohibition of ice-cream, etc., likely to spread disease

**14.** Any person who wilfully obstructs the Medical Officer of Health, Health Inspector, or any other duly authorised officer in the performance of his duties under these Regulations shall be guilty of an offence.

Obstruction of officer

**15.** No person shall sell, or cause to be sold, or have in his possession for sale, or manufacture for sale, any preparation or substance designated as or purporting to be ice-cream or water ices which does not comply with the definition of ice-cream or water ices contained in regulation 3.

Prohibition of sale as ice-cream or water ices of other substances

*(No. 253 of 1956 as amended by F.G.N. No. 156 of 1962)*

**16. (1)** 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 to a fine not exceeding seven hundred and fifty penalty units.

Penalties

The Laws of Zambia

(2) On the conviction of any person under these Regulations the court may, on the application of the Local Authority, cancel any certificate of registration or licence granted under these Regulations to such person and order that no new certificate or licence shall be granted under these Regulations to such persons for a period not exceeding two years from the date of such cancellation and thereupon such persons shall become disqualified to hold a certificate or licence during such period of cancellation.

*(As amended by Act No. 13 of 1994)*

17. Hotels and lodging-houses where ice-cream or water ices are manufactured or stored solely for the use of customers on the premises shall be exempted from the provisions of paragraph (b) of regulation 10 and such provisions of these Regulations as specifically relate to the registration of premises. Exemption

SCHEDULE

PRESCRIBED FORMS

THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

Number.....

Municipality/Township of.....

CERTIFICATE OF REGISTRATION OF PREMISES FOR THE \*MANUFACTURE/STORAGE/SALE OF ICE-CREAM OR WATER ICES

The premises known as.....numbered..... on plot.....in the Municipality/Township of.....are hereby registered for the purpose of \*manufacture/storage/sale of ice-cream and water ices.

This certificate expires on 31st December, 19.....

Date.....

Signed: Town Clerk/Secretary.....

Medical Officer of Health.....

\*Delete where inapplicable.

THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS

Number.....

Municipality/Township of.....

LICENCE TO SELL ICE-CREAM OR WATER ICES IN A STREET OR PUBLIC PLACE

.....of.....is hereby licensed as a purveyor of ice-cream or water ices in the streets or any public place within the Municipality/Township of..... subject to the conditions endorsed hereon.

The licence expires on.....19.....or 31st December, 19....., whichever shall be the sooner.

\*Purveyor on own account/Employee of.....

Date.....

Signed: Town Clerk/Secretary.....

Signed: Town Clerk/Secretary.....

Medical Officer of Health.....

\*Delete where inapplicable.

REGULATION 2 OF THE PUBLIC HEALTH (ICE-CREAM) REGULATIONS-APPLICATION

*Notices by the Minister*

The whole of the Regulations apply to-

- City of Lusaka.....(No. 97 of 1954)
- City of Kitwe.....(No. 97 of 1954)
- City of Ndola.....(No. 97 of 1954)
- Bancroft Mine Township.....(No. 316 of 1969)
- Chingola Municipality.....(No. 97 of 1954)
- Chipata Township.....(No. 97 of 1954)
- Choma Township.....  
(No. 238 of 1955)
- Kabwe Municipality.....(No. 97 of 1954)
- Livingstone Municipality.....(No. 97 of 1954)
- Luanshya Municipality.....(No. 97 of 1954)
- Mazabuka Township.....(No. 97 of 1954)
- Mongu Township.....(No. 109 of 1967)
- Monze Township.....(No. 329 of 1959)
- Mufulira Mine Township.....(No. 97 of 1954)
- Mufulira Municipality.....(No. 97 of 1954)
- Nchanga Mine Township.....(No. 97 of 1954)

The Laws of Zambia

Nkana Mine Township.....(No. 97 of 1954)

Roan Mpatamatu Mine Township.....(No. 97 of 1954)

SECTION 82-THE PUBLIC HEALTH (FOOD IN AIRTIGHT RECEPTACLES) REGULATIONS

*Federal Government  
Notices  
116 of 1962*

*Regulations by the Minister*

1. These Regulations may be cited as the Public Health (Food in Airtight Receptacles) Regulations. Title

2. The Minister may, by statutory notice, declare that on and after a date to be specified in such notice these Regulations shall apply to the whole of or only such part of the district of any Local Authority as shall be defined in such notice. Application of Regulations

3. No person shall sell or shall prepare, keep, transmit or expose for sale, without reasonable excuse, any article of food which is packed in an airtight receptacle if such receptacle-

(a) is blown to such a degree that-

(i) there is bulging of the flat or concave sides or ends; or

(ii) gas escapes from it on puncturing; or

(b) is extensively rusted; or

(c) is damaged so that it is not airtight; or

(d) shows evidence of having been punctured and the puncture re-sealed.

REGULATION 2 OF THE PUBLIC HEALTH (FOOD IN AIRTIGHT RECEPTACLES)  
REGULATIONS-APPLICATION

*Federal Government  
Notices  
151 of 1963  
Statutory Instruments  
110 of 1967  
194 of 1968*

*Notices by the Minister*

The whole of the Regulations apply to-

City of Lusaka                      \*(9)Kasempa

City of Kitwe                      Livingstone Municipality

City of Ndola                      Luanshya Municipality

Bancroft Mine Township      Mansa Township

The Laws of Zambia

Chingola Municipality	Mazabuka Township
Chipata Township	Mbala Township
*(10)Chisamba	Mongu Township
Choma Township	Monze Township
Kabwe Municipality	Mufulira Mine Township
Kafue Township	Mufulira Municipality
Kalomo Township	Nchanga Mine Township
*(11)Kapiri Mposhi	Pemba Township
Kasama Township	*(12)Zambezi

\* A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

THE PUBLIC HEALTH (CREMATORIA AND CREMATION) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Interpretation
3. Manner and place of cremation
4. Advertisement of intention to establish crematorium
5. Submission of plans
6. Inquiry into proposed establishment of crematorium
7. Crematorium to be certified
8. Maintenance and staffing of crematorium
9. Inspection of crematorium
10. Closing of crematorium
11. Minister to be informed of opening or closing of crematorium
12. Powers of Cremation Authority
13. Construction of coffin
14. Interference with coffin or body prohibited
15. Cremation contrary to directions left by deceased person unlawful
16. Cremation of unidentified or embalmed body unlawful
17. Registration of death
18. Application for cremation
19. Conditions prior to cremation
20. Medical certificate
21. Appointment of medical referee and deputy medical referee
22. Duties of medical referee
23. Cremation of body of person buried not less than one year
24. Cremation of body of person dying of formidable epidemic disease
25. Suspension or modification of certain regulations during epidemic, etc.
26. Cremation of stillborn child
27. Disposal of ashes
28. Appointment and duties of superintendent
29. Notification to Registrar of Births and Deaths
30. Preservation, etc., of registers and documents
31. Disposal of registers and documents on closure of crematorium

*Regulation*

32. Prescribed fees
33. Payment of expenses
34. False statement
35. Offences and penalties

SCHEDULE-Prescribed forms



SECTION 91 (2)-THE PUBLIC HEALTH (CREMATORIA AND CREMATION) REGULATIONS

*Regulations by the Minister*

*Government Notices*  
379 of 1962  
291 of 1964  
497 of 1964  
500 of 1964  
*Act No.*  
57 of 1964  
13 of 1994  
*Statutory Instrument*  
163 of 1965

1. These Regulations may be cited as the Public Health (Crematoria and Cremation) Regulations. Title
2. In these Regulations, unless the context otherwise requires- Interpretation
- "body" means any human dead body including the body of any stillborn child;
- "cremation" means the disposal of a body by means of incineration;
- "Cremation Authority" means any Local Authority or any company or person by whom a crematorium has been established;
- "crematorium" means any building fitted with appliances for the disposal by incineration of any body, and shall include everything incidental or ancillary to such building;
- "embalmed" means treated for the purpose of preserving from physical decomposition;
- "form" means a form prescribed in the Schedule;
- "medical practitioner" means a medical practitioner registered under the Medical and Allied Professions Act; Cap. 296
- "medical referee" means a medical referee or a deputy medical referee appointed in pursuance of regulation 21;
- "name" includes any identifying description of a deceased human being who possessed no name or whose name is unknown;
- "nearest relative" includes widow or widower, parent, brother, sister or child of or above the age of eighteen years of the deceased and any other relative of or above the age of eighteen years usually residing with the deceased;
- "notice", for the purpose of regulation 27, means warning by letter despatched by registered post to the person who applied for the cremation in Form 1, at the address stated in that application;

"stillborn" shall apply to any child which has issued forth from its mother after the twenty-eight week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other signs of life.

*(As amended by No. 291 of 1964)*

**3.** Except as hereinafter provided, no cremation shall take place otherwise than in the manner prescribed by these Regulations or anywhere other than in a crematorium duly established, maintained, staffed and operated in accordance with these Regulations:

Manner and place of cremation

Provided that a coroner within whose jurisdiction a body is lying, if he is satisfied that death was not due to any suspicious circumstances whatsoever, may grant exemption from all or any of these Regulations in any special circumstance.

*(As amended by No. 500 of 1964)*

**4.** Any person or Local Authority wishing to establish a crematorium shall advertise the intention so to do in three consecutive issues of a newspaper published or commonly circulating in the locality in which it is proposed to establish such crematorium, and where the crematorium is intended to be established other than by the Local Authority, shall send a copy of such advertisement to the Local Authority for the area in which it is intended to establish the crematorium. Such advertisement will indicate the site of the proposed crematorium and shall call upon any person objecting thereto to lodge with the Minister, within one month after the date of the publication of such advertisement, his objections in writing.

Advertisement of intention to establish crematorium

**5.** Any person or Local Authority intending to establish a crematorium shall submit to the Minister the plans thereof together with details of its proposed site and a copy of the advertisement required under the provisions of regulation 4, and no work shall commence on the construction of such crematorium without the prior approval of the Minister:

Submission of plans

Provided that where the crematorium is intended to be established other than by the Local Authority, the plans of such crematorium shall be subject to the prior approval of the Local Authority for the area in which it is intended to establish the crematorium.

**6.** The Minister may, if he thinks fit, hold, or appoint any person to hold, a local inquiry into the proposed establishment of any crematorium, and any person or Local Authority concerned with the establishment of such crematorium and any Local Authority or person objecting thereto shall have a right to be heard.

Inquiry into proposed establishment of crematorium

**7.** No cremation shall take place until the crematorium has been certified by a person appointed by the Minister to be complete, built in accordance with the plans submitted under the provisions of regulation 5 and properly equipped for the disposal of bodies by incineration.

Crematorium to be certified

**8.** Every crematorium shall be-

Maintenance and staffing or crematorium

- (a) maintained in good working order;
- (b) kept constantly in a clean and orderly condition;
- (c) staffed by a superintendent and a sufficient number of attendants to the satisfaction of the Minister on the advice of the Medical Officer of Health for the area in which the crematorium is situate, where such an officer exists.

- 9.** Every crematorium shall be subject to inspection at any time by any person appointed for that purpose-
- Inspection of crematorium
- (a) by the Minister; or
  - (b) by the Local Authority of the area in which the crematorium is situate.
- 10.** (1) A crematorium may be closed by the Cremation Authority if not less than one month's notice of the intention so to do is given by advertisement in a newspaper published or commonly circulating in the locality in which such crematorium is situate and by written notice fixed at the entrance to the crematorium.
- Closing of crematorium
- (2) A crematorium may be closed by order of the Minister if, in his opinion-
- (a) the crematorium is maintained and operated otherwise than in accordance with the provisions of these Regulations; or
  - (b) the crematorium is built, equipped or operated in an unsatisfactory, unfitting or improper manner, or closure of the crematorium is necessary in the public interest.
- (As amended by No. 291 of 1964)*
- 11.** The Cremation Authority shall forthwith inform the Minister in writing of the opening or closing of any crematorium.
- Minister to be informed of opening or closing of crematorium
- 12.** Every Cremation Authority shall, subject to the approval of the Minister, have the power to lay down conditions governing-
- Powers of Cremation Authority
- (a) the type, design and dimensions of the coffin to contain the body to be cremated, and the materials which may and may not be used in the construction of such coffin;
  - (b) the days and hours of operation of the crematorium;
  - (c) the method and manner of conducting the Committal Service;
  - (d) the period of time between the Committal Service and cremation.
- 13.** No person shall present for cremation a body, nor shall any body be cremated, which is not contained in a coffin constructed in compliance with the conditions laid down by the Cremation Authority under the provisions of regulation 12.
- Construction of coffin
- 14.** (1) Once the coffin has entered the crematorium, no interference with such coffin or with the body or anything contained within the coffin shall take place, and the coffin shall in no circumstances be opened nor shall anything be added to or removed from such coffin.
- Interference with coffin or body prohibited
- (2) It shall not be lawful to cremate any body except in the coffin containing such body when it entered the crematorium.

- 15.** It shall not be lawful to cremate the body of any person who is known to have left a written direction to the contrary. Where the person making application for cremation is not an executor or the nearest relative of the deceased, such person shall produce to the medical referee a declaration made before a commissioner for oaths by an executor or by the nearest relative of the deceased that the deceased did not leave any directions to the effect that he or she did not wish his or her body to be cremated or, where it is impracticable to obtain such a declaration, such other evidence to the same effect as may be acceptable to the medical referee.
- Cremation contrary to directions left by deceased person unlawful
- 16.** It shall not be lawful-
- (a) to cremate any body which has not been identified;
  - (b) to cremate any body which has been embalmed, without the prior approval of the Minister and subject to such conditions as he may think fit.
- Cremation of unidentified or embalmed body unlawful
- 17.** No cremation shall be allowed to take place until the death of the deceased has been duly registered in terms of the Births and Deaths Registration Act.
- Registration of death. Cap. 51
- 18.** (1) No cremation shall be allowed to take place unless application therefor is made to the Cremation Authority and the particulars stated in the application are confirmed by statutory declaration in accordance with Form 1.
- Application for cremation
- (2) The application should be signed and the statutory declaration made by an executor or by the nearest relative of the deceased, or, if made by any other person, shall show to the satisfaction of the medical referee, cause why the application is not made by an executor or by the nearest relative.
- (3) Every application lodged in terms of this regulation shall be supported by the following documents:
- (a) a permit authorising burial or other disposal of the body;
  - (b) the certificates required by regulations 19 and 22 (1) (b);
  - (c) written directions by the person making the application stating how the ashes are to be disposed of.
- 19.** (1) Except as hereinafter provided, no cremation shall be allowed to take place unless-
- Conditions prior to cremation
- (a) a certificate in Form 2 has been given by a medical practitioner who attended the deceased during his or her last illness and who can certify definitely as to the cause of death; and
  - (b) a confirmatory medical certificate in Form 3 has been given by another medical practitioner, who must be qualified as prescribed in regulation 20; or

- (c) a post-mortem examination of the body of the deceased has been made by a medical practitioner approved by the medical referee having had regard to his experience in pathology, and a certificate given by such medical practitioner in Form 4:

Provided that where a post-mortem examination of the body of the deceased has been carried out by a medical practitioner not approved by the medical referee, such medical practitioner shall complete the certificate in Form 3 instead of Form 4; or

- (d) a post-mortem examination of the body of the deceased has been made in pursuance of the Inquests Act and a certificate given by the magistrate in Form 5; or
- (e) an inquest has been held and a certificate given by the magistrate in Form 5:

Cap. 36

Provided that in any case in which the death occurs in connection with an industrial, railway, flying or road accident, and the magistrate adjourns the inquest with a view to investigation of the causes of the accident, he may give a certificate to the effect that he is satisfied that death was wholly due to an accident, without waiting for the termination of the inquest.

(2) No cremation shall take place except on the written authority of the medical referee given in Form 6.

**20.** The confirmatory medical certificate in Form 3, if not given by a medical practitioner who has carried out a post-mortem examination of the body of the deceased, shall be given by a medical practitioner of not less than five years' standing:

Medical certificate

Provided that no medical practitioner who is a relative of the deceased or a relative or partner or employee of the medical practitioner who has given the certificate in Form 2, or a person having any pecuniary interest in the death of the deceased, shall give the medical certificate in Form 3.

**21.** (1) There shall be appointed for every Cremation Authority a medical referee and a deputy medical referee, who shall be medical practitioners of not less than five years' standing and shall possess such experience and qualifications as will fit them for the discharge of the duties required of them by these Regulations. The medical referee or deputy medical referee may be a person holding the office of Medical Officer of Health, as defined in the Act.

Appointment of medical referee and deputy medical referee

(2) The deputy medical referee shall act in the absence of the medical referee and in any case in which the medical referee has signed Form 1, 2, 3 or 4.

(3) The Minister shall appoint as medical referee and deputy medical referee such persons as he may deem fit:

Provided that the Minister, if satisfied that a Medical Officer of Health or a Deputy Medical Officer of Health, being a medical practitioner of not less than five years' standing and possessing the necessary experience and qualifications, is conveniently available, may in his discretion appoint as medical referee or as deputy medical referee such Medical Officer of Health or Deputy Medical Officer of Health.

(4) Any medical referee or deputy medical referee appointed by the Minister may, in case of emergency, act as the medical referee or deputy medical referee of a Cremation Authority other than that for which he has been appointed.

22. (1) The duties of the medical referee shall be as follows:

Duties of medical referee

- (a) he shall not allow any cremation to take place if it appears that the deceased left a written direction to the contrary;
- (b) he shall not allow any cremation to take place unless he is satisfied by the production of a certificate in terms of section *eleven* of the Births and Deaths Registration Act that the death of the deceased has been registered in terms of that Act; Cap. 51
- (c) he shall, before allowing the cremation, examine the application and certificates and ascertain that they are such as are required by these Regulations and that the inquiry made by the persons giving the certificates has been adequate. He may make any inquiry with regard to the application and certificates that he may think necessary;
- (d) he shall not allow the cremation unless he is satisfied that the application is made by an executor or by the nearest relative of the deceased, or, if made by any other person, that the fact that the executor or nearest relative has not made the application is sufficiently explained, and that the person making the application is a proper person to do so;
- (e) he shall not allow the cremation unless he is satisfied that the fact and cause of death have been definitely ascertained and, in particular, if the cause of death assigned in the medical certificates is such as, regard being had to all the circumstances, might be due to poison, to violence, to any illegal operation or to privation or neglect, he shall require a post-mortem examination of the body of the deceased to be made and, if that fails to reveal the cause of death, shall decline to allow the cremation unless an inquest be held in pursuance of the Inquests Act and a certificate given by the magistrate in Form 5; Cap. 36
- (f) if it appears that death was due to poison, to violence, to any illegal operation or to privation or neglect, or if there is any suspicious circumstance whatsoever, whether revealed in the certificates or otherwise coming to his knowledge, he shall decline to allow the cremation unless an inquest be held in pursuance of the Inquests Act and a certificate given by the magistrate in Form 5; Cap. 36
- (g) where it appears to the medical referee that the cause of death is such as, regard being had to all the circumstances, might be due to poison, to violence, to any illegal operation, or to privation or neglect, or if there is any suspicious circumstance whatsoever, whether revealed in any certificate or otherwise coming to his knowledge, he shall, in addition to refusing permission for the cremation to take place, inform the magistrate of the District in which the body is situate;

- (h) if a magistrate has given notice that he intends to hold an inquest on the body, the medical referee shall not allow the cremation to take place until the inquest has been held;
- (i) he may in any case decline to allow the cremation without stating any reason;
- (j) he shall make such reports to the Minister as may from time to time be required by the Minister.

(2) In the case of the body of a person who has died in any place outside Zambia, the medical referee may accept a declaration containing the particulars prescribed in Form 1, if it is made before any person having authority in that place to administer an oath or to take a declaration; and he may accept certificates in Forms 2, 3 and 4, if they are signed by any practitioners of medicine who are shown to his satisfaction to possess qualifications substantially equivalent to those prescribed in the case of each certificate by these Regulations. In any such case, the Minister, if satisfied that the case is one in which cremation may properly take place, may by order under his hand authorise the medical referee to allow the cremation without the production of Forms 2 and 3.

(As amended by No. 163 of 1965)

**23.** The provisions of regulations 15 to 20 shall not apply to the cremation of the body of a deceased person who has already been buried for not less than one year. Such body may be cremated, subject to the Minister's consent and upon such conditions as the Minister may impose, and any such cremation in which these conditions are not observed shall be deemed to be a contravention of these Regulations:

Cremation of body of person buried not less than one year

Provided that, notwithstanding the provisions of this regulation, Forms 1 and 6 are submitted to the Minister.

**24.** In the case of any person dying of any formidable epidemic disease (as defined in section *twenty-nine* of the Act) or in a hospital or place of isolation provided for the accommodation and treatment of persons suffering from infectious disease, the medical referee, if satisfied as to the cause of death, may dispense with any of the requirements of regulations 15, 17, 18, 19, 20 and 22:

Cremation of body of person dying of formidable epidemic disease

Provided that where the medical referee has dispensed with any such requirements, he may only allow the cremation of bodies subject to any conditions imposed by the Medical Officer of Health of the area. Such conditions may specify the crematorium in which cremation is to take place.

**25.** Regulations 15, 17, 18, 19, 20 and 22 may be temporarily suspended or modified in any area during an epidemic or for other sufficient reason, by order of the Minister:

Suspension or modification of certain regulations during epidemic, etc.

Provided that where an order by the Minister has been made in terms of this regulation, the medical referee may only allow the cremation of bodies subject to any conditions imposed by the Medical Officer of Health of the area. Such conditions may specify the crematorium in which cremation is to take place.

**26.** Notwithstanding the provisions of regulations 17 to 22, the medical referee may permit the cremation of the body of a stillborn child if it is certified to be stillborn by a medical practitioner after examination of the body, and if the medical referee, after such inquiries as he may think necessary, is satisfied-

Cremation of stillborn child  
Cap. 51

- (a) that it was stillborn;
- (b) that there is no reason for further medical examination; and
- (c) that the provisions of the Births and Deaths Registration Act relating to registration have been complied with.

**27.** After the cremation of the body of a deceased person, the ashes shall be given into the charge of the person who applied for the cremation, if he so desires. If not, they shall be retained by the Cremation Authority, and, in the absence of any special arrangement for their burial or preservation, they shall either be decently interred in a burial ground appointed under section *ninety-one* of the Act or in land or premises forming part of the crematorium reserved for the burial or preservation of ashes or shall be scattered thereon. In the case of ashes left temporarily in the charge of the Cremation Authority and not removed within a period of ninety days, the Cremation Authority shall give twenty-eight days' notice to the person who applied for the cremation, before the ashes are interred or scattered as decided by the Cremation Authority.

Disposal of ashes

**28.** Every Cremation Authority shall appoint a superintendent who shall be responsible for the keeping of a register of all cremations carried out by the Cremation Authority in Form 7. He shall be responsible for making the entries relating to each cremation immediately after the cremation has taken place, except the entry in the last column, which he shall cause to be made as soon as the ashes of the deceased have been handed to the relatives or otherwise disposed of.

Appointment and duties of superintendent

**29.** (1) Subject to the provisions of sub-regulation (2), the superintendent shall, within ninety-six hours of cremation of the body of any deceased person, send to the Registrar of Births and Deaths for the District in which the death took place, or, if the death took place elsewhere than in Zambia, to the Registrar of Births and Deaths for the District in which the crematorium is situate, a notification in Form 8 of the cremation of the body.

Notification to Registrar of Births and Deaths

(2) This regulation shall not apply to any cremation of a body which has taken place under regulation 23.

**30.** (1) All applications, certificates, statutory declarations and other documents relating to any cremation shall be marked with a number corresponding to the number in the register, shall be filed in order and shall be carefully preserved by the Cremation Authority:

Preservation, etc., of registers and documents

Provided that the Cremation Authority may, if it thinks fit, destroy any such applications, certificates, statutory declarations and other documents (but not the register of cremations or any part of such register) after the expiration of fifteen years from the date of the cremation to which they relate.

(2) All such registers and documents shall be open to inspection at any reasonable hour by any person appointed for that purpose by the Minister, by the Medical Officer of Health of any Local Authority in or adjacent to whose area the crematorium is situate and by the Officer Commanding the Zambia Police of the District in which the crematorium is situate.



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- 31.** When any crematorium is closed as provided in regulation 10, the Cremation Authority shall send all registers and documents relating to the cremations which have taken place therein to the Minister or otherwise dispose of them as the Minister may direct. Disposal of registers and documents on closure of crematorium
- 32.** The scale of fees payable for cremation shall be fixed by the Cremation Authority and shall be subject to the approval of the Minister. Prescribed fees
- 33.** All expenses however incurred in connection with an application for cremation shall be paid by the person making such application, and the Local Authority or the Cremation Authority shall not be responsible for any part of such expenses including any expenses incurred through the detention of any body pending the determination of an application for cremation. Payment of expenses
- 34.** No person shall wilfully conceal the fact that a deceased person has left directions that he or she be not cremated nor wilfully conceal any other material fact, nor make any false statement when making application in terms of regulation 18. False statement
- 35.** Any person contravening the provisions of these Regulations shall be guilty of an offence and on conviction shall be liable in respect of each offence to a penalty not exceeding seven hundred and fifty penalty units or in default of payment thereof to imprisonment with or without hard labour for a period not exceeding three months, or both. Offences and penalties

*(As amended by Act No. 13 of 1994)*

SCHEDULE

*(Regulations 2, 18, 19, 20, 21, 22, 23, 28 and 29)*

PRESCRIBED FORMS

APPLICATION FOR CREMATION, WITH STATUTORY DECLARATION

I, (name of applicant-in block capitals).....
(address).....
(occupation).....
apply to.....to undertake the cremation of the body of
(name of deceased-in BLOCK CAPITALS).....
.....(address).....
(occupation).....(age).....
(sex).....(whether married, widow, widower or unmarried).....

The true answers to the questions set out below are as follows:

- 1. Are you an executor or the nearest relative of the deceased?
2. If not, state-
(a) your relationship to the deceased;
(b) the reason why the application is made by you and not by an executor or any nearer relative.
3. Did the deceased leave any written instructions to the effect that he or she did not wish his or her body to be disposed of by cremation?
4. Have the near relatives\* of the deceased been informed of the proposed cremation?
\*The term "near relative" as here used includes widow or widower, parent, brother, sister or child of or above the age of eighteen, and any other relative usually residing with the deceased.
5. Has any near relative of the deceased expressed any objection to the proposed cremation? If so, on what ground?
6. What was the date and hour of the death of the deceased?
7. What was the place where deceased died? (Give address and say whether own residence, lodgings, hotel, hospital, nursing home, etc.)
8. Has the body of the deceased been embalmed?
9. Do you know, or have you any reason to suspect that the death of the deceased was due, directly or indirectly, to-
(a) poison;
(b) violence;
(c) illegal operation;
(d) privation or neglect?
10. Do you know any reason whatever for supposing that an examination of the body of the deceased may be desirable?
11. Give name and address of the ordinary medical attendant of the deceased.
12. Give name(s) and address(es) of the medical practitioner(s) who attended deceased during his or her last illness.

I do hereby solemnly and sincerely declare that all the particulars stated above are true, and that to the best of my knowledge and belief no material particular has been omitted; and I make this solemn declaration conscientiously believing the same to be true.

Signature.....

Declared at.....
the..... day of
....., 19.....

Before me.

Signature.....

This declaration must be made before a Commissioner for Oaths.

NOTES

This application should be signed and the statutory declaration made by an executor or by the nearest relative of the deceased, or if made by any other person, must show, under 2 (b) above, cause why the application is not made by an executor or by the nearest relative.

This application must be accompanied by-

- (a) a certificate in terms of section 11 of the Births and Deaths Registration Act that the death of the deceased has been registered in terms of that Act (such certificate to be returned by the medical referee to the person making the application);
(b) a permit authorising burial or other disposal of the body of the deceased; and
(c) written directions by the applicant as to how the ashes are to be disposed of.

Where the applicant is not an executor or the nearest relative of the deceased, this application must also be accompanied by a declaration made before a Commissioner for Oaths by an executor or by the nearest relative of the deceased that the deceased did not leave any direction to the effect that he or she did not wish his or her body to be cremated; or where it is impracticable to obtain such a declaration, other evidence to the same effect.

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CERTIFICATE OF MEDICAL ATTENDANT

I, (full names- in BLOCK CAPITALS).....
am informed that application is about to be made for the cremation of the remains of (name of deceased-in BLOCK CAPITALS).....
(address).....
(occupation).....

Having attended the deceased before death, and seen and identified the body after death, I give the following answers to the questions set out below:

- 1. On what date and at what hour did he or she die?
2. What was the place where the deceased died? (Give address and say whether own residence, lodgings, hospital, nursing home, etc.)
3. Are you a relative of the deceased? If so, state the relationship.
4. Have you, so far as you are aware, any pecuniary interest in the death of the deceased?
5. Were you the ordinary medical attendant of the deceased? If so, for how long?
6. For how long did you attend the deceased during his or her last illness? Give dates of last two attendances.
7. When did you last see the deceased alive? (Say how many days or hours before death.)
8. How soon after death did you see the body, and what examination of it did you make?
9. What was the cause of death?
Primary
Secondary
(Specify the disease, injury, etc., and if possible distinguish the primary from the secondary cause as in the death certificate.)
10. Was there any other cause which contributed to or accelerated death? If so, state it, and if more than one cause, state them all.
11. What was the mode of death? Say whether syncope, coma, exhaustion, convulsions, etc.) What was its duration in days, hours or minutes?
12. State how far the answers to the last two questions are the result of your own observations, or are based on statements made by others. If on statements made by others, say by whom.
13. Did the deceased undergo any operation during the final illness or within a year before death? If so, what was its nature, when was it performed, and who performed it?
14. By whom was the deceased nursed during his or her last illness? (Give names and say whether professional nurse, relative, etc. If the illness was a long one, this question should be answered with reference to the period of four weeks before the death.)
15. Who were the persons (if any) present at the moment of death?
16. In view of your knowledge of the deceased's habits and constitution, do you feel any doubt whatever as to the character of the disease or the cause of death?
17. Do you know, or have you any reason to suspect, that the death of the deceased was due, directly or indirectly to-
(a) poison;
(b) violence;
(c) illegal operation;
(d) privation or neglect?
18. Have you any reason whatever to suppose a further examination of the body to be desirable?
19. Have you given the certificate required for registration of death? If not, who has?

I hereby certify that the answers given above are true and accurate to the best of my knowledge and belief, that there is no circumstance known to me which can give rise to any suspicion that the death was due wholly or in part to any other cause than disease/accident, and that there is no circumstance of any sort known to me which makes it undesirable that the body should be cremated.

(Signature).....
(Address).....
(Registered qualifications).....

Date.....

NOTES

This certificate must be given by a medical practitioner who attended the deceased during his or her last illness and who can certify definitely as to the cause of death.

This certificate must be handed or sent in a closed envelope by the medical practitioner who signs it to the medical practitioner who is to give the confirmatory certificate in Form 3.

CONFIRMATORY MEDICAL CERTIFICATE

I, (full names-in BLOCK CAPITALS)..... have examined the certificate in Form 2 and have made personal inquiry as stated in my answers to the questions below:

1. Name of deceased-in BLOCK CAPITALS.
2. Have you seen the body of the deceased?
3. Have you carefully examined the body externally?
4. Have you made a post-mortem examination of the body of the deceased?
5. Have you seen and questioned the medical practitioner who gave the certificate in Form 2?
6. Have you seen and questioned any other medical practitioner who attended the deceased?
7. Have you seen and questioned any person who nursed the deceased during his or her last illness, or who was present at the death?
8. Have you seen and questioned any of the relatives of the deceased?
9. Have you seen and questioned any other person?

(On the answers to questions 6, 7, 8 and 9 give names and addresses of persons seen and say whether you saw them alone.)

I am satisfied that the cause of death was ..... and I certify that I know of no circumstance which can give rise to any suspicion that death was due wholly or in part to any other cause than disease/accident, and that there is no circumstance of any sort known to me which makes it undesirable that the body should be cremated.

I am not a relative of the deceased nor a relative or partner or employee of Dr.....who has given the certificate in Form 2, and so far as I am aware I have no pecuniary interest in the death of the deceased.

(Signature).....  
 (Address).....  
 (Registered qualifications  
 and year of first registration).....  
 (Office).....

Date.....

NOTES

This certificate, if not given by a medical practitioner who has carried out a post-mortem examination of the body of the deceased, shall be given by a medical practitioner of not less than five years' standing:

Provided that no medical practitioner who is a relative of the deceased or a relative or partner or employee of the medical practitioner who has given the certificate in Form 2 or a person having any pecuniary interest in the death of the deceased, may give this certificate.

Where a post-mortem examination of the body of the deceased has been carried out by a medical practitioner not approved by the medical referee, such medical practitioner must complete *this* certificate instead of the certificate in Form 4.

This certificate, *and* the certificate in Form 2, must be handed or sent in a closed envelope to the medical referee by one or other of the medical practitioners by whom they are given.

CERTIFICATE AFTER POST-MORTEM EXAMINATION

I, (full names-in BLOCK CAPITALS).....  
hereby certify that acting *\*on the instructions* of the medical referee to.....  
..... I made a post-mortem examination of the body of  
(name-in BLOCK CAPITALS).....  
(address).....  
(occupation).....

I am satisfied that the cause of death was..... and that there is no reason  
*for making any toxicological analysis or for the holding of an inquest.*

(Signature).....

(Address).....

Date.....

(Registered qualifications).....

*\*Where the medical referee himself gives this certificate, strike out the words in italics and insert "as".*

The words in italics should be omitted where a toxicological analysis has been made and its result is stated in this certificate or in a certificate attached to it.

NOTE

This certificate must be given by a medical practitioner approved by the medical referee, and must be handed or sent in a closed envelope to the medical referee, except where the medical referee himself makes the post-mortem examination.

MAGISTRATE'S CERTIFICATE

I, (full names-in BLOCK CAPITALS).....  
certify that I have \*held an inquest ( which has been adjourned until .....

to ascertain the cause of the accident)

directed a post-mortem examination to be made

on the body of.....and that

\*my conclusion

the cause of death as disclosed by the report of the post-mortem examination was as follows:

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

Medical evidence was given by (in BLOCK CAPITALS).....

I am satisfied from the evidence that the cause of death was .....  
.....and that no circumstance exists which could render necessary any further  
examination of the body or any analysis of any part of the body.

.....  
*Magistrate*

Date and place.....

\*Strike out whichever is inapplicable.

Strike out the words in italics in all cases except those in which death occurs in connection with an industrial, railway,  
flying or road accident.

NOTE

This certificate must be handed or sent in a closed envelope to the medical referee.

AUTHORITY TO CREMATE

Whereas application has been made for the cremation of the body of  
(name\*-in BLOCK CAPITALS).....  
(address).....  
(occupation).....

And whereas I have satisfied myself that all the requirements of the Public Health (Creamatoria and Cremation) Regulations have been complied with, that the cause of death has been definitely ascertained, and that there exists no reason for any further inquiry or examination:

I hereby authorise the superintendent of the..... Crematorium  
at.....to cremate the said body.

(Signature).....  
Medical referee to.....

Date.....

NOTE

This authority should be signed in duplicate, one copy to be retained with certificates and the other sent by the medical referee to the superintendent of the crematorium.

\*In the case of a stillborn child, in place of the name, address and occupation, insert a description sufficient to identify the body, and in place of the words "that the cause of death has been definitely ascertained" insert the words "that the child was stillborn".



REGISTER OF CREMATION

Carried out by.....at the Crematorium at.....

No.	Date of cremation	Name, residence and occupation of deceased	Age and sex	Whether married or unmarried	Date of death	Name and address of person who applied for cremation	Names & addresses of signing cert

Note.-Additional particulars may be added in the Form of Register by the Cremation Authority.

NOTIFICATION OF CREMATION

This is to certify that the body of.....  
 deceased, who died on the.....day of..... 19.....  
 at.....  
 was cremated on the.....day of..... 19.....  
 at.....Crematorium.

Witness my hand this.....day of..... 19.....

Serial Number in Register  
 of Cremations:

No.....

.....  
*Superintendent of Crematorium*

NOTE

This notification should be completed and signed in quadruplicate and distributed as follows:

ORIGINAL: To the Cremation Authority-to be filed with the application, certificates, statutory declarations and other documents relating to the cremation, in terms of regulation 30 of the Public Health (Crematoria and Cremation) Regulations.

DUPLICATE: Within ninety-six hours of cremation of the body, to the Registrar of Births and Deaths for the District in which the death took place, or if death took place elsewhere than in Zambia, to the Registrar of Births and Deaths for the District in which the crematorium is situate.

TRIPLICATE: To the person who applied for the cremation in Form 1, at the address stated on that form.

QUADRUPPLICATE: To be retained by the Superintendent of the Crematorium at which the cremation took place.

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SECTION 102-THE PROHIBITION OF GROWING OF CERTAIN CROPS (PEMBA TOWNSHIP) ORDER

*Government Notice  
217 of 1946*

*Order by the Minister on the advice of the Central Board of Health*

- |   |   |
|---|---|
| <p>1. This Order may be cited as the Prohibition of Growing of Certain Crops (Pemba Township) Order.</p> <p>2. The growing of maize and sorghum crops within Pemba Township is hereby prohibited.</p> | <p>Title</p> <p>Prohibition of growing of crops</p> |
|---|---|

REPUBLIC OF ZAMBIA

**THE MEDICAL AND ALLIED PROFESSIONS ACT**

**CHAPTER 297 OF THE LAWS OF ZAMBIA**

## Endnotes

### **1 (Popup - Popup)**

\* 15th December, 1967.

### **2 (Popup - Popup)**

\*Powers delegated to Provincial Medical Officer by S.I. No. 36 of 1964.

### **3 (Popup - Popup)**

Note: This regulation has been suspended by G.N. No. 229 of 1943 in so far as it relates to seconds-hand clothing.

### **4 (Popup - Popup)**

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

### **5 (Popup - Popup)**

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

### **6 (Popup - Popup)**

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

### **7 (Popup - Popup)**

Certain plots in the City of Kitwe were exempted, on conditions, from the provisions of this regulation by G.N. Nos. 130 and 246 of 1948.

### **8 (Popup - Popup)**

A description of the area of this former township is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

### **9 (Popup - Popup)**

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

### **10 (Popup - Popup)**

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

### **11 (Popup - Popup)**

A description of the areas of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act. Chapter 120 of the 1963 Edition of the Laws.

### **12 (Popup - Popup)**

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