

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 189

PUBLIC HEALTH ACT

[18th January, 1960]

Act 25 of 1959.
G.N.17 of 1960.
Act 18 of 1960.
Act 3 of 1963.
Act 15 of 1964.
Act 13 of 1968.
S.I.95 of 1975.
Act 23 of 1976.
Act 8 of 1980.
Act 14 of 1987.
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S.I. 6 of 2003

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

PART I

Interpretation

2. In this Act

"adult" means a person who has attained the age of eighteen years;

"advocate" means a barrister or attorney admitted to practice in the Supreme Court;

"building" includes any house, hut, shed, or roofed enclosure, whether used for human habitation or not, and also any wall;

"burial" includes burial in earth or sea and any other mode of disposal of a dead body except cremation;

"carrier" means a person who, although not presenting signs or symptoms of an infectious disease, yet carries in his body organisms which can produce such a disease in an active form in others;

"child" means a person who has not attained the age of eighteen years;

"dairy" includes any farm, shed, milkshop or other place from which milk is supplied;

"dairyman" includes any producer or purveyor of milk or occupier of a dairy;

"Director" means the Chief Medical Officer;

"dwelling" means a house, shed, hut, tent, vehicle, vessel, boat, cave or any other structure or place whatsoever, in which, or in any portion of which, any human being sleeps or resides;

"epidemic order" means an order of the Minister under subsection (1) or subsection (3) of section 49;

"food" includes any article ordinarily used as food or drink, or as a component or ingredient of food or drink, and in particular includes alcoholic drinks, condiments and ice and in relation to any person who knows that an article not ordinarily used as aforesaid is intended to be so used, includes such article but does not include water;

"guardian" means any person other than a parent having the actual custody of a child;

"health inspector" means a health inspector of the medical department and includes any other member of the medical department authorised by the Director to make any inspection or perform any other duty pursuant to this Act;

"infectious disease" means any disease which can be communicated directly or indirectly by any person suffering therefrom to any other person;

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

"isolation" means separation and segregation from and interdiction of communication with others of persons who are, or are suspected of being infected;

"latrine" means a watercloset or a privy of any other type and includes a urinal;

"master" means the person in charge of a vessel or aircraft;

"medical observation" means the segregation or detention of persons under medical supervision for the purpose of medical examination;

"medical officer" means a registered medical practitioner in the employment of the government;

"medical officer of health" means a medical officer assigned for duty in carrying out the provisions of this Act and includes the Director and any medical practitioner authorized by him to perform any function pursuant to this Act;

"medical practitioner" means a person registered as a medical practitioner under the Medical Practitioners and Dentists Act;

"medical surveillance" means the requirement that persons who are not detained but allowed to move about freely attend for medical examination at times and places prescribed by the medical officer of health;

"notifiable disease" means any disease mentioned in the First Schedule;

"occupier" means a person in actual occupation of any premises or part thereof and includes the owner of such premises when such owner is in actual occupation thereof and a person having the charge, management or control of any premises or part thereof and, in the case of premises the whole or any part of which is let to tenants or lodgers, the person receiving or entitled to receive the rent payable by the tenants or lodgers, either on his own account or as agent of another person, and in the case of a vessel or aircraft the master thereof;

"offensive trade" includes the trade of bloodboiler, boneboiler, fellmonger, soapboiler, tallowmelter, tripeboiler, tanner, preparer or storer of hides, manuremaker, and any other trade declared by regulation or notice in the Gazette to be an offensive trade;

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

"premises" means any building or dwelling, the land forming the site thereof and any adjoining land used in connection therewith and includes any vessel or aircraft;

"public building" includes

- (a) any church, chapel, meetinghouse or other building used for divine worship;
- (b) any hall or other building or tent used or adapted for any kind of exhibition or entertainment open to members of the public, whether with or without payment;

- (c) any hotel, lodging house or restaurant in which five or more persons, exclusive of the occupier, his family and servants, may at one time obtain sleeping accommodation or meals;

"public health nurse" means any qualified nurse authorised by the Director to perform health duties pursuant to this Act and includes a health visitor or district nurse, so authorised;

"public latrine" means any latrine to which the public are admitted, whether with or without payment;

"school" means any public or private establishment for primary, secondary or higher education and includes a hostel or boarding house for the pupils at any such establishment and includes also a Sunday school;

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

"trade premises" means any premises used or intended to be used for carrying on any trade or business;

"vehicle" means anything constructed or used for the conveyance of persons or goods on land, in whatever way

driven, propelled or towed but does not include any guncarriage, tank or other armed conveyance belonging to the Forces of the Republic;

"vessel" includes any marine craft however propelled and whether seagoing or not but does not include a naval craft or transport of any nation;

"whatsoever" in the expression "food, equipment and other materials whatsoever" and in similar expressions means that any materials and things compatible with the purpose of the provision in which such expression occurs are included, whether such other materials or things are of the same kind as those previously mentioned or of different kinds and the doctrine called *ejusdem generis* shall not apply to the construction of such expression.

PART II

Administration

3. Every medical officer of health shall take all practicable measures for ensuring cleanliness and sanitation and for the prevention of disease and for the maintenance and improvement of the health of members of the public and in particular shall administer and enforce, as far as practicable all the provisions of this and any other Act relating to public health.

4. The members and employees of the office of the medical officer of health shall act in cooperation with the medical officer of health and shall be guided by his advice.

PART III

Protection of Water Supplies

5. (1) Every medical officer of health shall, by all practicable means guard against and prevent the pollution of any supply of water which is used or may be used for drinking or

domestic purposes and where any such supply has been polluted or exposed to risk of pollution, the medical officer of health shall take all practicable measures to purify the water.

6. The Minister may make regulations intituled the Water Supplies (Examination) Regulations to provide for the chemical and bacteriological examination of any supply or source of supply of water which is or may be used for drinking or domestic purposes.

7. The Minister may make regulations intituled the Public Health (Drainage and Irrigation) Regulations to provide for the control and administration of the flow of water in any natural or artificial watercourse which is or may be used for irrigation or agricultural drainage, and to prohibit, restrict or control the irrigation of land and to confer powers and impose duties on the Director, and on medical officers of health and on the Public Works Manager and to impose duties on landowners and cultivators and by all other practicable means to minimise danger of the spreading of disease by waterborne organisms.

PART IV

Extirpation of Mosquitoes

8. (1) Every occupier of land or premises shall at all times keep all parts of such land or premises free from any collection of water, or animal or vegetable matter conducive to the infestation of such land or premises by mosquitoes.

(2) Where mosquitoes are found to be breeding or developing on any land or premises and where any means of storing or draining water or any vessel or other thing whether serviceable or unserviceable and whether large or small, is so situated or constructed as to facilitate the propagation or development of mosquitoes the medical officer of health may cause to be served upon the owner or occupier of the land or premises where such conditions or things exist a notice specifying the measures necessary to avert the danger of development of, or infestation by, mosquitoes and requiring the person served to adopt those measures within a period specified in the notice.

(3) Any person who makes default in complying with a notice under this section is liable on first conviction to a fine not exceeding Rs.200 and on a subsequent conviction to a fine not exceeding Rs.500.

PART V

Unhealthy Dwellings

9. (1) Where a medical officer of health considers that a dwelling is unfit for human habitation the medical officer of health shall serve on the owner and on the occupier of the dwelling a notice to remedy the defects, by making such repairs, alterations or additions as the medical officer of health considers reasonably practicable and necessary to render the dwelling fit for human habitation. Such works shall be specified in the notice, or in a schedule attached thereto, with particulars sufficient to enable the owner or occupier to appreciate the requirements and to ascertain the probable cost of compliance with the notice.

(2) The owner or occupier may, within one month of service of the notice, submit to the medical officer of health proposals for remedying the defects. Such proposals shall consist of, or include plans showing clearly the scope and effect of the proposals with particulars of dimensions and quantities, sufficiently detailed to enable the cost to be estimated. Such proposals must constitute an effective mode of remedying the defects specified in the notice but they may differ from the mode indicated in the notice.

(3) The medical officer of health shall examine the proposals and if it appears to him that amendments are desirable he shall negotiate with the proposer for such amendments.

(4) If the proposals are accepted with or without amendments, the medical officer of health shall serve on the owner and on the occupier an amended notice to remedy the defects, substituting the proposals, with any negotiated amendments, for the original requirements and specifying a reasonable time within which the work is to be completed.

(5) If the medical officer of health considers it necessary that the dwelling should be vacated while the proposals are carried out or until they have been completed the medical officer of health may, at any stage, serve upon the owner and upon the occupier, a notice requiring that the dwelling be vacated within seven days from the date of service of the notice and kept unoccupied thereafter until the medical officer of health has certified that the dwelling has been rendered fit for human habitation.

(6) If no proposals are submitted within the period allowed or if the proposals are rejected or if accepted proposals are not carried out within a reasonable time the medical officer of health shall serve upon the owner and upon the occupier a notice requiring the dwelling to be vacated within fourteen days from the date of service of the notice and prohibiting the occupation of the dwelling thereafter until the medical officer of health has certified that the dwelling has been rendered fit for human habitation.

10. (1) Where a medical officer of health considers that a dwelling is unfit for human habitation and that it cannot be rendered fit by any alterations or repairs which are practicable the medical officer of health shall serve upon the owner and upon the occupier of the dwelling notice to show cause, within a period not less than one month from the date of service of the notice, why an order prohibiting the further occupation of the dwelling should not be made.

(2) Either the owner or the occupier may show cause by submitting proposals for alterations and repairs.

Such proposals shall consist of, or include, plans showing clearly the scope and effect of the proposals with particulars of dimensions and quantities, sufficiently detailed to enable the cost to be estimated.

(3) On submission of proposals under this section the period of the notice shall be extended for such time as may be necessary for the medical officer of health to examine the proposals and to negotiate with the proposer for any amendments which may be required.

(4) If the medical officer of health considers that the proposals are impracticable, or that if carried out they would not render the dwelling reasonably fit for human habitation, or if no proposals are submitted within the period allowed, the medical officer of health shall serve upon the owner and upon the occupier a notice stating his decision and prohibiting the occupation of the dwelling after the date specified in the notice. The date shall be fixed so as to extend the period of the original notice by a period not less than the interval between the receipt of the proposals and the date of the final notice.

11. The service of a notice prohibiting occupation shall terminate all tenancies and subtenancies of the dwelling or any part of it and any person who receives or attempts to obtain any payment or valuable thing as or in respect of rent of the dwelling or any part of it for any period during which such notice is in force is liable to a fine not exceeding Rs.500 or to imprisonment not exceeding three months.

12. Any party aggrieved by a notice prohibiting occupation under this Part may apply to the Supreme Court to set aside or vary the notice. Such an application shall be by originating motion and shall be served at least four days before the hearing. Such an application shall not operate as an extension of the period of the notice or as a stay of proceedings but the Supreme Court may, if necessary by interim orders, extend the period or stay the proceedings on such terms as may be just.

13. Any person who remains in, or enters into, occupation of a dwelling in contravention of a notice prohibiting occupation or requiring vacation thereof, is liable to a fine not exceeding Rs.500 or to imprisonment not exceeding three months and on the conviction of any person of contravening a notice under section 10(4) (being a notice of irremediable defects) the court may, by warrant, authorise the medical officer of health to take possession of and demolish the dwelling.

14. Where a dwelling has been vacated after proceedings under section 9 or 10, the owner may demolish the building and dispose of the material and if he has not done so within one month from the expiration of the notice prohibiting occupation the medical officer of health may do so and the materials or the proceeds of sale thereof shall belong to the Republic.

15. Where a medical officer of health considers that any part of a dwelling which is used, or is likely to be used, for sleeping or for preparation of food is unfit for such purpose the medical officer of health shall serve on the owner and on the occupier of the dwelling a notice to make such alterations and repairs as are specified in the notice and to discontinue and prevent the use of such part for such purpose until such alterations and repairs have been completed to the satisfaction of the medical officer of health.

If any person makes default in complying with a notice under this section the medical officer of health may prohibit the occupation of the whole dwelling until such alterations and repairs have been completed to the satisfaction of the medical officer of health.

PART VI

Nuisances

16. In this part

"to abate" includes to take all reasonably practicable measures to prevent recurrence;

"nuisance" means—

- (a) any premises or part thereof so situated or so constructed or so dilapidated or so damp or so defective in lighting or ventilation as to be injurious or dangerous to health;
- (b) any premises which are occupied whether by day or by night and not provided with, or so situated or constructed that they cannot be provided with, sufficient and sanitary latrines;
- (c) any premises or part thereof so overcrowded or so verminous or so dirty as to be injurious or dangerous to health;
- (d) any well or cistern or other source or means of storing water, whether public or private, the water from which is used or likely to be used by human beings for drinking or domestic purposes or in connection with any dairy or place where food intended for human consumption is made or prepared, which is in a condition liable to render such water injurious or dangerous to health;
- (e) any washhouse, bathhouse, latrine or refuse pit harbouring mosquitoes in any state of development;
- (f) any gutter, drain, chute, stack, pipe, downspout, watertank or cistern which causes damp in any dwelling so as to be injurious or dangerous to health;

- (g) any deposit of material in or on any building or street which causes damp in any building so as to be injurious or dangerous to health;
- (h) any street or part thereof, any stream, watercourse, ditch, gutter, drain, soakaway, pit, well, pool, cistern, watertank, sink, wastepipe, sloptank, dustbin, garbage receptacle, ashpit, refusepit, soilpipe, septictank, latrine, sewer, cesspool, cesspit, dungpit or manure heap, so foul or in such a state or so situated or constructed as to be offensive or injurious or dangerous to health;
- (i) any noxious matter or waste water flowing or discharged from any premises into any street, or into the gutter or sidechannel of any street, or into any gully, swamp, watercourse irrigation channel or bed thereof, not approved by the medical officer of health for the reception of such flow or discharge;
- (j) any chimney emitting smoke in such quantity or in such manner as to be offensive or injurious or dangerous to health;
- (k) any growth of weeds, long grass, trees, bushes, hedge or vegetation of any other kind which is injurious or dangerous to health and any vegetable that is of itself dangerous to children or others either by its effluvia or owing to any part of it being eaten;
- (l) any collection of water in any well, pool, watercourse, gutter, depression or excavation or any barrel, bucket, bottle, tin, coconutshell or other article whether serviceable or useless, which contains or is likely to collect and hold water in which mosquitoes are likely to multiply or develop;
- (m) any collection of water, sewage, rubbish, refuse, garbage, or other fluid solid matter which permits or facilitates the multiplication of parasites of man or animals or of organisms which carry parasites or which may otherwise cause or facilitate the infection of man or animals by such parasites;
- (n) any area of land kept or permitted to remain in such a state as to be offensive, or injurious or dangerous to health;
- (o) any animal so kept as to be offensive or injurious or dangerous to the health of other animals or of mankind;
- (p) any stable, cowshed or other premises used for keeping animals or birds which is offensive or injurious or dangerous to the health of mankind or animals;
- (q) any accumulation or deposit of refuse, offal, manure or other matter whatsoever which is injurious or dangerous to health;
- (r) any building so constructed or any premises in such a state or condition as to be likely to harbour rats;
- (s) any accumulation of stones, timber or other materials whatsoever which is likely to harbour rats;
- (t) any factory, workshop, or other premises causing or emitting effluvia, gases, vapours, dust or smoke in such a manner as to be offensive or injurious or dangerous to the health of persons either within or outside such premises;
- (u) any factory workshop or other trade premises not kept clean and free from offensive smells arising from their operation, latrines or drains or so overcrowded, illit or illventilated as to be injurious or dangerous to health;

- (v) any vehicle, vessel, or aircraft, in such a condition as to be offensive, injurious or dangerous to health.

17. (1) Where an officer making an inspection has reason to believe that a nuisance affects any land or premises he may, in order to investigate the origin, nature or extent of the nuisance cause the ground to be opened or the drains to be tested or any other work to be executed.

(2) Where practicable the consent of the owner or occupier of the land or premises shall be obtained before any such work is executed but if no person authorised to consent can be found within a reasonable time such consent shall be Government.

(3) If on investigation under this section nothing causing or contributing to a nuisance is found on the land or premises, the same shall be restored at the expense of the local authority.

18. (1) Where as result of inspection the medical officer of health believes that a nuisance exists the medical officer of health shall cause to be served upon the author of the nuisance or, if the author cannot be found, upon the occupier or owner of the land or premises on which the nuisance arises a notice setting out short particulars of the nature of the nuisance, referring to the relevant paragraph of section 16, requiring the addressee of the notice to abate the nuisance, setting out short particulars of the measures which in opinion of the medical officer of health are the most practicable and expeditious means of abating the nuisance, having regard to the means of the addressee is required to comply with the notice.

(2) On the expiration of the specified time the medical officer of health shall cause the site of the alleged nuisance to be reinspected.

(3) If on the expiration of the specified time the nuisance has not been abated, the medical officer of health or an officer in the office of the medical officer of health shall lodge in the magistrates' court a complaint in duplicate, stating the name and address of the person alleged to have made default in complying with the notice and the date of service of the notice. A copy of the notice shall be attached to the original complaint. In subsequent proceedings the medical officer of health shall be termed the complainant and the person named, the respondent.

(4) If the complaint appears to be in order the court shall cause to be served upon the respondent a summons with the duplicate complaint attached.

(5) When the summons has been served the court shall, in writing, inform the complainant of the date fixed for the respondent to appear.

19. (1) Any person who alleges that a nuisance exists and that it is offensive to, or injurious or dangerous to the health of, himself, his family, servants or tenants may report the matter to the medical officer of health and if the nuisance is not abated within a reasonable time such person may proceed by notice and if necessary by complaint and the provisions of this part relating to proceedings after notice by a medical officer of health shall apply, mutatis mutandis, to proceedings after notice by such person.

(2) A complainant taking proceedings in the magistrates' court in pursuance of this section may with the permission of the court conduct such proceedings in person but such permission may be withdrawn at the discretion of the court at any stage in which event the proceedings shall be stayed until the complainant is represented by an advocate.

20. (1) The complainant shall cause the site of the alleged nuisance to be inspected on the working day next preceding the return day of the summons and the person who made such inspection shall be available to give evidence at the hearing if required by the court.

(2) On the hearing of a summons under section 18 the court shall first require the complainant to prove that a nuisance existed at the date issue of the notice under section 18, that such notice was served, that the respondent was responsible for the nuisance and that the respondent had not complied with the notice at the date of the complaint. If these facts are not proved the summons shall be dismissed.

(3) If it appears that the respondent fully complied with the notice after the date of the complaint, but before the hearing, the summons may be withdrawn unconditionally or on such terms as the court thinks fit.

(4) If the facts aforesaid are proved the court shall call upon the respondent, if present or represented, to show cause why he should not be ordered to abate the nuisance.

(5) The respondent may without adducing any evidence, show cause on a point of law.

(6) If the respondent does not proceed, or does not succeed, under subsection (5) he may—

(a) make an unsworn statement, in which case he shall not be cross-examined; or

(b) give evidence, and after he has done so, or elected to do neither, he may adduce evidence other than his own and may address the court on the law or the facts or both.

The complainant may reply and may, with the permission of the court, call evidence in rebuttal.

21. (1) If the court finds that the respondent has shown cause the summons shall be dismissed unconditionally or on such terms as the court thinks fit.

(2) If the respondent has not appeared, though served, or if the court finds that he has not shown any cause, the court shall make an order on the respondent requiring him to comply with all or any of the requirements of the notice or otherwise to abate the nuisance within a time specified in the order.

(3) A respondent may show cause in part by showing that he is not solely responsible for the nuisance.

22. If it is contended by or on behalf of the respondent that any other person is jointly or severally liable for the same nuisance the court may adjourn the proceedings and cause such person to be summoned and after hearing such person and if necessary further hearing the original respondent and the complainant the court shall make such orders as the circumstances require.

23. No order under section 21 shall debar the complainant from proceeding against any other person who may be jointly or severally liable in respect of the same nuisance.

24. (1) No question of title shall be litigated under this part.

(2) If any such question is raised the court may decide as a question of fact whether at the material time, a respondent was the occupier of the land or premises in question and if the respondent was neither the occupier, nor the author of the nuisance and denies that he is the owner, the proceedings shall be stayed as against him.

25. Every order for the abatement, or partial abatement of a nuisance shall specify the work to be done and the time within which it is to be completed and the order shall be drawn up by the court and served on the respondent and the court may require the respondent to remain in attendance until the close of business on the day of the hearing to accept service thereof. If a respondent fail to comply with such requirement the fact shall be recorded and a copy of the order shall be sent to the respondent by post and he shall be deemed to have been served on the day of the hearing.

26. In making orders under this Part the court shall not be limited by the terms of the notice or complaint but may require any nuisance proved to exist to be abated in such manner and within such time as the court, after hearing all parties concerned, thinks fit.

27. (1) Any person who fails to obey an order of the court to comply with the requirements of a medical officer of health or otherwise to abate the nuisance shall, be guilty of an offence and liable to a fine not exceeding Rs.500 and the court may in addition impose a fine not exceeding Rs.20 for every day during which default continues after the expiry of the time fixed by the court under section 25.

(2) The medical officer of health or an officer of the office of the medical officer of health thereof may in such case enter the premises to which any such order relates and abate the nuisance and do whatever may be necessary in the execution of such order and recover before the court the expenses incurred from the person on whom the order is made.

28. Any costs or expenses payable under an order of court may be made payable by instalments.

29. (1) Every order of court under this Part for the payment of money, whether for expenses, or costs, shall state the time withwhich, or the instalments by which, the money is to be paid.

(2) If default be made in paying any such amount or installment in accordance with the order the whole amount remaining unpaid shall immediately become due and payable and may be levied, or payment thereof may be enforced, in accordance with the Courts Act or the Criminal Procedure Code.

30. Where a summons under this Part has been dismissed the order shall, on the written request of the complainant, be drawn up by the court and shall state the finding of the court on so many of the following matters as are applicable:

- (a)** whether any and what nuisance existed at the date of the complaint or at the date of the hearing;
- (b)** whether the respondent was the author of the nuisance;
- (c)** whether the respondent was wholly or partly responsible for the nuisance;
- (d)** whether the respondent was the owner or occupier of the land or premises concerned;
- (e)** any other special matter material to the decision.

31. Any party aggrieved by a final order of the Magistrates' court under this Part may appeal to the Supreme Court.

PART VII

Notification of Notifiable Disease

32. The Minister may make regulations intituled the Notifiable Disease (Remote Area) Regulations to provide for the notification of notifiable disease in remote parts of Seychelles.

33. (1) Where, except in a remote area referred to in section 32, an inmate of any dwelling, other than a hospital in which persons suffering from notifiable diseases are received, is suffering from a notifiable disease—

- (a) the head of the family of such inmate; or
- (b) if the head of the family is absent or unable to act, the other adult members of the family; or
- (c) if no adult member of the family is present and able to act, the person having charge of or in attendance on such inmate; or
- (d) if there is no such person able to act, the occupier of the dwelling,

shall, as soon as he becomes aware that such inmate is suffering from a notifiable disease, give or send notice of the fact to the medical officer of health.

(2) A notice under subsection (1) must be given personally and at the earliest possible opportunity and may be given to the medical officer of health or to a health inspector or public health nurse or, if none of these can be found without delay, to the nearest police station.

(3) Every police officer who receives a report under subsection (2) shall forthwith communicate the substance of the report to the medical officer of health by telephone or telegraph or by special messenger.

(4) Every medical practitioner attending or called in to visit a patient shall on becoming aware that the patient is suffering from any notifiable disease forthwith send to the medical officer of health a certificate stating the name of the patient, the situation of his dwelling and the notifiable disease from which, in the opinion of the medical practitioner, the patient is suffering and shall also inform the person having charge of or in attendance on the patient and the occupier of the premises in which the patient is found or dwells of the nature of the disease and the precautions to be taken to prevent the infection of others.

(5) The Government shall pay to every medical practitioner, other than a Government medical officer, for each certificate duly sent by him in accordance with subsection (4) the prescribed fee if the case occurs in his private practice.

(6) Every person required by this section to give a notice or certificate who fails to give the same is liable to a fine not exceeding Rs.200.

PART VIII

Prevention and Suppression of Infectious Disease

34. (1) For the purpose of minimising danger of the introduction of infectious diseases into Seychelles the Minister may, by order published in the Gazette—

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

- (b) regulate, restrict, or prohibit the importation into Seychelles or any part thereof of any animal, article or thing or of any class of animals, articles or things;
- (c) impose requirements or conditions regarding medical examination, detention, quarantine, disinfection, vaccination, isolation, medical observation and medical surveillance of persons entering Seychelles, the veterinary examination, inoculation, vaccination, segregation and quarantine of animals and the examination disinfection and detention of articles or things imported into Seychelles.

(2) Any person who contravenes or fails to comply with the provisions of any such order is liable to a fine not exceeding Rs.1,000 or to imprisonment not exceeding six months or to both.

35. A medical officer of health inspecting any premises in which he has reason to believe that any person suffering or who has recently suffered from any infectious disease or has recently been present or any inmate of which has recently been exposed to the infection of any infectious disease may immediately examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from or is a carrier of such disease and may cause any corpse to be examined for the purpose of ascertaining if the cause of death was an infectious disease.

36. Where in the opinion of a medical officer of health any person is suffering from an infectious disease and is not accommodated or is not being treated or nursed in such manner as adequately to guard against the spread of disease such medical officer of health may cause such person to be removed, if necessary without his consent or without the consent of his parent or guardian, to a hospital or other place which in the opinion of the medical officer of health is suitable for the reception of infectious sick and a person so removed shall be detained in such hospital or place until the medical officer of health or medical practitioner authorised in that behalf by the Director certifies that he can be discharged without danger to the public health.

37. Where in the opinion of a medical officer of health any person has recently been exposed to the infection of and may be in the incubation stage of any infectious disease and is not accommodated in such manner as adequately to guard against the spread of disease, such person may, on a certificate signed by the medical officer of health, be removed, at the expense of the Government to a place of isolation and there detained until, in the opinion of the medical officer of health, he can be discharged without danger to the public health.

38. (1) Where a medical officer of health is of opinion that the cleansing and disinfecting of any premises or part thereof, and of any articles therein likely to retain infections, would guard against the spread of infectious disease, he shall give notice in writing to the owner or occupier of such premises or part thereof specifying the steps to be taken to cleanse and disinfect such premises or part thereof and such articles, within a time specified in such notice.

(2) If the person to whom such notice is given makes default in complying therewith, he is liable to fine not exceeding Rs.200 for every day during which the default continues and the medical officer of health may cause such building or part thereof and articles to be cleansed and disinfected and may recover the expenses of so doing from the defaulter.

(3) Where the owner or occupier of any such premises or part thereof is from poverty or otherwise unable, in the opinion of the medical officer of health, effectually to carry out the requirements of this section, such officer may, without enforcing such requirements on such owner or occupier, with or without his consent enter, cleanse and disinfect such premises or part thereof and such articles at the expense of the Government.

39. A medical officer of health may in writing direct the destruction of any bedding, clothing or other articles which have been exposed to infection from any infectious disease and which cannot reasonably be disinfected and such direction shall be sufficient authority for a person designated therein to destroy such articles.

The medical officer of health at the expense of the Government shall, at the time of destruction or as soon as possible thereafter, give to the owner as many articles of the same kinds, as shall, as nearly as practicable, suffice to replace those destroyed.

40. Where in the opinion of the medical officer of health a building or any part thereof which is likely to retain infection cannot be efficiently disinfected he shall give to the occupier thereof a notice in writing requiring the immediate vacation of such building or part and all persons therein shall forthwith vacate the same under the supervision of the medical officer of health, or of some other person deputed by him to supervise the vacation, who shall permit the removal of such articles as can be efficiently disinfected under his supervision. Such building or part and articles remaining therein shall be appraised in accordance with regulations and shall be destroyed as speedily as possible in accordance with the directions of and subject to precautions prescribed by the medical officer of health.

Compensation for property destroyed under this section shall be assessed and paid in accordance with regulations.

41. (1) Any person who

- (a) while knowingly suffering from any infectious disease exposes himself without proper precautions against spreading such disease in any street, or in any shop, public building, public vehicle or vessel without previously informing the person in charge thereof that he is so suffering; or
- (b) being in charge of any person whom he knows to be 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 to his knowledge been exposed to infection from infectious disease,

is liable to a fine not exceeding Rs. 500 or to imprisonment not exceeding three months or to both.

(2) Any person who commits an offence under subsection (1) in respect of a vehicle or vessel which plies for hire is liable, in addition to a fine to pay to the owner or person in charge of vehicle or vessel the amount of any fees and compensation payable in respect of the disinfection thereof and payment of such amount may be enforced in the same manner as payment of a fine and in so far as such amount is paid into court it shall be paid out to the owner or person in charge of the vehicle or vessel.

A prosecution under this subsection may be instituted by the police or by the owner or the person in charge of the vehicle or vessel.

(3) 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 or destroyed.

42. (1) Where it comes to the knowledge of the owner or person in charge of any public vehicle or vessel that his vehicle or vessel has conveyed any person believed to be suffering from an infectious disease or any articles likely to be infected such owner or person

shall forthwith take all practicable means to prevent any person from entering such vehicle or vessel and shall report the circumstances to the medical officer of health or to a health inspector or public nurse, or if none of them can be found without delay, to the officer in charge in the nearest police station.

(2) Every police officer who receives a report under this section shall forthwith communicate the substance of the report to the medical officer of health by telephone or telegraph or by a special messenger.

(3) Such owner or person shall cause such vehicle or vessel to be disinfected in accordance with the directions of the medical officer of health before any person is permitted to enter it for any purpose other than the carrying out of such directions.

(4) Any person who makes default in compliance with subsection (1) or (3) is liable to a fine not exceeding Rs.200.

43. Any person who lets for hire any dwelling or premises or part thereof which has to his knowledge, been used within six weeks prior to such letting by any person suffering from an infectious disease without having the same, and all articles therein liable to retain infection, efficiently disinfected to the satisfaction of the medical officer of health as testified by a certificate signed by him is liable to a fine not exceeding Rs.500.

This section applies to a person in charge of an hotel or lodginghouse.

44. Any person letting for hire or showing for the purpose of letting for hire any dwelling or part thereof who on being questioned by any person negotiating for the hire of such dwelling 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 is liable to a fine not exceeding Rs.500.

This section applies to a person in charge of an hotel or lodging house.

45. (1) Where any person has died from an infectious disease the occupier of the dwelling in which the death occurred shall immediately report the death to the medical officer of health or a health inspector, or public health nurse or, if none of them can be found without delay, to the officer in charge of the nearest police station.

Any person who makes default in complying with the provisions of this subsection is liable to a fine not exceeding Rs.500.

(2) Every police officer who receives a report under this section shall forthwith communicate the substance of the report to the medical officer of health by telephone or telegraph or by a special messenger.

46. The Minister may make regulations intituled the Infectious Diseases Regulations for guarding against the spread of infectious diseases. Such regulations may be applicable to all infectious diseases or to such infectious diseases only as may be specified. Such regulations may provide, inter alia, for all or any of the following measures:

- (a) closing of schools or restriction or control of attendance at schools;
- (b) closing of places of public entertainment;
- (c) prohibition or restriction or control of attendance at sporting, athletic and social events;
- (d) quarantine, medical observation and surveillance;

- (e) establishment and administration of isolation hospitals, convalescent homes and other places for the treatment and aftercare of sufferers from infectious disease;
- (f) removal and isolation of persons infected or likely to be infected;
- (g) antiseptic ablution of persons recently exposed to infection;
- (h) medical observation and surveillance of carriers;
- (i) control of transport and movement of persons infected;
- (j) control of transport and disposal of the bodies of persons who appear to have died of infectious diseases;
- (k) provision and use of means to disinfect and fumigate premises;
- (l) vacation, appraisal and destruction of infected buildings and compensation therefor;
- (m) disinfection of infected bedding and other articles;
- (n) destruction of infected articles and their replacement;
- (o) provision and use of means to disinfect and fumigate vehicles and vessels;
- (p) prescribing fees for disinfection and fumigation of vehicles and vessels and prescribing rates of compensation for loss of earnings of vehicles and vessels which ply for hire during the time occupied by disinfection or fumigation thereof and prescribing circumstances in which such compensation shall be payable by the Government or by the owners of the vehicles or vessels concerned, or by other persons;
- (q) prohibition of spitting in public places and public vehicles except into receptacles provided for the purpose;
- (r) imposing on owners of land, employers and other persons in authority duties in regard to measures for the prevention of the spread of infection;
- (s) control of the movement of animals and the transport and disposal of carcasses and other animal matter likely to be infected;
- (t) control of transport of material infected or likely to be infected;
- (u) extirpation of rodents and other vermin and of flies and other insects likely to spread infection;
- (v) prevention or reduction of infestation of premises by vermin or insects likely to spread infection;
- (w) prevention of the spread of any helminthic or other disease communicable by parasites;
- (x) prohibition, restriction or control of the carrying on of any particular trade or business in so far as such carrying on would otherwise be conducive to the spread of infection;

- (y) special measures for the prevention of the spread of particular infectious diseases;
- (z) disposal of waste material which is or is likely to be infected;
 - (aa) compulsory disclosure of information as to possible sources of infection;
 - (bb) establishment and administration of places for disinfection and cleansing of dirty or verminous persons and articles;
 - (cc) prescribing conditions subject to which persons suffering from or suspected of being infected with any infectious disease may be medically treated, without removal to a hospital, in their own homes or elsewhere;
 - (dd) control, partial isolation, limitation of movement and association with other persons, medical examination, medical supervision, surveillance, medication, nursing, maintenance, diet, instruction, employment and recreation of persons treated under paragraph (cc).

PART IX

CONTROL OF FORMIDABLE EPIDEMIC DISEASE

47. This part applies to cerebrospinal meningitis, cholera, plague, smallpox, typhus, yellow fever and any other disease declared by notice in the Gazette to be a formidable epidemic disease.

48. The Minister may make regulations intituled Epidemic Regulations to provide for all or any of the following measures in respect of formidable epidemic disease:

- (a) conferring powers and imposing duties on medical officers of health;
- (b) speedy burial or cremation of the dead;
- (c) administration of hospitals used for the reception of persons suffering from infectious disease;
- (d) establishment and administration of additional and auxiliary hospitals;
- (e) establishment and administration of medical observation camps;
- (f) establishment and administration of stations for medical examination, immunization and disinfection;
- (g) requisition of property;
- (h) administration of establishments provided pursuant to the regulations;
- (i) compulsory attendance at and detention in medical examination, immunisation and disinfection centres and medical observation centres and camps of persons in infected areas and of other persons believed to have been exposed to infection;
- (j) compulsory vaccination, revaccination and inoculation;
- (k) removal to and detention in medical observation camps and hospitals of persons infected or recently exposed to infection;

- (l) prohibition and control of the movement of persons into and out of infected areas;
- (m) house to house visitation;
- (n) provision of medical aid;
- (o) provision of shelter, clothing and food for persons in distress in infected areas;
- (p) disinfection and destruction of buildings, furniture, clothing, effects and goods likely to spread infection;
- (q) prohibition or restriction of the occupation or use of any building for such period or subject to such conditions as may be necessary to guard against danger of the spread of infection;
- (r) extirpation of rats, precautions on board vessels and on shore against the movement of rats between vessels and the shore and precautions against the spread of infection by rats in infected and in other areas;
- (s) any other measures whatsoever conducive to the prevention, control and treatment of formidable epidemic disease.

49. (1) If it appears to the Minister that a formidable epidemic disease exists, either within or outside Seychelles, and that it is expedient that the Epidemic Regulations or any of them should be brought into operation, either by way of precaution or remedially or both, he shall, by order in writing specifying the disease, direct that the Epidemic Regulations or such of them as are specified in the Order shall come into operation throughout Seychelles or in such areas as are specified in the order. Different regulations may be brought into operation in different areas.

(2) So far as is practicable areas specified in orders under subsection (1) shall be either epidemic precaution areas or infected areas.

(3) The Minister may by further orders direct that any or all of the Epidemic Regulations not previously applied shall apply to areas previously specified or to further areas specified in such further orders and may redefine areas previously specified.

(4) Every order under subsections (1) and (3) shall come into full force and effect on signature by the Minister and shall be published in the Gazette as soon as practicable thereafter.

(5) In orders under this section areas may be specified with reference to local areas defined by or pursuant to this or any other Act or with reference to boundaries stated or described in such orders, as may be deemed expedient.

(6) Areas specified in orders under this section may include inland waters and the territorial waters of Seychelles or portions thereof and in such cases the provisions of the Epidemic Regulations which are applicable to vessels shall apply to all vessels within such areas.

(7) If by any mistake or misunderstanding with regard to the position of a boundary any act is done at a place outside a specified area in the belief that such act is authorised by or under the Epidemic Regulations and that such place is within a specified area and if such act would have been lawful if done within such area then such act shall be deemed to have been lawfully done.

(8) When it appears to the Minister that such of the Epidemic Regulations as apply to any area are no longer required for the purpose of controlling or preventing the spread of the epidemic he shall by order direct that such regulations shall cease to apply to that area.

(9) Every order under subsection (8) shall come into force on publication in the Gazette.

50. On the making of an epidemic order, the Director shall forthwith devote all members of his office who can be spared from other duties and all the material resources which are or can be made available and are adaptable to the purpose, to the enforcement and carrying into effect of all the provisions of the Epidemic Regulations and shall apply the Principal Secretary to the Ministry for any additional staff or material which may be or become necessary for such purpose. In enforcing and carrying into effect such provisions all personnel shall act under the guidance of medical officers of health and shall do everything in their power to comply with the advice tendered to them by such officers.

51. When an epidemic order is in operation the Director may require any person owning or having charge of any vacant land or unoccupied building or of any vehicles, tents, bedding, hospital equipment, drugs, food or other equipment or materials whatsoever, to permit and facilitate the use of such land or building by the Director or to deliver to the Director or his agent any such tents or other things as aforesaid, whether situated in an epidemic area or not. A requisition in writing, specifying such property and signed by the Director, shall be conclusive proof that the property so specified is needed for the purposes of the Epidemic Regulations and shall be sufficient authority to any agent or other person having custody or control of such property to give possession or delivery thereof to the Director or his agent in accordance with such requisition.

52. When an epidemic order is in operation the Minister may by requisition in writing, require the owner or occupier of any occupied premises, whether situated in an epidemic area or not, to vacate the whole or such part thereof as may be specified in the requisition and to facilitate the use thereof and of any equipment or other materials whatsoever therein for the purposes of the Epidemic Regulations and the owner, occupier, and every other person having charge of or being within such premises or part thereof shall forthwith comply with such requisition which shall be sufficient authority for any agent or other person having custody or control of such premises, equipment or materials or any part thereof to give possession or delivery thereof in accordance with such requisition.

53. Any person failing or delaying to comply with a requisition under this Part, of which he has notice shall be liable to a fine not exceeding Rs.1,000 or to imprisonment not exceeding six months or to both.

54. Any person who offers or in any manner whatsoever threatens any resistance or obstruction to the Director or any other person taking or attempting to take possession of any property requisitioned under this Part may be arrested without warrant by any police officer and is liable to a fine not exceeding Rs.1,000 or to imprisonment not exceeding six months or to both.

55. If any property is requisitioned under this Part and the owner or other person having charge thereof refuses or delays to comply with the requisition or if no person able to comply therewith can be found within a reasonable time, such requisition shall be sufficient warrant and authority to any police officer, on the request of the Director, to break open any outer or inner door or other means of access and to enter the premises to which the requisition relates, doing no more damage than is necessary for the purpose, and to give effect to such requisition, provided that such officer shall take all practicable measures to safeguard any part of such premises and any property therein which are not comprised in such requisition.

56. (1) Compensation for all property requisitioned under the powers conferred by this Part shall be paid out of general revenues.

(2) Such compensation shall be assessed in accordance with regulations to be made under this Act and intituled the Requisition and Compensation Regulations.

PART X

Venereal Disease

57. In this Act, "venereal disease" means primary or secondary syphilis in contagious form or acute or chronic gonorrhoea or gonorrhoeal ophthalmia or soft chancre or lymphogranuloma inguinale or granuloma venereum or any other disease declared by the Minister by notice in the Gazette to be venereal disease.

58. The Minister may make regulations intituled the Venereal Diseases Regulations to provide for:

- (a) medical examination, classification, temporary isolation and treatment of persons suffering from or suspected of being infected with venereal disease;
- (b) prescribing conditions subject to which such persons may be medically treated without removal to a hospital in their own homes or elsewhere;
- (c) control, partial isolation, limitation of movement and association with other persons, medical examination, medical supervision, surveillance, medication, nursing, maintenance, diet and instruction of persons treated under paragraph (b);
- (d) establishment and administration of a special hospital for venereal diseases or other place of accommodation;
- (e) removal of classified persons to a special hospital or other place of accommodation;
- (f) classification, treatment, instruction, employment and control of inmates of a special hospital or other place of accommodation;
- (g) control of the association of inmates of special hospitals or other places of accommodation with each other and with other persons;
- (h) compulsory disclosure of names and address of contacts or other information as to possible sources of infection;
- (i) removal to and detention within a special hospital or other place of accommodation of any person serving or sentenced to a term of imprisonment who suffers from or is suspected of being infected with venereal disease;
- (j) control of employment of persons suffering from or suspected of being infected with venereal disease;
- (k) duties and obligations of parents and guardians of children suffering from or suspected of being infected with venereal disease;
- (l) prevention of persons knowing or having reason to believe that they are infected with venereal disease from infecting other persons.

59. (1) No person other than a medical practitioner shall treat or offer to treat any patient for venereal disease or prescribe or recommend any internal or external medicine or medicament or appliance for the cure or alleviation of venereal disease.

(2) Any person who contravenes subsection (1) is liable to a fine not exceeding Rs. 500 or to imprisonment not exceeding three months or both.

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

(2) In this section "publish" includes –

- (a) cause to be published by supplying to the publisher of any magazine or newspaper, whether periodical or not, of any book or other document;
- (b) exhibit in any manner to public view;
- (c) sell, offer for sale, or exhibit for perusal or inspection, whether for reward or gratuitously, whether in public or in private, and send by post or deliver in person or by messenger.

(3) This section shall not apply to publications by the medical department of any Government or by any public hospital, or other public body in the discharge of its lawful functions 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 Act shall be instituted except on information laid with the written sanction of the Director.

(5) Any person who contravenes subsection (1) is guilty of an offence unless he shows

- (a) that the subjectmatter of the charge is contained in a book or other publication of a generally lawful character distributed by him in the ordinary course of his trade and that such subjectmatter is not apparent on such examination as is usual on the part of the distributors in circumstances similar to those of the accused; and
- (b) when the matter was brought to his notice he gave all the assistance reasonably required of him by the Director and the police in tracing the source of the publication, and
- (c) he forthwith ceased distribution and took effective measures to prevent distribution of any undistributed stocks of the publication remaining under his control.

Any such person is liable on a first conviction to fine not exceeding Rs. 200 and on a second or subsequent conviction to a fine not exceeding Rs. 1,000 or to imprisonment not exceeding six months or to both.

PART XI

Leprosy

- 61.** The Minister may make regulations, intituled the Leprosy Regulations to provide for
- (a) medical examination, classification and temporaryisolation of persons suffering from or suspected of being infected with leprosy;
 - (c) prescribing conditions subject to which such persons may be medically treated, without removal to a leproseriy, in their own homes or elsewhere;
 - (d) control, partial isolation, limitation of movement and association with other persons, medical examination, medical supervision, surveillance, medication, nursing, maintenance, diet, instruction, employment and recreation of persons treated under paragraph (b);
 - (d) establishment and administration of leproseries;
 - (e) removal of classified persons to a leproseriy;
 - (f) classification, treatment, instruction, employment, and control of inmates of leproseries;
 - (g) control of the association of inmates of leproseries with each other and with other persons;
 - (h) removal to and detention within a leproseriy of any person serving or sentenced to a term of imprisonment if certified by a medical officer to be affected with leprosy.

PART XII

Cemeteries and Crematoria

- 62.** In this part

"authorised cemetery" means a plot of ground reserved for burials by virtue of a notice published in the Gazette and not subsequently closed by virtue of another such notice.

63. The Minister, may by notice in the Gazette order that any cemetery shall be closed with effect from a date specified in such notice and on that date such cemetery shall cease to be an authorised cemetery.

64. Where it appears to the Minister that a new authorised cemetery or crematorium is required he shall direct the medical officer of health to make recommendations as to where a suitable plot of ground is available or can be acquired and after considering such recommendations shall select the plot which he considers most suitable and cause the boundaries thereof to be marked and fenced in such manner as he shall think fit and shall then by notice in the Gazette declare such plot to be an authorised cemetery or crematorium.

65. (1) When it is desired that the body of any particular person be buried in any place other than an authorized cemetery application shall be made in writing addressed to the Principal Secretary to the Ministry. On receipt of such application the Minister shall cause the matter to be investigated and if he is satisfied

- (a) that there are sufficient reasons for the application; and
- (b) that the site of the proposed burial is in all respects suitable; and
- (c) that the owner of the site is the applicant or one of the applicants, and

- (d) that any other persons having such interests in the land as to make their consent necessary have consented in writing to the application; and
- (e) that adequate security for the proper fencing and future maintenance of the proposed site has been given,

he may, in his absolute discretion, grant a licence for private burial at such fee as he may fix.

(2) Only one body may be buried under any one licence but a subsequent licence may relate to the same site.

66. The Minister may make regulations intituled the Cemetery Regulations, for the control and management of authorised cemeteries, the registration of burials therein, the issue of certificates of burials therein, the charging of fees for burials and certificates and other matters incidental thereto.

67. The Minister may make regulations concerning cremation and burial at sea.

Subject to such regulations or until they are made section 65 shall apply, mutatis mutandis, to cremation and to burial at sea.

68. Any person who buries or cremates any human remains in any place other than an authorised cemetery, except in accordance with regulations under this Act or under a licence pursuant to section 65 or by order of a magistrate is liable to a fine not exceeding one thousand rupees or to imprisonment not exceeding six months or to both.

69. When it is desired that the body of a deceased person should be exhumed application shall be made in writing addressed to the Principal Secretary to the Ministry. The Minister shall cause the matter to be investigated and if he is satisfied that there are sufficient reasons for the application, that suitable arrangements have been made for the reburial or other disposal of the body, that the legal personal representative and the adult members of the family of the deceased, or so many of them as can reasonably be traced, have been consulted and that none of them have any sufficient objection he may, in his absolute discretion, grant a licence for such exhumation subject to such conditions as he may impose and at such fee as he may fix.

70. (1) When the Minister considers it necessary for the furtherance of any public work or otherwise in the public interest that any human remains should be exhumed he shall make an order in writing directing that such remains be exhumed and reburied or cremated under the supervision of an officer named in the order and in such manner as the Minister may direct.

(2) The officer named shall proceed to carry out the order and directions with all practicable regard to reverence and the wishes of the family of the deceased and on completion shall return the order to the Principal Secretary to the Ministry with an endorsement or report stating the fact and date of completion and with a certificate for the reburial annexed.

(3) When an exhumation under subsection (1) of this section necessitates the removal of any monument the Minister shall provide at the public expense for the reerection thereof.

71. (1) Any person digging or excavating for the foundations of a building or for any other purpose whatsoever who exposes any human body or part thereof or anything which appears to be, or contain, human remains shall forthwith desist from such digging or excavating and take all practicable steps to prevent further disturbance of the ground and report the matter at the nearest police station.

(2) On receipt of such report a police officer shall forthwith investigate the matter and if it appears that human remains have been, or are likely to be, disturbed, he shall so inform

the medical officer of health and the medical officer of health shall inspect the site and give such advice and directions to the police and to the other parties concerned as may be expedient and may himself apply for an exhumation order.

(3) Any person who contravenes the provisions of subsection (1) or knowingly disregards any direction given by a medical officer of health under subsection (2) is liable to a fine not exceeding Rs. 500 or to imprisonment not exceeding three months or to both.

72. This Part shall not invalidate or prevail against any epidemic regulations made in exercise of the powers conferred by section 48.

PART XIII

Powers of Officers

73. (1) In case of emergency the Director may, by order in writing require any persons to adopt any measures which he considers necessary to prevent, or avert danger of, the spread of disease.

Such an order shall specify the measures to be taken and shall be served personally by a medical officer of health or health inspector who shall explain the matter to the persons concerned and superintend and assist in the carrying out of the measures specified.

(2) Any person who makes default in complying with an order under this section or offers or threatens any resistance or obstruction to the carrying out of the order shall be liable to a fine not exceeding Rs. 1,000 or to imprisonment not exceeding six months.

74. (1) A medical officer of health, health inspector or public health nurse may at any time, by day or night, on such notice to the occupier as is practicable, enter any premises where any sick person is, or has recently been, present and may examine such person and remove for bacteriological examination any articles likely to afford evidence of his condition in order to ascertain whether the disease or ailment from which he is suffering is infectious.

(2) Such officer, inspector or nurse may direct that the patient be removed to a hospital either for treatment or for confirmation of a provisional opinion as to the nature of the disease.

(3) Such officer, inspector or nurse may direct that any bedding, clothing, utensil or any other article whatsoever which he considers likely to be a means of spreading infection be disinfected and that the premises be disinfected under the supervision of himself or some other officer or in such manner as he shall prescribe.

(4) Such officer, inspector or nurse may direct any persons in or near the premises whom he considers likely to have been exposed to danger of infection to submit themselves, and their clothing and any other articles whatsoever which he considers likely to be infected, to ablution with antiseptics, disinfection, fumigation or other precautionary measures under the supervision of himself or some other officer or in such manner as he shall prescribe.

75. Where any case of illness has been diagnosed as a case of infectious disease a medical officer of health may in writing order any bed, bedding, clothing and utensils, and any furniture whatsoever which he considers likely to carry the infection of such disease to be disinfected or destroyed, and any premises in which the patient has resided or been present to be disinfected and any persons who have been exposed to risk of infection to submit themselves to such precautionary treatment and medical supervision or surveillance as he may prescribe. Property destroyed under this section shall be replaced in accordance with regulations.

76. (1) A medical officer of health, health inspector or any person generally or specially authorised by a medical officer of health may at any time in daylight enter any land or premises and inspect the same in order to ascertain the existence, nature and extent of any nuisance or of any state or condition of such land or premises or part thereof or of anything thereon or therein which may be conducive to any nuisance or to the infestation of the place by vermin, parasites or noxious insects or organisms or in any way conducive to the spread of disease or which may be offensive or injurious or dangerous to health or to ascertain whether contravention of the provisions of this Act or of any other Act relating to public health or of any order or direction made or given pursuant thereto has occurred or is occurring or whether the requirements of any such provision, order or direction have been or are being fully implemented.

(2) Any such officer or person may for any such purpose enter and inspect any trade premises at any time, whether by day or night, when such premises are open to any other persons or when work or business is being carried on therein.

(3) When private or enclosed premises are to be inspected under this section the inspecting officer shall, if practicable, obtain the consent of the owner, occupier or an adult inmate of the premises but if no such person can be found within a reasonable time such consent shall be unnecessary.

(4) Where access to any enclosed premises or part thereof is necessary for an inspection under this section and the person having charge of such premises refuses or unreasonably delays to grant access, or if no such person can be found within a reasonable time, a written request for aid, signed by a medical officer of health shall be sufficient warrant for any police officer to break open any outer or inner door or other means of entry, doing no more damage than is necessary for the purposes of such inspection, provided that such officer shall take all practicable measures to safeguard the premises and any property therein, after the inspection.

77. (1) Any officer authorised under or pursuant to section 76 to make an inspection and any public health nurse on duty may require any person to give information regarding the land or premises to be inspected or regarding the identity and whereabouts of the owner and occupier or regarding the identity and whereabouts of, and the signs or symptoms presented by, any patient and such person shall give such information as he possesses and shall give such aid as it is reasonable and practicable for him to give in furtherance of the inspection or intended inspection.

(2) Any person who refuses such information or aid or gives any information which he knows or believes to be false or does not believe to be true is liable to a fine not exceeding Rs. 500.

PART XIV

Legal Proceedings

78. Subject to this Part the procedure in prosecutions under this Act shall be the same as in other prosecutions.

79. Where an offence under this Act is alleged to have been committed by any employed person in the course of, or in connection with, his employment or pursuant to or in apparent or purported compliance with general or particular instructions given to him by his employer, or in exercise of any general or particular authority or discretion conferred upon him by his employer, whether in excess of the limits thereof or not, such employed person and his employer shall be jointly and severally responsible for the act or omission and may be charged together or separately and tried together or separately and the conviction or acquittal of one shall not be a bar to the prosecution of the other:

Provided that where one has been tried separately and convicted or acquitted proceedings shall not be instituted or continued against the other, save with the written consent of the Attorney General.

80. (1) Where it is desired to serve a notice, or summons under this Act on a person trading under a name other than his own or on a firm or on a committee or other body of persons or on joint tenants, executors, administrators or any other plurality of persons as owners of property or otherwise, such person or persons neither being nor claiming to be incorporated, the notice or summons may be directed on its face to such person or persons by the name, or collective name, style or title in which he or they carry on business or conduct affairs R hold property, as the case may be, and may be served by registered post in a cover directed to him or them by that name at the address of the place where they carry on their business or conduct affairs or if there is no such place at the address of the chairman, secretary or other officer or member of the committee or body of persons or at the address of any partner, joint owner, executor or administrator, as the case may be.

(2) In any case to which this section relates proceedings in court shall be deemed to be against the respondents or accused collectively. Any one of such persons may appear, and plead on behalf of all and, with the permission of the court, may conduct the defence on behalf of all but such permission may be withdrawn by the court at any stage and thereafter the defence must be conducted by an advocate unless the court is of opinion that in the circumstances of the case the person defending is solely or mainly responsible for the act or omission in which case he shall be treated as a sole respondent or accused but no amendment of the process shall be necessary.

(3) Where two or more persons are prosecuted collectively pursuant to this section, any fine imposed shall be deemed to be imposed primarily on the collective fund or joint property of the accused and may be levied accordingly but if such fine be not paid within seven days it shall be deemed to have been imposed on the person who pleaded and on all the others jointly and severally and any or all of them may be summoned to show cause why he or each of them should not be ordered to pay the whole, or such part of it as he is able to pay, or to be imprisoned in default and each such person shall be liable to be imprisoned in default of payment.

(4) The provisions of this section shall apply, *mutatis mutandis*, to the enforcement of payment of expenses, contribution and costs awarded in proceedings for abatement of nuisances.

81. (1) Where it is desired to serve a notice or summons under this Act on an association of persons who are, or claim to be, or have by their title, letterhead or any other means held themselves out as having been, incorporated, whether in Seychelles or elsewhere, the notice or summons shall be directed on its face to such persons by the name of the association, and may be served by registered post in a cover addressed to the person registered under the provisions of any Act relating to service of process on corporations as authorised to accept such service on behalf of the association or, if no such person is so registered, in a cover bearing the name of the association and the address of the registered office or place of business or of the person having apparent control or management of the business or affairs of the association.

(2) In a magistrates' court a director, the secretary or the person having general management of the business or affairs of such an association may with the permission of the court appear on behalf of the association and the court may in its discretion waive the requirement that a corporation plead under seal and allow such person to plead orally on behalf of the association and to give his own evidence and to address the court in explanation or mitigation but, if it is desired to call any other witness or to cross-examine witnesses called by the opposite party or to address the court on any point of law, the association must be represented by an advocate.

(3) In the Supreme Court any such association must be represented by an advocate.

82. Proceedings for abatement of nuisance instituted by a by a medical officer of health or any officer in his office shall be conducted by the AttorneyGeneral or by an advocate or by a person generally or specially authorised by the AttorneyGeneral.

83. All proceedings in the Supreme Court under this Act shall be conducted on behalf of the Director or a medical officer of health by the AttorneyGeneral or by an advocate.

84. (1) Where a party who has been successful in proceedings under Part VI was represented in the magistrates' court by an advocate the court may, in its discretion, order the unsuccessful party or parties to pay, or contribute to the costs of the successful party or parties.

(2) The amount of a contribution shall be fixed by the court and specified in the order.

(3) Where such costs are to be taxed the order shall so provide and the costs shall be taxed by the magistrate or by the Registrar of the Supreme Court in the same manner as the costs of civil proceedings in the Supreme Court. For this purpose the value of the claim or subject matter shall ordinarily be deemed to be the lowest for which a fee is provided and in assessing fees for matters for which fees are not provided the taxing officer shall use his discretion, having regard to the fees provided for comparable matters.

(4) In lieu of taxation the court may, in its discretion, fix a sum to comprise all the costs allowed.

(5) Costs of proceedings under this Act in the Supreme Court shall be allowed and, if necessary, taxed in accordance with the law and practice applied in comparable matters.

PART XV

Miscellaneous Provisions

85. A medical officer of health may by public notice prohibit the washing of clothes for reward except at public washhouses or at such other places as may be appointed for that purpose.

86. A medical officer of health shall cause the prompt removal and burial or cremation of the bodies of destitute persons and of unclaimed bodies in their respective areas.

87. (1) Any person who becomes aware of any unusual sickness or mortality among poultry, dogs, cats, rats or mice shall forthwith report the fact to the medical officer of health or health inspector or to the officer in charge of the nearest police station.

(2) Any person who fails so to report is liable to a fine not exceeding Rs. 200.

(3) Every police officer who receives a report under this section shall forthwith communicate the substance of the report to the medical officer of health by telephone or telegraph or by a special messenger.

88. Any person who offers or threatens any resistance or obstruction to any medical officer of health or other person performing a duty imposed on him by or pursuant to this Act is liable to a fine not exceeding Rs. 1,000 or to imprisonment not exceeding six months or to both.

89. Any person who makes default in complying punctually with any requirement of this Act or with any order, notice or direction served on or given to him in pursuance of this Act is

liable to a fine not exceeding Rs. 1,000 or to imprisonment not exceeding six months or to both, unless some other penalty is provided for such default.

90. (1) Any notice, order or other instrument issued in pursuance of this Act may be amended or the time for compliance may be extended by the authority which issued the instrument at any time before proceedings relating thereto have been instituted in any court.

An instrument so amended after service shall be reserved. Where time is extended reservice shall not be necessary.

(2) Where such proceedings are pending the instrument may be amended by or by leave of the court, with or without reservice as the court directs.

91. (1) Any notice, order or other instrument to be served in pursuance of this Act may be served

- (a) by delivery thereof to the person to whom it is addressed; or
- (b) by delivery thereof at the dwelling of the person to whom it is addressed to an adult inmate of the dwelling; or
- (c) by post, by sending the instrument in a prepaid cover addressed to the person to be served at his residence or place of business; such service shall be deemed to have been effected at the time when, in the ordinary course of the post, the cover would have reached the addressee; or
- (d) where the instrument is to be served on the occupier of premises and his name is not known by addressing it to the occupier of the premises and delivering it to the person appearing to be the occupier or, if such person cannot be found, to an adult inmate of the premises; or
- (e) if service cannot be effected otherwise, by affixing the instrument to some conspicuous part of the premises to which the instrument relates; or
- (f) in any other manner directed by a court in any particular case.

(2) Any such instrument may be served by a health inspector or clerk of the Medical Department acting in the ordinary course of his duty or specially instructed to effect service in a particular case.

(3) The serving officer shall, at the time of service or as soon as practicable thereafter, endorse on a duplicate of the instrument the hour, day and manner of service and his own name in full and verify the same with his ordinary signature or, where the service is by registered post, he shall affix the postal receipt to a duplicate of the instrument.

(4) A duplicate so endorsed shall be prima facie proof of service but a court may require further evidence and may direct reservice.

92. (1) No error, irregularity or want of due form shall invalid-date any notice, order or other instrument issued in pursuance of this Act unless the court before which objection to such instrument is taken finds that the defect cannot, without injustice, be remedied by amendment, with or without reservice and with or without extension of time.

(2) No irregularity in the service of any such instrument shall invalidate the instrument.

(3) No irregularity in the service of any such instrument shall invalidate the service if the court before which objection to such service is taken finds that the party intended to be served had sufficient notice of the existence of the instrument and that it was intended for him, but in such a case service shall be deemed to have been effected at the time when the matter was brought to the notice of the party. In any other case the instrument shall be reserved in such manner as the court directs.

93. (1) The Minister may make regulations to provide for the establishment, equipment, administration, inspection and licensing of private hospitals, nursing homes, convalescent homes, clinics, private mental hospitals, maternity homes, infirmaries, hostels and other institutions where invalids, convalescents, or children are treated or received, whether for reward or otherwise. Such regulations may prescribe standards of attendance by medical practitioners and by trained and other staff and of space in relation to numbers of patients or inmates and of any other matters whatsoever which may affect the health or welfare of the patients or inmates.

(2) Any person who establishes or takes part in the management or control of an institution to which this section relates without both the premises and the matron or other person in actual control, howsoever styled, being licensed pursuant to this Act is liable to fine not exceeding Rs. 1,000 and all powers of control and management shall devolve upon the Director until a licence has been obtained or until all the patients or inmates have been removed from the premises and the premises shall be deemed to be charged and all the moveable property therein subjected to a lien to secure repayment to the Director of all the expenses incurred by him in exercising his powers under this section.

(3) Where there are no regulations applicable to an institution to which this relates or in any case of urgency or other special circumstances the Director may in his section discretion grant a licence to any person to control the institution in premises specified in the licence for such time and subject to such conditions as he thinks fit.

(4) The Director may at any time, in writing, authorise a medical officer or practitioner to inspect and report upon any institution to which this section relates, whether licensed or not, and any person who offers or threatens any obstruction to a medical officer or practitioner performing duties pursuant to such authorisation is liable to a fine not exceeding Rs. 1000.

(5) The Director may at any time withdraw or vary the conditions of a licence to use any premises as an institution to which this section relates and may withdraw the licence of any matron or controller. Any person aggrieved by a decision of the Director under this subsection may appeal to the Minister.

94. The Minister may make regulations intituled the Drugs and Pharmaceutical Preparation Regulations to provide for the inspection, sampling and examination of medicinal drugs and of vaccines, vaccine lymphs, sera, and other preparations imported into or manufactured in Seychelles and intended or used for the treatment or prevention of disease and to provide for the prohibition, restriction or licensing of the import or manufacture of any such materials.

95. The Minister may make regulations intituled the Health and Sanitation Regulations to provide for –

- (a) inspection of land and premises of all kinds;
- (b) measures to secure the keeping of land and premises of all kinds clean, free from refuse and material of any other kind whatsoever which is conducive to nuisance or in any other respect inimical to sanitation or health;

- (c) periodical cleansing, whitewashing or other treatment of trade premises of all kinds and the regular removal therefrom of refuse and waste material of all kinds;
- (d) construction, maintenance, cleansing and inspection of drains and sewers of all kinds;
- (e) declaration and enforcement of standards of purity of effluents from trade premises and purification works;
- (f) construction, maintenance, cleansing, inspection and control of the latrines and means of ablution of trade premises of all kinds;
- (g) siting, construction, maintenance, cleansing, inspection and control of places where any animals or birds are kept;
- (h) siting, construction, maintenance, cleansing, inspection and control of premises for offensive trades and of any other trade premises of a kind conducive to any nuisance;
- (i) maintenance, cleansing, inspection and control of lodging houses and specification of standards of adequacy of their floorspace, airspace, ventilation, latrines and means of ablution;
- (i) equipment, maintenance, cleansing, inspection and control of the premises of hairdressers and barbers;
- (j) equipment, maintenance, cleansing, inspection and control of markets and market buildings;
- (k) maintenance, cleansing, inspection and control of public buildings and the adequacy of their latrines and means of ablution;
- (l) equipment, cleansing, inspection and control of laundries and washhouses.

96. In addition to regulations made in pursuance of other provisions of this Act the Minister may make regulations for carrying out the objects of this Act and in particular and without derogation from the generality of the power hereby conferred may by such regulations provide that contravention of or failure to comply with any such regulation shall be an offence and may prescribe the maximum penalty for such offence, in any case a fine not exceeding one thousand rupees and imprisonment not exceeding twelve months and may provide for the keeping of registers and records, the issue of licences and certificates, the forms of records, orders and any other instruments whatsoever, the payment of fees, expenses and costs and the disposal of moneys received.

97. The Minister may by notice in the Gazette amend the First Schedule.

FIRST SCHEDULE

[SECTIONS 2 AND 97 AND PART VII]

1. Anthrax
2. BeriBeri

3. Cerebrospinal fever
4. Cerebrospinal meningitis (epidemic)
5. Cholera
6. Croup (membranous)
7. Diphtheria
8. Dysentery
9. Encephalitis
10. Enteric fever
11. Erysipelas
12. Food poisoning
13. Gastroenteritis
14. Gonorrhoea
15. Hepatitis (virus and amoebic)
16. Leprosy
17. Malta fever
18. Measles
19. Ophthalmia neonatorum
20. Paratyphoid fever
21. Plague
22. Poliomyelitis (acute)
23. Puerperal fever including any serious septic condition arising from the puerperal state.
24. Rabies
25. Scarletina
26. Scarlet fever
27. Syphilis
28. Smallpox
29. Tetanus
30. Tuberculosis (all forms clinically recognisable apart from reaction to the tuberculin test)

31. Typhoid fever
 32. Typhus
 33. Whooping cough
 34. Yellow fever
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LAW OF SEYCHELLES

PUBLIC HEALTH ACT

CHAPTER 189

SUBSIDIARY LEGISLATION

SECTION 16

PUBLIC HEALTH (BAKE-HOUSES) REGULATIONS

G.N. 159/1931
149/1932
152/1932
162/1932
74/1933
140/1945
SI. 95/1975

ARRANGEMENT OF REGULATIONS

1. Citation and application
2. Cleanly condition.
3. Construction.
4. To be used only for trade, storage.
5. Inside walls painted or limewashed.
6. Utensils to be kept clean.
7. Not to be used for sleeping.
8. No communication into privy, etc.
9. Cistern separate.
10. Drains.
11. Animals prohibited.
12. Person with infectious disease not to enter, etc.
13. Owners, etc., to notify infectious disease.
14. Water supply.
15. Clothing of bakers, etc.
16. Inspection by medical or police officers.
17. Definition; prosecution.
18. Owner, etc., not to allow, nor to employ persons with infectious disease.
Certificate necessary as to freedom from infectious disease.

1. (1) These Regulations may be cited as the Public Health (Bake-House) Regulations application.

(2) These regulations shall apply to the whole of Seychelles.

2. Every bake-house shall be kept in a clean state, and free from effluvia arising from any drain, latrine, or other nuisance.

The floors shall be carefully scraped and swept at least once every twenty-four hours, and the sweepings shall be immediately placed in an impermeable covered receptacle and removed from the bake-house at no longer intervals than every twenty-four hours.

3. The building shall be properly constructed, to the satisfaction of the Medical Officer of Health, shall be efficiently lighted, and shall be ventilated so as to render harmless all gases and dust, and shall not be overcrowded while work is carried on therein.

4. Every bake-house shall be used solely for the purpose of the trade, and a separate room shall be provided for the storing of flour and bread.

The flour, bread, cakes, and biscuits so stored, to be efficiently protected from contamination by vermin, flies and insects.

5. All the inside walls of the rooms of the bake-house, and all the ceilings or tops of such rooms, and all passages and staircases of the bakery shall either be painted with oil, or varnished, or limewashed. When painted with oil or varnished the paint or varnish shall be renewed once at least in every seven years, and shall be washed with hot water and soap once at least in every six months; when limewashed, the limewashing should be renewed once at least every six months, or when called upon to do so by the Sanitary Inspector.

6. The troughs and all utensils in the making of bread and pastry shall be kept scrupulously clean, in good repair and must be so built as to allow easy cleaning underneath. All tables and troughs shall be made of materials that are easily cleaned with water.

7. No building used as a bakery shall be used as a sleeping place.

8. No water-closet, earth-closet, privy, or ashpit shall be within, or communicate directly with, the bake-house. Further no urinal, latrine, cow-house, stable, or pig-sty shall be within close proximity to the bake-house.

9. Any cistern for supplying water to the bake-house shall be separate and distant from any cistern for supplying water to a water-closet, or for the purpose of washing clothes.

10. No drain or pipe for carrying off faecal or sewage matter shall have an opening in close proximity to the bake-house, and every sink, waste, or other pipe used for carrying off surface water within the bake-house shall be efficiently trapped and disconnected from any drain.

11. No animal shall be kept in the bake-house on any pretence whatever.

12. No person suffering, or who has recently suffered from any infectious or contagious disease shall be permitted to enter the bake-house, or take part in the manufacture or sale on the premises of bread, cakes, biscuits and confectionery.

13. The owner, occupier or person in charge of the bakery shall give immediate notice to the Medical Officer of Health, of any case of infectious or contagious disease occurring on the premises.

14. All water supplied to the bakery shall be pure, and free from pollution.

15. All bakers and workmen employed in the bake-house shall wear clean apparel and bakers whilst actually in the performance of their work shall cover their every day garments with a long apron of washable material.

16. The Medical Officer of Health, the Assistant Medical Officers, the Sanitary Inspector, or Assistant Sanitary Inspectors or any members of the police force duly authorised by the Health Officer, shall at any time day or night be entitled to enter and examine any bake-house, and to examine any baker or workman if there are reasonable grounds to suspect that he is suffering from an infectious or contagious disease. Further notice can be served on any owner or occupier of a bake-house to present himself or any of his workmen to the Medical Officer of Health for Medical examination, if there is a reasonable suspicion that they are suffering from any infectious or contagious disease.

17. (1) A bake-house is defined as any place duly licensed to manufacture for sale to the public-

Bread, cakes, biscuits, confectionery, and includes the manufacture of moutailles and gateaux piment.

(2) Any person found guilty of opposing, molesting or interfering with the entry on or inspection of bake-houses or of non-compliance with the provisions of these regulations shall be liable on conviction to a fine not exceeding one hundred rupees and to imprisonment not exceeding one month. Further the court shall have power, in case of a second or subsequent offence, to remove the accused's licence.

(3) All offences under these regulations may be instituted and prosecuted by any sanitary officer, or any constable or officer of the police force.

18. (1) No owner, occupier or person in charge of a bake-house shall employ in such bake-house any person suffering from any contagious or infectious disease or shall permit any such person to work in such bake-house.

(2) No person shall employ himself or work in any bake-house unless he produces to the owner or occupier or person in charge of the bake-house a certificate from a Government medical officer that he is not suffering from any contagious or infectious disease.

* These Regulations consolidate the following Regulations -

Regulations for Bake Houses in Victoria (G.N. 159/1931); Regulations for Bake Houses in South Mahe (G.N. 149/1932); Regulations for Bake Houses in Praslin (G.N. 152/1932); Regulations for Bake Houses in La Digue (G.N. 162/1932); Regulations for Bake Houses in Central Mahe (G.N. 74/1933) and Regulations for Bake House in North Mahe (G.N. 140/1945).

Sections 96

The Public Health (Slaughterhouses) Regulations.

(4th June, 1973)

ARRANGEMENT OF REGULATIONS

PART I. - GENERAL

1. Citation.
2. Interpretation.

PART II. - SLAUGHTER OF ANIMALS

3. Sale on Mahe of meat from cattle.
4. Sale in Victoria of meat from sheep, pigs and goats.
5. Notice to be given by butcher of proposed slaughter of sheep, pigs and goats on Mahe other than in a designated slaughtershouse.
6. Slaughter by butcher of animals in Baie Ste. Anne District of Praslin.
7. Slaughter by butcher of animales in Grand'Anse District of Praslin.
8. Notice to be given by butcher of proposed slaughter of animals on Praslin.
9. Hotels and restaurants.
10. Offences by butchers.

PART III. - MEAT INSPECTION IN DESIGNATED SLAUGHTERHOUSES

11. Application of Part III.
12. Ante mortem and post mortem examinations.
13. Unfitness for human consumption.
14. offences under Part III.

PART IV. - HYGENIC PRATICES IN SLAUGHTERHOUSES

15. Application of Part IV.
16. Diseased animals
17. Animals intended for human consumption only.
18. Hygiene of slaughterhouse premises.
19. Removal of hides or skins.
20. Infectious diseases of workers.
21. Hygiene of clothing.
22. Prohibition of use of tobacco.
23. Hygiene of equipment.
24. Removal of refuse and by-products.

25. Offences under Part IV.

PART V - OPERATION OF DESIGNATED SLAUGHTER HOUSES

26. Application of Part V.

27. Delivery of animals to slaughterhouse.

28. Period in chill-room.

29. Entry into slaughterhouse.

30. Slaughtering of animals.

31. Ownership of hides and skins.

32. Delivery of carcasses from slaughterhouse.

PART I. - GENERAL

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

2. In these regulations, unless the context otherwise requires:-

"animals" means cattle, sheep, goats and pigs;

"Baie Ste. Anne District" means the area described in paragraph 3 of Proclamation No. 15 of 1948;

"butcher" means a person holding a butcher's licence issued under the Licences Act;

"carcasses" includes parts of carcasses;

"cattle" means bulls, bullocks, cows, oxen, heifers and calves;

"designated slaughterhouse" means Le Rocher abattoir and such other slaughterhouses as may be specified by the Minister by notice in the Gazette;

"Grand'Anse District" means the area described in paragraph 1 of Proclamation No. 15 of 1948;

"hotel" means any establishment, however described, at which sleeping accommodation and food are provided to and available to the public on demand with or without prior arrangement by way of trade or business;

"infectious disease" has the meaning assigned thereto in section 2 of the Act;

"Inspecting Officer" means any public officer authorised in writing by the Minister to be an inspecting officer for the purposes of these Regulations;

"meat" means the flesh of animals and includes fat, offal and uncooked meat products;

"restaurant" means any premises in, at or from which food for human consumption is supplied and provided to the public on demand for reward and at which facilities for

consumption on the premises are provided but does not include any portion of a hotel, guest house, self-catering establishment or private house accommodation;

"slaughterhouse" means a place for slaughtering animals, the flesh of which is intended for sale for human consumption, and includes any place available in connexion therewith for the confinement of animals while awaiting slaughter there or for keeping, or subjecting to any treatment or process, products of the slaughtering of animals there;

"Veterinary Officer" has the meaning assigned thereto in section 2 of the Animals (Diseases and Import) Act;

"Victoria" means the town of Victoria as defined in the Schedule to the Town of Victoria (Boundaries and Divisions) Act together with any reclaimed land abutting thereon.

PART II. - SLAUGHTER OF ANIMALS

3. (1) No person shall sell, offer or expose for sale in Mahe for human consumption any meat from cattle which have not been slaughtered in a designated slaughterhouse:

Provided that it shall be lawful to sell, offer or expose for sale in Mahe for human consumption meat from cattle and which has been imported into Seychelles and approved for consumption by the Veterinary Officer.

(2) Any person who contravenes subregulation (1) shall be guilty of an offence and liable to a fine not exceeding Rs. 1,000.

4. (1) No person shall sell, offer or expose for sale in Victoria for human consumption any meat from any sheep, pig or goat which has not been slaughtered in a designated slaughter-

house. Provided that it shall be lawful to sell, offer or expose for sale in Victoria for human consumption meat from any sheep, pig or goat and which has been imported into Seychelles and approved for consumption by the Veterinary Officer.

(2) Any person who contravenes subregulation (1) shall be guilty of an offence and liable to a fine not exceeding Rs.1,000.

5. (1) No butcher shall slaughter on Mahe other than in a designated slaughterhouse a sheep, pig or goat intended for human consumption without first giving not less than two days notice in writing thereof to an Inspecting Officer.

(2) Upon receipt of such notification the Inspecting Officer may arrange for the examination of the animal ante and post mortem by an Inspecting Officer.

(3) Where the Inspecting Officer is of the opinion that the animal or carcass is unfit for human consumption, he shall cause it to be destroyed and disposed of in such manner as he may direct and no compensation shall be payable to any person in respect of such destruction or disposal.

(4) An animal shall be unfit for human consumption if in the opinion of the Inspecting Officer it suffers from any disease or condition specified in Schedule.

6. No butcher shall slaughter an animal, the meat of which is intended for human consumption, in the Baie Ste. Anne District of Praslin other than in the Baie Ste. Anne slaughter house.

7. No butcher shall slaughter an animal, the meat of which is intended for human consumption, in the Grand' Anse District of Praslin other than in the Grand' Anse slaughter house.

8. (1) No butcher shall slaughter on Praslin an animal, the meat of which is intended for human consumption, without first giving not less than two days notice in writing thereof to an Inspecting Officer.

(2) receipt of such notification the Inspecting Officer may examine the animal ante and post mortem.

(3) Where the Inspecting Officer is of the opinion that the animal or carcass is unfit for human consumption, he shall cause it to be destroyed and disposed of in such manner as he may direct and no compensation shall be payable to any person in respect of such destruction or disposal.

(4) An animal shall be unfit for human consumption if in the opinion of the Inspecting Officer it suffers from any disease or condition specified in the Schedule.

9. (1) No hotel keeper or restaurant keeper of premises situate on Mahe, Ste. Anne or Therese shall sell for consumption on the hotel or restaurant premises, as the case may be, the meat of any animal which has not been slaughtered in a designated slaughterhouse :

Provided that this regulation shall not prohibit such consumption of meat imported into Seychelles and approved for consumption by the Veterinary Authority.

(2) Any hotel keeper or restaurant keeper who contravenes or fails to comply with subregulation (1) shall be guilty of an offence and liable to a fine not exceeding Rs. 1,000.

10. Any butcher who contravenes or fails to comply with regulations 5, 6, 7 or 8 shall be guilty of an offence and liable to a fine not exceeding Rs. 1,000:

Provided that where an animal is slaughtered in accordance with the Prevention of Cruelty to Animals Act, no offence is committed hereunder.

PART III. - MEAT INSPECTION IN DESIGNATED SLAUGHTERHOUSES

11. This Part of these regulations shall apply only to designated slaughterhouses.

12. (1) No animal shall be slaughtered unless it shall first have been examined by an Inspecting Officer and approved by him for slaughter.

(2) After slaughter the carcass of every animal shall be examined by an Inspecting Officer for the purpose of ascertaining whether the carcass suffers from a disease or condition specified in the Schedule.

(3) No carcass shall be removed from a slaughterhouse until it has been examined by an Inspecting Officer and passed fit for such removal.

13. (1) Where the Inspecting Officer is of the opinion that any animal or carcass is unfit for human consumption, he shall cause it to be destroyed and disposed of in such manner as he may direct and no compensation shall be payable to any person in respect of such destruction.

(2) An animal or carcass shall be unfit for human consumption if in the opinion of the Inspecting Officer it suffers from any disease or condition specified in the Schedule.

14. Any person who-

(1) slaughters an animal without its first having been examined and approved for slaughter as required by regulation 12 (1),

(2) removes a carcase from a slaughterhouse without its first having been examined and passed fit for removal as required by 12 (3),

shall be guilty of an offence and liable to a fine not exceeding Rs.1,000.

PART IV. - HYGIENIC PRATICES IN SLAUGHTERHOUSES

15. This Part of these regulations shall apply only to designated slaughterhouses and to the Baie Ste. Anne and Grand'Anse slaughterhouses.

16. No person shall bring or permit to be brought into or to remain in a slaughterhouse any animal which he knows or suspects to be suffering from any disease or condition specified in the Schedule unless he takes or causes it be taken to that part of the lairage provided for the segregation of such animals.

17. No person shall bring or permit to be brought into or to remain in a slaughterhouse any animal not intended for slaughter for human consumption.

18. The person in charge of a slaughterhouse shall keep it or cause it to be kept in such a state of cleanliness and otherwise so conduct it as to prevent the risk of contamination of any meat therein or of any blood intended for human consumption, and in particular shall ensure that-

- (a) receptacles provided for holding blood intended for human consumption are clearly identified and used for no other purpose;
- (b) receptacles (other than manure bays) which contain blood, garbage, filth or refuse are kept covered with closely fitting covers;
- (c) fixtures, fittings and equipment are kept clean;
- (d) scalding tanks are emptied and washed out as often as is reasonably necessary and thoroughly cleansed at the end of each working day.

19. The person in charge of a slaughterhouse shall remove or cause to be removed every hide or skin from any part of the slaughterhouse containing any meat or containing any blood intended for human consumption as soon as possible after it has been separated from the carcase.

20. (1) As soon as any person engaged in or about a slaughterhouse in the handling of meat or the handling of blood intended for human consumption becomes aware that he is suffering from, or is the carrier of, any infectious disease he shall forthwith give notice of the fact to the person in charge of the slaughterhouse who shall immediately notify the Medical officer of Health to the same effect.

(2) Where the person required to give the notice referred to in subregulation (1) is himself the person in charge of the slaughterhouse he shall immediately notify the Medical Officer of Health.

21. Any person while engaged in or about a slaughterhouse in the handling of meat or the handling of blood intended for human consumption shall wear overalls or other suitable protective clothing including head covering and boots all of which articles shall be washable and be kept clean as is reasonably practicable.

22. No person shall use tobacco in any part of a slaughterhouse containing meat or blood or while he is handling any meat or blood.

23. Any person-

- (a) using any knife, scabbard, sharpening steel, chopper or saw in a slaughterhouse shall ensure that it is thoroughly cleansed and sterilised in boiling water or steam immediately after any contact with meat known or suspected to be diseased and in every case at the end of each working day;
- (b) using any wiping cloth in a slaughterhouse shall ensure that any such cloth is-
 - (i) sterilised by boiling or destroyed at the end of each working day and, where practicable, sterilised by boiling after use on any carcase;
 - (ii) destroyed or sterilised by boiling forthwith if it has come into contact with meat known or suspected to be diseased.

24. The person in charge of a slaughterhouse shall cause-

- (a) the contents of every receptacle or bay containing manure and every receptacle referred to in paragraph (b) of regulation 18 to be removed from the slaughterhouse as often as may be necessary to prevent a nuisance and in any event at least once in every two days and after the contents have been so removed he shall cause the receptacle or bay to be thoroughly cleansed before being used again;
- (b) by-products of slaughtering not intended for human consumption, including hides and skins, to be removed from the slaughterhouse as often as may be necessary to prevent a nuisance and in any event at least once in every two days.

25. (1) Any person who contravenes or fails to comply with any provisions of this Part which impose obligations on him shall be guilty of an offence and liable to a fine not exceeding Rs.1,000.

(2) Any person in charge of a slaughterhouse who fails to take all reasonable steps to secure the compliance of any person employed by him or under his control, as the case may be, or any person admitted to the slaughterhouse with any provisions of this Part shall be guilty of an offence and liable to a fine not exceeding Rs.1000.

PART V. - OPERATION OF DESIGNATED SLAUGHTERHOUSES

26. This Part of these regulations shall apply only to designated slaughterhouses.

27. Any animal intended to be slaughtered shall be delivered by the owner of the animal to the lairage of the slaughterhouse not less than twelve hours nor more than twenty-four hours before slaughter.

28. Every carcase shall remain in the chill-room of the slaughterhouse for a period of not less than twenty-four hours prior to its removal therefrom.

29. No person shall be allowed into the slaughterhouse without the prior consent of the person in charge thereof.

30. The slaughter of any animal in a slaughterhouse shall be by a person employed for such purposes by the owner of the slaughterhouse.

31. The hide or skin of every slaughtered animal shall become the property of and shall be retained by the owner of the slaughterhouse for any such purposes as he may deem fit.

32. The owner of a slaughterhouse shall be responsible for delivering therefrom at his own expense-

- (a) the carcass of cattle to such place on Mahe as may reasonably be specified by the owner of the carcass;
- (b) the carcass of any other animal to such place in Victoria as may be specified by the owner of the carcass.

SCHEDULE

Regulations, 5, 8,12,13 and 16

- i. Anthrax;
- ii. Abscesses, multiple;
- iii. Anaplasmosis and redwater (braxy), save where carcass is in good condition;
- iv. Actinomycosis and actinobacillosis, generalized;
- v. Blackleg;
- vi. Bluetongue;
- vii. Cysticercosis, generalized;
- viii. Caseous lymphadenitis, if the carcass is in poor condition or the lesions are either multiple, acute and actively progressive, or inactive but widespread;
- ix. Decomposition, generalized;
- x. Dropsy, generalized;
- xi. Emaciation, pathological;
- xii. Erysipelas, acute;
- xiii. East Coast fever, save where the carcass is in good condition;
- xiv. Foot-and-mouth disease;
- xv. Heartwater, save if carcass in good condition and not feverish;
- xvi. Immaturity, unborn or stillborn carcass;
- xvii. Jaundice, if discoloration of the carcass is still present after 24 hours of cooling, or if the carcass is in poor condition, or dropsical, or if an unpleasant taste or smell is noted when carrying out the boiling or frying test;
- xviii. Leptospirosis;
- xix. Leukaemia;

- xx. Mammitis, acute, septic;
- xxi. Metritis, acute, septic;
- xxii. Malignant catarrh;
- xxiii. Nairobi sheep disease;
- xxiv. Paratyphus of pigs;
- xxv. Parturient paresis, carcass judged according to its merits;
- xxvi. Pneumonia, acute, septic;
- xxvii. Pleurisy, acute, diffuse, septic;
- xxviii. Pericarditis, acute, septic;
- xxix. Peritonitis, acute, septic;
- xxx. Pigment formation, generalized;
- xxxi. Polyarthritis;
- xxxii. Rabies;
- xxxiii. Rinderpest;
- xxxiv. Salmonellosis, generalized;
- xxxv. Sarcocystosis (*Sarcocystis mieschioriana*), if the meat is watery and discoloured;
- xxxvi. Septicaemia and pyaemia;
- xxxvii. Tetanus;
- xxxviii. Transit fever, save when carcass is in good condition;
- xxxix. Trichinosis;
- xl. Trypanosomiasis, save where the carcass is in good condition and does not show lesions of fever and dropsy;
- xli. Tuberculosis, if the carcass is emaciated and/or febrile due to an acute blood infection, or if the lesions are generalized, extensive acute, or actively progressive;
- xlii. Tumours, generalized or malignant;
- xliii. Unpleasant odour or taste; or
- xliv. Swine fever.

SECTION 121

(6th October, 1922)

ARRANGEMENT OF REGULATIONS

1. Citation and definition.
2. Unlawful to keep cattle in the central part of Victoria
3. Floors of buildings to be used for keeping animals, how to be made.
4. Cow-sheds to have dry roof.
5. Dimensions.
6. Distance of cow-sheds from a dwelling house.
7. Manure to be stacked.
8. Stables etc. to be kept clean.
9. Sanitary inspector to inspect premises.
10. Application for permission.
11. Medical Officer of Health may withdraw permission to keep cattle on giving one week's written notice.
12. Penalty.

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

(2) For the purpose of these regulations -

(a) the central part of the town of Victoria shall be held to mean that part of the town of Victoria which is comprised within the following limits: - On the North: 1. A line starting from the Slaughter House and running due West to a point 100 metres distant to the West of the North East road; 2. A line running parallel and at a distance of 100 metres to the West of the North East road as far as Moussa River; 3. Moussa River and its tributary Belony River to the Cr ave Coeur road. On the West: 1. Labourdonnais Street and Cr ave Coeur road to the Moussa River. 2. Eau Clair Lane to meet the limits of the Central District near the St. Louis River. On the South: 1. The limits of the Central Area as defined in the Schedule to the Town of Victoria (Boundaries and Divisions) Act to the Trois Fr res River; 2. Trois Fr res River to the sea. On the East: The sea to the point of departure;

(b) cattle shall include bulls, cows, oxen, heifers, calves, goats, sheeps, horses, asses and mules.

2. It shall not be lawful to keep cattle in the central part of the Town of Victoria save with the permission of the Medical Officer of Health as hereinafter provided.

3. The floors of all buildings in which animals are to be kept shall be paved in masonry and the joints cemented with cement mortar. The pavements thereof shall slope to a cement or stone gutter with proper drainage.

4. All cow-sheds shall be provided with a dry roof and not covered with leaves or straw.

* These Regulations are a part of the Victoria Public Health Regulations (Vol V Laws of Seychelles, 1971 Ed pg 281). Rest of the Victoria Public Health Regulations have become obsolete or are repealed by the Food Act. (Cap 83)

5. The following dimensions shall be observed:-

In the case of cow-sheds 6 feet by 10 feet for one cow and not less than 6 feet in height at the lowest point from the floor.

6. No cow-shed shall be kept at a distance which is less 30 feet from the nearest dwelling house.

7. All manure shall be stacked and kept at a distance of at least 30 feet from the nearest dwelling house.

8. It shall be the duty of the person to whom permission to keep cattle is granted to keep the stables and cow-sheds in good repair and to clean the same daily.

9. It shall be lawful for the sanitary inspector when authorised by the Medical Officer of Health in writing at any time between 6 o'clock in the morning and 6 o'clock in the evening to enter into and inspect any premises in which he shall have cause to believe cattle are kept.

10. (a) All applications for permission to keep cattle shall be made in writing to the Medical Officer of Health specifying the number of animals to be kept and the dimensions of the buildings to be used for such purpose. The Medical Officer of Health may then in the absence of sanitary objections grant the permission applied for subject to such conditions as he may consider necessary.

(b) Such permission shall be given in writing under the hand of the Medical Officer of Health.

11. It shall be lawful for the Medical Officer of Health to withdraw any permission to keep cattle in the Central District by giving one week's notice in writing.

12. Any person who contravens any of these regulations or who shall obstruct the Sanitary Inspector in the exercise of his inspection under regulation 9 shall be guilty of an offence against these regulations and shall be liable on conviction to a fine not exceeding one hundred rupees.

SECTIONS 32 and 96

SI. 14/1974

The Public Health (Notifiable Diseases) (Remote Area) Regulations, 1974.

(25th February, 1974)

1. These Regulations may be cited as the Public Health (Notifiable Diseases) (Remote Area) Regulations.

2. These Regulations shall apply in any part of Seychelles not being a part to which section 32 of the Act applies.

3. In these Regulations-

"infectious disease" means any disease mentioned in the Schedule hereto.

4. (1) Where any inmate of any dwelling, other than a hospital in which persons suffering from infectious diseases are received, is suffering from an infectious disease -

- (a) the head of the family of such inmate; or
- (b) if the head of the family is absent or unable to act, the other adult members of the family; or
- (c) if no adult member of the family is present and able to act, the person having charge of or in attendance on such inmate; or
- (d) if there is no such person able to act, the occupier of the dwelling,

shall, as soon as he becomes aware that such inmate is suffering from an infectious disease, give or send notice of the fact to the medical officer of health.

(2) A notice under this regulation must be given personally and the earliest possible opportunity and may be given to the medical officer of health or to a health inspector or public health nurse or, if none of those can be found without delay, to the nearest police station.

(3) Every police officer who receives a report under this regulation shall forthwith communicate the substance of the report to the medical officer of health by telephone or telegraph or by special messenger.

5. (1) Every medical practitioner attending or called in to visit a patient shall, on becoming aware that the patient is suffering from any infectious disease, forthwith send to the medical officer of health a certificate stating the name of the patient, the situation of his dwelling and the infectious disease from which in the opinion of the medical practitioner, the patient is suffering.

(2) It shall be the duty of the medical practitioner, in addition to anything required to be done under subregulation (1), to inform the person having charge of or in attendance on the patient and the occupier of the premises in which the patient is found or dwells of the nature of the infectious disease and the precautions to be taken to prevent the infection of others.

6. There shall be paid to a medical practitioner other than a Government medical officer a fee of one rupee for each certificate duly sent by him in accordance with regulation 5 in respect of a case which occurs in his private practice.

7. Any person who, being required by these Regulations to give any notice or to communicate a report or to send any certificate to any other person, fails to do so shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rupees and to imprisonment for a term not exceeding twelve months.

SCHEDULE

INFECTIOUS DISEASE

(Regulation 3)

1. Anthrax
2. Beri-Beri
3. Cerebro-spinal fever
4. Cerebro-spinal meningitis (epidemic)
5. Cholera
6. Croup (membranous)
7. Diphtheria
8. Dysentery
9. Encephalitis
10. Enteric fever
11. Erysipelas
12. Filariasis (including elephantiasis)
13. Food poisoning
14. Gastroenteritis
15. Gonorrhoea
16. Hepatitis (virus and amoebic)
17. Leprosy
18. Malaria
19. Malta fever
20. Measles
21. Ophthalmia neonatorum
22. Paratyphoid fever
23. Plague
24. Poliomyelitis (acute)
25. Puerperal fever including any serious septic condition arising from the puerperal state
26. Rabies
27. Scarletina
28. Scarlet fever

29. Syphilis
30. Smallpox
31. Tetanus
32. Tuberculosis (all forms clinically recognisable apart from reaction to the tuberculin test)
33. Typhoid fever
34. Typhus
35. Whooping cough
36. Yellow fever.

SECTION 46

G.N. 238/1942.
SI. 104/1975

PUBLIC HEALTH (DIPHTHERIA) REGULATIONS

[13th August, 1942]

ARRANGEMENT OF REGULATIONS

1. Citation and Report by occupier.
2. Segregation.
3. Cleansing and disinfection.
4. Sanitary measures.
5. Applied to Mahe.
6. Penalty.

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

(2) The occupier of any premises on which there is a person suffering from diphtheria or his nearest relative or any person in attendance on him is required as soon as he becomes aware of the fact to give notice thereof to the Chief Medical Officer or sanitary inspector in Victoria or in the country to the officer or constable in charge of the nearest police station who shall at once inform the Chief Medical Officer of the same.

2. It shall be lawful for the Chief Medical Officer to order the segregation or isolation in appropriate places of persons suffering from diphtheria, or of any persons who have been in contact with patients suffering from diphtheria or who may have been exposed to infection by any means whatsoever.

3. It shall be lawful for the Chief Medical Officer to order the cleansing and disinfecting of premises on which a case of diphtheria has manifested itself and the disinfection or burning of huts, clothing or any other articles that may have been exposed to infection.

4. Further the Chief Medical Officer is empowered to take any sanitary measures which he may think fit for the prevention and mitigation of diphtheria.

5. These regulations apply to and will be in force in the Island of Mahe.

6. Any person contravening any of these regulations will be liable to a fine not exceeding five hundred rupees and to imprisonment not exceeding three months.

SECTION 46

PUBLIC HEALTH (INFECTIOUS DISEASE) REGULATIONS

[18th January, 1960]

SI. 8/1960
SI. 104/1975.
SI. 6/2003

ARRANGEMENT OF REGULATIONS

General

1. Citation.
2. Scope.
3. Director may order closing of schools.
4. Effect of closing order.
5. Closing of particular school.
6. Restriction of attendance at schools.
7. Further orders.

Public Assemblies

8. Prohibition of assemblies.
9. Effect of prohibition orders.
10. Extension of time for statutory meetings.
11. Outdoor assemblies.
12. Games.
13. Quarantine and surveillance of contacts.
14. Temporary isolation hospitals.
15. Antiseptic ablution.

16. Carriers.
17. Protection of isolation hospitals.
18. Segregation at home.
19. Burials.
20. General Penalty.

General

1. These regulations may be cited as the Public Health (Infectious Disease) Regulations.
2. These regulations shall apply to all infectious diseases, and shall apply throughout Seychelles.
3. Where the incidence of infectious disease in any area in Seychelles renders it necessary, in the opinion of the Director, to close all the schools in that area the Director shall inform the Chief Education Officer who shall make a school closing order, in writing, and shall cause it to be served, on the head of every school in the area.
4. On the making of a school closing order -
 - (a) instruction in day schools shall cease;
 - (b) all day pupils shall be sent home immediately;
 - (c) all school buildings and equipment shall be disinfected in such manner as the medical officer of health directs;
 - (d) all the pupils in each boarding school shall be confined to the school premises until the medical officer of health gives directions as to which pupils or group of pupils should be sent to their homes, as to the examination, segregation and treatment of those who remain, as to the extent, if any, to which teaching may be resumed and as to all other measures which the medical officer of health thinks necessary for maintaining health and minimising the spread of infection and all persons concerned shall comply with such directions;
 - (e) the staffs of all schools shall furnish all such information as the medical officer of health requires concerning the attendances and absences of pupils and the names and addresses of pupils and their parents and guardians and of all persons employed in connection with the school;
 - (f) all teachers and other persons employed in schools shall submit to examination of their persons as directed by the medical officer of health.
5. Where the incidence of infectious disease in a particular school renders it necessary, in the opinion of a medical officer of health, to close that school the medical officer of health shall inform the Chief Education Officer who shall make a closing order accordingly and cause it to be served on the head of the school and thereupon the provisions of regulation 4 shall apply to such school, so far as applicable.
6. Where the incidence of infectious disease renders it necessary, in the opinion of the medical officer of health, to restrict the attendance at schools to pupils of certain classes or

groups or to exclude from attendance any particular class or group, the medical officer of health may cause a written restriction order to be served by the Chief Education Officer on the heads of the schools concerned who shall forthwith enforce the order and shall also comply with any directions given to them by the medical officer of health regarding precautions and the supply of information.

The class or group to which a restriction order applies may be an educational class or an age group or a class or group specified in any other way to suit the needs of particular circumstances.

7. Closing orders and restriction orders under these regulations shall remain in force until they are revoked. Such orders may be extended in scope or relaxed, modified or revoked by further orders from the Chief Education Officer as circumstances require.

Public Assemblies

8. Where the incidence of infectious disease renders it necessary, in the opinion of the Director to prohibit all public assemblies or all indoor public assemblies, in the whole or any part of Seychelles the Director shall make an order in writing in accordance with such opinion and cause the order to be promulgated by means of placards, circulars, broadcasting or otherwise as may be practicable and may cause it to be served on particular persons who may be specially affected.

9. Where a prohibition order under regulation 8 is in force -

- (a) no entertainment, meeting, dance, bazaar or other function whatsoever shall be held in any public building;
- (b) no such function shall be held in any other building without the written permission of the medical officer of health, which permission may be subject to such conditions as are specified in the permit;
- (c) no assembly of more than ten persons shall be held for any purpose in any building without the permission of the medical officer of health, which permission may be subject to such conditions as are specified in the permit.

10. When the time for holding a meeting of shareholders or of any other body is fixed in relation to any statutory provision or to the regulations of any corporation or other association and an application for a permit to hold such meeting is made before the expiration of the time so fixed and is refused, the time for holding such meeting shall be extended by virtue of these regulations until the relevant prohibition order has been revoked and for such further time as may reasonably be required to convene, or re-convene, the meeting.

11. Where an order prohibiting outdoor assemblies is in operation -

- (a) any person who makes or prepares to make any speech or to exhibit any puppet show or in any other manner whatsoever encourages persons to assemble may be arrested without warrant by any police officer and is liable to a fine not exceeding Rs. 500 or to imprisonment not exceeding three months;
- (b) any group of ten or more persons who have assembled spontaneously shall disperse and any member of such group who fails to depart when instructed by a police officer to do so, may be arrested without warrant and is liable to a fine not exceeding Rs. 500 or imprisonment not exceeding three months.

12. An order prohibiting outdoor assemblies shall not have the effect of prohibiting games, provided that -

- (a) if at any stage spectators form an assembly of more than ten persons the game shall cease and the participants shall disperse and quit the vicinity of the ground; and
- (b) not more than five persons shall assemble at any time in any pavilion or changing room.

13. A medical officer of health may order any person whom he has reason to believe to be a contact of any patient suffering from an infectious disease to be detained in quarantine, or to submit to medical surveillance.

14. The Director may appropriate any hospital temporarily for the exclusive purpose of receiving and treating patients suffering from infectious disease.

The Director may establish camps for the reception, treatment and segregation of persons suffering from infectious disease or suspected of being infected with such disease.

15. All persons recovering in any hospital or camp from an infectious disease shall submit to such antiseptic ablution as may be prescribed by the medical officer in charge of the hospital or camp.

16. A medical officer of health may direct any person whom he suspects of being a carrier to submit to such examination of the person and dejects as the medical officer of health prescribes.

17. No person shall enter or leave any isolation hospital or any camp appropriated or established under regulation 14, or the curtilage of any such hospital or camp without the written permission of the medical officer in charge of such hospital or camp.

18. Where a person has been certified to be suffering from an infectious disease, pursuant to subsection (4) of section 33 of the Act such person shall not quit his dwelling without the permission of the medical officer of health or a medical practitioner.

19. The body of any person who died of an infectious disease shall be placed as soon as possible in a coffin lined with disinfectant as prescribed by the medical officer of health and the coffin shall be closed and shall be interred within twenty four hours of death.

20. Any person who infringes or fails to comply with any of these regulations is liable to a fine not exceeding Rs. 1000 and imprisonment for a period not exceeding 6 months.

SECTION 66

PUBLIC HEALTH (CEMETERY) REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

1. Citation and definition of terms.

PART II

Public Cemeteries and keepers

2. Duty of keeper.
3. Register.
4. No burials without permit.
5. Presence of keeper within cemetery
6. Graves are to be respected.
7. Animals and vehicles not to enter cemetery.
8. Introduction of liquors, etc., prohibited.
9. Nuisances.
10. Burials to take place in cemetery.
11. Portions set apart for religious creeds and common graves.
12. Ground may be purchased.
13. Contractors to be responsible for damage.
14. Corpses to be carried in coffin.
15. Corpses may be removed from coffin for burial.
16. Except in case of contagious disease.
17. Cemeteries may be closed.

PART III

Private Burial Grounds

18. Private burial grounds.

PART IV

Interments

19. Hours of burial.
20. Spaces between graves.
21. Dimensions of graves.

PART V

Vault

22. Vault how built.
23. Dimensions.
24. Owners to repair vault, etc.

25. Burial in vault.

PART VI

Re-opening of Graves or Vaults

26. Condemned vaults to be marked.
27. In case of contagious disease, vault, etc., condemned.
28. In case of non-contagious disease.
29. Filling up.
30. Application to re-open graves, etc. how made.
31. Common graves may be re-opened.

PART VII

Exhumations

32. Applications for exhumations, how to be made.
33. Conditions for exhumation.
34. Re-interment.

-
35. Not applicable to court order.
36. Prohibition in case of contagious disease.

PART VIII

Miscellaneous

37. Penalty.
38. Tariffs.

PART I

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

(2) In these Regulations the following words and expressions shall have the meanings hereinafter assigned to them unless the context otherwise requires:-

"cemetery" or "burial ground" means any place authorised under the Act for the burial of corpses or which may hereafter be authorised as such;

"grave" means a burial place in a cemetery, formed in the ground by excavation and without any internal wall of brick or stone work;

"private grave" means a grave in land which has been purchased under these Regulations;

"common grave" means a grave in which persons have been buried in land other than land purchased under these Regulations;

"tomb" means a construction in masonry covering a grave;

"vault" or "mausoleum" means a burial place of any other description than those already mentioned;

"contagious disease" means and includes any of the following diseases namely: plague, cholera, small pox, yellow fever, diphtheria, measles, scarlatina or scarlet fever, typhus, typhoid or enteric fever, relapsing or continued fever, puerperal fever, traumatic erysipelas, or any other disease which may hereafter for the purpose of these regulations be declared contagious by the Minister by a notice published in the Gazette.

PART II

* These regulations consolidate the Cemetery Regulations (G.N. 33/1904), Cemetery Regulations, Praslin (G.N. 96/1905), Victoria Cemetery Regulations (G.N. 47/1910), Anse Royale Public Cemetery Regulations (G.N. 41/1912), Anse Aux Pins Public Cemetery Regulations (G.N. 83/1914), La Digue Public Cemetery Regulations, G.N. 62/1916), Cascade Cemetery Regulations (P12/1953) Anse Louis Cemetery Regulations (S.I. 39/1960), Glacis Cemetery Regulations (S.I. 6/1963), Takamaka Cemetery Regulations (S.I. 54/1965), Baie Lazare Cemetery Regulations (S.I. 55/1965), Public Health (Amendment) Regulations (S.I. 9/1966) Town of Victoria (Cemetery Fees) Regulations (S.I. 89/1965, S.I. 89/1969 and S.I. 68/1970) Victoria Cemetery (Amendment) Regulation SI 122/1978).

Public Cemeteries and Keepers

2. (1) Every public cemetery shall be in the charge of a keeper who shall maintain order and cleanliness and see to the due enforcement therein of all regulations and orders relating to cemeteries.

(2) The keeper shall keep a plan of the cemetery showing its several sections or squares, rows, vaults, and graves and he shall mark each square, row, vault and grave with the number assigned to them, corresponding to their counterparts entered in the cemetery register.

3. (1) The keeper shall keep a cemetery register of burials and a register of exhumations and such other books and registers in such form as he may be directed by the Minister from time to time.

(2) The Cemetery register of burials and the register of exhumation shall be in the form specified Schedule A.

(3) He shall also keep, bound up in order of dates, all permits or orders of burials and exhumations.

4. No burial shall take place in a cemetery until the permit or order for burial shall have been produced to the keeper and any keeper who shall allow any burial without the production of the permit or order or any party burying a corpse or bringing a corpse for burial without the permit or order shall be liable to a fine of rupees two hundred or imprisonment for two months.

5. The cemetery keeper shall remain within the cemetery during such time as it is open.

6. It is forbidden to tread on any grave or any burial place, to leap over the enclosures, and to write on or otherwise deface any monument.

It is also forbidden to pluck, take away, or remove any flower, plant, shrub, vase, or other article deposited in a cemetery except with the authority of the keeper.

7. It is forbidden to introduce dogs or other animals into a cemetery, or to introduce any cart, waggon, or other vehicle into a cemetery without the permission of the keeper.

8. It is forbidden to introduce intoxicating liquors into a cemetery, to light candles or form processions by torchlight or with drums, horns, or other instruments of music therein, except with the permission of the keeper.

9. No person shall act improperly or cause a nuisance or create a disturbance in a cemetery or interfere with the keeper in the discharge of his duties.

10. No burial shall take place except in a public cemetery unless under very special circumstances, and with the approval of the Minister. The preceding provision shall not affect the right of proprietors of private burial grounds authorised under section 65 of the Act.

11. (1) Portions of a cemetery may be set apart for persons professing particular religious creeds.

(2) Common graves shall occupy a place apart.

12. (1) Any person desirous of purchasing a plot of ground in a public cemetery, or of having a vault or monument built in the same, shall apply to the Minister, and, on payment of the purchase money, the plot of ground shall be measured and marked out and the work commenced agreeably to the conditions of the purchaser.

(2) All purchasers of plots of ground under subregulation (1) shall conform to the plans and divisions laid down for the management and distribution of land made by the Minister.

13. All contractors or other persons undertaking private work in any public cemetery shall be responsible for any damage caused by their workmen; and this without prejudice to the other penalties that may be incurred by the said work men. All contractors and others aforesaid, shall, after the completion of the work, remove all rubbish, and put the place in proper order.

14. Corpses shall be carried to the cemetery in a closed, strong and well made coffin.

15. In case of death from any non-contagious disease, the corpse may at the grave side, and provided the body is properly shrouded, be removed from its coffin for interment.

16. In case of death from any contagious disease, the must be interred in its coffin.

17. (1) It shall be lawful for the Director to order that any cemetery, which has become overcrowded or which is dangerous to public health, shall be closed either totally or partially and with such restrictions as to interments therein as the Director shall deem fit.

(2) Such closing shall be notified in the Gazette.

(3) All disused cemeteries shall be in the charge and under the control of the Director who may issue such instructions as he may deem fit to be enforced by the Police, in respect of the proper maintenance, order and cleanliness of such cemeteries and of the admittance of the public to the same.

PART III

Private Burial Grounds

18. (1) Any private burial ground authorised under the Act shall be under the care and superintendence of the owner thereof or the head of the religious denomination to which it belongs and, in other respects shall be subject to these Regulations.

(2) Any registers, books or documents kept in respect of any private burial ground shall be open for inspection by the Director or any person authorised by him.

PART IV

Interments

19. Burials shall only take place from 6 a.m. to 6 p.m., unless in extraordinary circumstances, and with the permission, in writing of the Minister. In case of urgency, such permission may be given by the Director. Such permission shall be given on form 1.

20. There shall be left a space of 3 feet or 0 m.91 between each two rows of graves, and 1½ feet or 45 centimetres between each two graves. No interment shall be allowed in the inter spaces except by special order of the Minister.

21. No grave shall be less than 6 feet or 1m.83 long, 2 feet or 0m.61 wide and 6 feet or 1m.83 deep:

Provided that in the case of infants and children the above dimensions regarding length and width may be decreased at the option of the keeper.

PART V

Vault

22. All vaults shall be built of brick or well cemented stone or coral, the walls, floor and ceiling being at least 30 centimetres thick and coated inside with a layer of cement 6 millimetres thick.

23. The floor surface of a vault must not be less than two metres below the surface of the surrounding ground, and the internal height of such vault from floor to ceiling shall not exceed 3 metres.

24. Whenever any tomb or vault shall be left in a dilapidated state, it shall be lawful for the Minister to order the owners of any such tomb or vault to repair the same properly, and in case of non-compliance the Minister shall cause such repairs to be made at the cost of such owners.

25. No corpse shall be deposited in a vault unless enclosed in a leaden coffin.

PART VI

Re-opening of Graves or Vaults

26. The grave or vault in which the corpse of a person who has died of a contagious disease has been buried, shall for the purpose of identification be marked by the letters "C.D.", cut in stone or painted on wood.

27. No grave or vault in which the corpse of a person having died of any contagious disease has been interred shall be re-opened for another interment without the special

permission of the Director and then only under such sanitary precautions as the Director may prescribe, and no such permission shall be granted unless the second interment or interments shall follow the first after the lapse of ten years.

28. No grave or vault in which the corpse of a person who died of a non-contagious disease has been interred shall be reopened for a fresh burial until 6 years have elapsed in the case of an adult, or 4 years in the case of a child under 12 years of age, since the last burial in the same grave or vault. When such re-burial takes place in a grave the bottom of the second coffin shall be at a depth of at least 5 feet from the surface of the ground:

Provided that the keeper of the cemetery shall, before such re-opening takes place, satisfy himself of the identify of the grave or vault which is being reopened and shall record all particulars of the re-opening and the re-burial in a book.

29. (1) If, on re-opening a grave, decomposed human remains having a foul odour are met with, the sinking of such grave shall at once be discontinued and the grave filled up again.

(2) The re-opening of such grave shall not be allowed until further lapse of twelve months.

30. Applications for re-opening graves or vaults shall be addressed to the Director, and shall be accompanied by an extract of a declaration of death from the office of the Civil Status of the person last buried in the grave or vault the re-opening of which is applied for. Permission shall be granted on Form 2.

31. (1) If, for want of space in a burial ground, or from any unforeseen reason, it should become necessary to use again for burial purposes the ground previously employed in a cemetery for common graves, such re-opening may be effected after one month notice, which shall be published in the Gazette.

(2) Such re-openings shall be subject to the conditions laid down in these regulations.

PART VII

EXHUMATIONS

32. (1) Applications for the re-opening of a grave or vault for the exhumation or removal of any corpse shall mention the cause of death and whether the corpse was buried in a leaden coffin or not. Such applications shall be considered by the Director and dealt with according to the circumstances of each case.

(2) Permission for the exhumation of a body shall be granted on Form 3.

33. (1) If the corpse was enclosed in a wooden coffin, permission shall not be granted until two years after the burial, if the corpse is that of a child under six years; and until five years after the burial, if the corpse is that of a person above that age.

(2) It shall, however, be lawful for the Director to authorise, at any time, the exhumation and removal of a corpse that has been buried in a leaden coffin.

34. (1) If the re-interment takes place in the same cemetery, the exhumed remains and coffin, leaden or not, shall be placed in another coffin which shall be new and air-tight.

(2) If the re-interment takes place in another cemetery, the remains shall be placed in a leaden coffin enclosed in an outer case large enough to contain saw-dust, etc., soaked with such disinfectants as the Director may direct.

35. (1) The provisions of regulations 32, 33 and 34 shall not be applicable to exhumations ordered by any judge or magistrate to meet the ends of justice.

(2) Exhumations ordered by a judge or a magistrate shall be made subject to the following conditions:-

- (a) Such exhumations shall be carried out between the hours of 10 pm and 7 am only;
- (b) The cemetery shall be closed to the public during the exhumation;
- (c) The site of exhumation shall be protected from public view by suitable screens.

36. It shall not be lawful to authorise the exhumation in case of and removal of any bodies of persons who have died of any contagious disease.

PART VII

Miscellaneous

37. (1) Any person who shall do any act contrary to the provisions of these regulations, or shall refuse or neglect to do anything which is directed to be done by these regulations, shall unless otherwise provided for be liable to a fine of five hundred rupees.

(2) The same penalty shall be incurred by any person who shall bury, cause to be buried or take part in the burial of a corpse against the lawful direction of the keeper, or his assistant, in any common grave other than one pointed out by the keeper or his assistant.

38. (1) The cemetery tariff in respect of a public cemetery situated in the area specified in schedule B shall be as set out therein.

(2) The Minister may exempt any person from any of the tariff specified in schedule B.

(3) All purchasers of plots of grounds shall conform to the plans and divisions laid down for the management and distribution of the land made by the Minister.

SCHEDULE A

Form 1 [Regulation 4] ORDER OF BURIAL _____ To the keeper of Cemetery. You are hereby authorised and requested to effect the burial of the body of	Form 2 [Regulation 30] No. ORDER OF RE-OPENING OF GRAVE OR VAULT _____ To the keeper of Cemetery. You are hereby authorised and re- quested to allow the re-opening of grave
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FORM 3

ORDER OF EXHUMATION

[REGULATION 32]

NO.

To the Keeper

Cemetery.

Person to be Exhumes		Date of First Burial	Plan of Cemetery	Where to be Re-interred	Precautions to be Taken
Name	Surname	D. M. Year			

NOTE: Your attention is strictly called to regulations 32 to 36 of the Public Health (Cemetery) Regulations (Cap 189. Sub. Leg.)

Date 19

.....

Director

FORM 4

[Regulation 3]

CEMETERY REGISTER OF INTEMENTS COMMON AND PRIVATE

Entry No.	Date of burial	Cemetery Plan				Reference to Civil Status Register				No. of entry	Memorandum regarding re-opening or exhumation	
		No. of Plots (if any)	No. of squares	No. of rows	No. of graves	No.	Name	Surname	Sex			Age
										Y.	M.	

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

FORM 5

REGISTER OF EXHUMATIONS

Date of Exhumation	Person exhumed		Cause of death	Reference to									Exhumed Remains Where Reinterred					
				Cemetery Register			Register of Private Graves			Register of Graves reopened								
Name	Sur-name		No. of Register	Folio	Entry No.	Date if first burial D. M. Y.			No. Of Register	Folio	Entry No.	No. Of Register	Folio	Entry	No.	Date D. M. Y.		

FORM 6

REGISTER OF GRAVES RE-
[Regulation 3(1)]

OPENED

Year

Plan of Cemetery			Grave No.	Date of reopening	Person now buried		Sex	Age	Number of corpses already buried in the Grave	Day	Month	Year	Day	Month	Year	By whom issued	No. of Register	Folio	Entry No.	No. of Register	Folio	Entry No.	No. of Register	Folio	Entry No.	No. of Register	Folio	Entry No.	
Entry Number	Square No.	Row No.			Surname	Name																							

SCHEDULE B

REGULATION 38

TARIFFS

ANSE AUX PINS

1. For plot of ground sold:
 - (a) For plots of ground not exceeding
1.66 square metre or 1 metre 83 centimetres
long by 0 metre 91 centimetres wide for each .092
square metre R. 0.25
 - (b) For each .092 square metre over 1.66 square
metre R. 0.50
2. For digging or re-opening of a grave ... R. 2.00

ANSE LOUIS

For plot of ground sold-

- (a) For plots of ground not exceeding 18 square
Feet or 6 feet long by 3 feet wide
for each square foot R s. 0 . 5 0
Cts.
 - (b) For each square foot over 18 square feet Rs. 2.00
- For digging or re-opening of a grave Rs. 2.00

All purchasers of plots of ground shall conform to the plans and divisions laid down for the management and distribution of the land made by the Minister.

ANSE ROYALE

1. For plots of ground sold-
 - (a) For plots of ground not exceeding 1m. 672
cent. square or 1m. 828 cent. long by 0m.
915 cent. wide for each square 0m. 092 ... R. 0.25
 - (b) For every square over 1.m 672 square cent.
for each square 0m. 092 R. 0.50

For digging or re-opening of a grave R. 2.00

All purchasers of plots of ground shall conform to the plans and divisions laid down for the management and distribution of the land made by the Minister.

BAIE LAZARE, CASCADE, GLACIS
AND TAKAMAKA

The cemetery tariff shall be as follows:-

1. For plot of ground sold-
 - (a) For plots of ground not exceeding 18 square feet
or 6 feet long by 3 feet wide for each square foot R. 0.50
 - (b) For each square foot over 18 feet R. 2.00

For digging or re-opening of a grave R. 2.00

LA DIGUE

1. For plots of ground sold:-
 - (a) For plots not exceeding 6 feet long by 2 feet
6 inches wide or 15 square feet.
For each square foot R. 0.20
 - (b) for every square foot over 15 square feet.
Each square foot R. 1.00
2. For tombs and monuments:
 - (a) for a vault or a tomb of more than 15
square feet irrespective of height R.15.00
 - (b) for any cross, tablet, tomb or form of enclosure
in wood, metal or masonry under 3 feet in height R. 1.00
If over 3 feet but under 6 feet R. 5.00
If over 6 feet high R.10.00
 - (c) for digging or re-opening of a grave ... R. 2.00

MONT FLEURI

1. For the sale of plots of ground -
 - (a) For plots not exceeding 18 square feet equivalent
to 6 feet long by 3 feet wide R.40.00

(b)	for each square foot over 18 square feet	R. 4.00
2.	For tombs and vaults-	
(a)	For a vault or tomb of more than 6 feet in height	R.50.00
(b)	For a vault or tomb not exceeding 6 feet in height	R.30.00
(c)	For a vault or tomb not exceeding 4 feet in height	R.15.00
(d)	For a vault or tomb not exceeding 3 feet in height	R.10.00
(e)	For a vault or tomb not exceeding 1 foot in height	R. 5.00
(f)	For a simple grave stone placed horizontally or vertically with inscription	R. 4.00
(g)	For a tomb with plaster masonry without a grave stone	R. 4.00
(h)	For a grave board with inscription	Free
(i)	For a cross of wood or iron not exceeding 2 feet in height	Free
(j)	For a cross of wood or iron above that height	R. 1.00
(k)	For an enclosure in plain boards (trellis or bars of 2 feet in height)	R. 1.00
(l)	For an enclosure in plain boards 3 feet in height	R. 1.50
(m)	For an enclosure in plain boards 4 feet in height	R. 2.00
(n)	For 4 pillars with chains	R. 3.00
(o)	For each additional pillar supporting chains	R. .50
(p)	For an iron railing whatever may be the height	R. 4.00

- (q) For an enclosure of stones R. 4.00
 - (r) For the reopening of a vault, tomb or grave R. 8.00
 - (s) For digging a grave R. 8.00
 - (t) For erecting or repairing a dry stone wall
around the tomb not exceeding one foot in
height R10.00
3. Hearse-
Rent of hearse for each burial R.2.50

Such fees shall be paid in advance at the office of the Cemetary and on Sundays and Public Holidays to the guardian of the cemetery.

PRASLIN

- 1. For plots of ground sold:
 - (a) for plots not exceeding 1 metre 672 centimetres
square, or 1 metre 828 centimetres long by 0 metres
915 centimetres wide for each square 0 metre 092
centimetres ... R. 0.25
 - (b) for every square over 1 metre 672 square for each
square 0 metres 092 centimetres ... R. 1.00
- 2. For tombs and monuments:
 - (a) for a vault or tomb of more than 1 metre 828
centimetres irrespective of height Rs.15.00
 - (b) for any cross, tablet, tomb, or form of enclo-
sure, in wood, metal, or masonry, under 3ft. in
height Rs. 2.00
 - If over 3ft. but under 6ft. high Rs. 5.00
 - If over 6ft. high Rs.10.00
 - (c) for the digging or re-opening of a grave Rs. 2.00
 - (d) All purchasers of plots of ground shall conform to the plans
and divisions laid down for the management and distribution

of the land made by the Council.

[SECTIONS 67 AND 96]

PUBLIC HEALTH (BURIAL AT SEA) REGULATIONS

[17th April, 1961]

SI. 28/1961
SI. 18/1972
SI. 95/1975

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Application for licence.
3. Decision of medical officer of health.
4. Issue and effect of licence.
5. Fees.
6. Saving provision.
7. Preparation of body.
8. Embarkation.
9. Burial.
10. General.
11. Penalty.

1. These regulations may be cited as the Public Health (Burial at Sea) Regulations.

2. (1) An application for a licence to bury at sea the body of a person who has died in Seychelles may be made by the surviving spouse or one of the next of kin, being an adult.

(2) If no person eligible to apply under subregulation 1 is in the island where the death occurred, or if the only person so eligible is not in fit state of health to apply, an application may be made by the occupier of the house in which the death occurred or by another person authorised by the Medical Officer of Health to apply.

(3) The application shall be in writing, in the form in the appendix, in duplicate, and shall be handed to the Harbour Master together with the original act of death issued by the Civil Officer.

(4) The Harbour Master shall make such enquiries as he thinks necessary and shall forward the original application and act of death to the Medical Officer of Health with his recommendation.

3. The Medical Officer of Health shall make any further enquiries which he considers necessary and shall then, in his absolute discretion, grant or refuse a licence. The act of death shall be returned to the applicant, if he so desires.

4. (1) A licence for burial at sea shall be in the form in the appendix and shall forthwith be sent to the Harbour Master who shall cause the body to be buried in accordance with these regulations, except in cases to which regulation 6 applies.

(2) The Harbour Master shall appoint the time and place of embarkation, specify maximum number of persons who may travel in the vessel to the place of burial and give any other necessary directions.

5. The applicant shall pay to the Harbour Master the fees specified in the schedule.

6. If in the opinion of the Harbour Master it is impracticable or improper to bury the body within twenty four hours of the issue of the licence he shall forthwith return the license to the Medical Officer of Health with a report of the circumstances.

7. (1) The applicant shall cause the body to be completely enshrouded in canvas, firmly sewn, but shall not cause it to be weighted before embarkation.

(2) If a coffin is used the cover shall be easily removable and shall not be screwed down.

8. (1) At the appointed time the applicant shall cause the body to be brought to the appointed place of embarkation, covered with a pall or encoffined and accompanied by sufficient bearers.

(2) No person other than the bearers shall approach the vessel until directed to do so.

(3) A person specially instructed by the Harbour Master shall firmly secure to the lower part of the body iron weights, provided by the Harbour Master for that purpose, and cover them with an overshroud.

(4) The total of the weights shall be three times the estimated weight of the body.

9. The vessel shall proceed to a place appointed by the Harbour Master with regard to the conditions at the time of departure and not less than three nautical miles from the nearest coast where the body shall be buried in the sea.

10. The Harbour Master shall have general superintendence of all the arrangements for a burial at sea and shall give, and may vary, any directions which may be necessary in particular circumstances.

11. Any applicant or other person who makes any oral or written statement for the purpose of obtaining a licence under these regulations, is hereby required to state the whole truth, so far as material, and to state only such matters as on reasonable grounds, he believes to be true.

THE SCHEDULE

FEES

Application for licence	Rs.10
Licence, including weighting and overshroud	Rs.10

Sea transport

Normal rate for the vessel used

Remissions

Where the deceased was at the time of his death a serving officer of the Government of Seychelles no fees will be charged.

Where the deceased was the wife or a dependent child of a serving officer half the fees will be charged.

In any special case the Medical Officer of Health may remit or reduce the fees.

APPENDIX OF FORMS

Form A

PUBLIC HEALTH (BURIAL AT SEA) REGULATIONS

APPLICATION FOR LICENCE

I hereby apply for a licence to bury at sea the body of

Full name of applicant.

who last ordinarily resided at

Full name of deceased.

Address.

2. The original act of death by the Civil Status Officer is attached to this application.

3. I am the surviving spouse of the deceased

Delete and fill in as or required.

I am one of the next-of-kin being the of the deceased.

4. I declare that the particulars of the deceased stated overleaf are correct.

Signature of applicant

Date 19

PARTICULARS OF DECEASED

Surname

Father's name

Sex and Age

Estimated weight

Status

Delete and fill in as required. Bachelor Married man Divorce Widower

Spinster

Married woman, the wife of

who resides at

Name of last husband. Divorced wife of The widow of

FORM B

PUBLIC HEALTH (BURIAL AT SEA) REGULATIONS

The Medical Officer of Health hereby authorises the burial at sea of the body

Full name

whose death is recorded in act of death No.

issued by the Civil Status Officer for

and dated 19

in accordance with the Public Health (Burial) at Sea Regulations.

Dated this 19

Medical Officer Health

PUBLIC HEALTH (WASHING LIMITS) REGULATIONS

ARRANGEMENT OF REGULATIONS

I

Central District

1. Washing limits of rivers in Central District.
2. Washing limit at Anse Boileau.

3. Washing limit of Glacis River.
4. Washing limit at Grand'Anse.
5. Washing limit of rivers in Central District.
6. Washing limit at Anse Dejeuner.
7. Washing limit at Dans Isles.
8. Cupidon river.
9. Washing limit at Pointe La Rue.
10. Washing limit at Cascade.
11. Washing limit at Cap Ternay.
12. Washing limit at Anse Aux Pins.
13. Belony River.

REGULATION

II

North Mahe

14. River Beoliere.
15. River Seche.
16. Fonds de Lianes.
17. Mare Anglaise.
18. River Button.
19. Tirant River.

III

South Mahe

20. River at Anse Aux Poules Bleues.
21. Anse Gouvernement.
22. Dijoux River.
23. McGaw River.
24. Anse Louis and Val d'Andore Rivers.

IV

Praslin 76

25. Boffay River.
26. Various rivers.
27. Mon Desir River.
28. Anse Boudin.
29. Anse Kerlan and Pasquiere Rivers.
30. Salazie.
31. Civine.
32. Pickwood.
33. Anse Marie Louise
34. Anse Takamaka.

V

La Digue

35. La Digue rivers.
36. Penalty.

I

Central District

1. The washing limits of the following rivers shall be designated by a post and board with the words "Washing Limit" painted thereon-

- (a) Rochon River;
- (b) Trois Freres River;
- (c) St. Louis River;
- (d) Moussa River;
- (e) Quincy River, also called Riviere Anglaise.

2. The washing limit of the river which runs into Anse Boileau Boileau near the 9th mile stone shall be designated by a post and board with the words "Washing Limit" painted thereon.

3. The washing limits of the river known as "Glacis" or "Catholic Mission" at Glacis shall be designated by a post and board with the words "Washing Limit" painted thereon.

4. The washing limit of Riviere Seche which has its source on the property "Chateau Margot" crosses the Misere Road from Terrain Naz above the 5th milestone, runs through a part of Barbarons Estate and falls into the Sea at Grand'Anse shall be designated by a post and board with the words "Washing Limit" painted thereon.

5. The washing limits of the following rivers shall be designated by a post and board with the words "Washing Limit" painted thereon-

- (a) Riviere Anglai (near the Slaughter-house.)
- (b) Riviere des Fruits de Cythere (a tributary of the Moussa River).
- (c) Riviere Quenet or Finette.

6. The washing limit of the river which runs into Anse Dejeuner shall be designated by a post and board with the words "Washing Limit" painted thereon.

7. The washing limits of the river known as Dans Isles River No.2 shall be designated by a post and board with the words "Washing Limit" painted thereon.

8. The washing limits of Cupidon River at Bel Ombre shall be designated by a board with the words "Washing Limit" painted thereon.

9. The washing limits of the Stream at Pointe La Rue on Mrs Widow J.d'Argent's property shall be designated by a post and board with the words "Washing Limit" painted thereon.

10. The washing limit of the rivulet which crosses the property of Hosanna Brassel at Cascade shall be designated by a post and board with the words "Washing Limit" painted thereon placed at a distance of 250 feet or 76 metres to the west of the main road on the left bank of the rivulet.

11. The washing limit of the rivulet which crosses the property of Virginie Agatine & ors. at Cap Ternay shall be designated by a post and a board with the words "Washing Limit" painted thereon placed at a distance of 408 feet or 123.35 metres to the East of the main road on the North bank of the rivulet 20 feet below the dam from which the Cap Ternay supply is taken.

12. The washing limit of Grand Bassin river which crosses property of Mr. J. B. Jumeau at Anse Aux Pins shall be designated by a post and board with the words "Washing Limit" painted thereon placed at a distance of 800 feet or 244 metres to the West of the main road on the right bank of the said river.

13. A post and board with the words "Washing Limit" shall be erected in the course of the Belony River (a tributary of the Moussa River) at a point twenty feet upstream from the bridge.

II

North Mahe

14. A post and board with the words "Washing Limit" shall be erected in the course of Beoliere River where it flows across the property of Mr. V. L. Chetty at a point on the North-East side of the Beoliere Road, 20 feet from the said road.

15. A post and board with the words "Washing Limit" shall be erected in the course of River Seche at Grand'Anse, Mahe, at a point one hundred feet from the public road on the mountain side.

16. A post and board with the words "Washing Limit" shall be erected in the course of the Fonds de Lianes Rivulet at Machabee, Mahe, at a point three hundred and fifty feet from the new public road on the mountain side.

17. A post and board with the words "Washing Limit" shall be erected in the course of Albertine Loiseau's Rivulet at Mare Anglaise two hundred and twenty feet above the public road.

18. A post and board with the words "Washing Limit" shall be erected in a branch of River Button at Petit at a point two hundred feet from the public road on the mountain side beyond the said river coming to town.

19. A post and board with the words "Washing Limit" shall be erected in the course of the Tirant River at Glacis, Mahe, at a point two hundred feet distant from the public road to be measured upstream from the said road.

III

South Mahe

20. The washing limits of the river which runs into Anse Aux Aux Poules Bleues shall be designated by a post and board with the words "Washing Limit" painted thereon.

21. The washing limits of the river which runs into Anse Gouvernement on the property of Charles Magnan shall be designated by a post and board with the words "Washing Limit" painted thereon.

22. A post and board with the words "Washing Limit" shall be erected in the course of the Dijoux or St. Jorre river at Anse Aux Courbes at a point four hundred and forty feet from the public road.

23. A post and board with the words "Washing Limit" shall be erected in the course of the McGaw river at Pointe Au Sel, at a point two hundred and sixty feet from the public road.

24. A post and board with the words "Washing Limit" shall be erected in the course of the following rivers at a point described hereunder-

(a) Anse Louis River, where the river flows across Mr. Octave Pool's property at a point 332 feet upstream from the public road.

(b) Anse Louis River, where the river flows across the property of Mr. Chang Yune at a point in the left branch of the river going upstream, 103 feet from the public road.

(c) The river flowing across the property of Mr. France Payet at Val d'Andore at a point 1,800 feet upstream from the public road.

IV

Praslin

25. The washing limits of the river which has its source in Fonds Boffay State Land and which flows into Bay St. Anne after running under the foot-bridge known as the "Pont de l'Eglise", the said river to be known henceforth as Boffay River, are fixed at a point indicated by posts and boards with the words "Washing Limits" painted thereon, and situated about fifty yards below the dam erected across the river to supply the district with pure water.

26. The washing limits of the following rivers, situated as described shall be fixed at a point indicated by a post and board with the words "Washing Limit" painted thereon-

Pelicier } Near Baie Ste Anne and crossing

Boquet	}	the Roadway which leads to Anse
Charles Payet	}	Consolation.
La Blache	}	"Belle Vue", Grand'Anse

27. The washing limit of the "Mon Desir" River which has its source on the property of Mr. Ismael Accouche and falls into Anse Boudin Bay midway between the North end of the Village, and South end of Pointe Chevalier State Land shall be designated by a post and board with the words "Washing Limit" painted thereon.

28. The washing limit of the streams of Anse Boudin river shall be designated by a post and board with the words "Washing Limit" painted thereon.

29. The washing limits of the stream of Anse Kerlan and Pasquiere rivers shall be designated by a post and board with the words "Washing Limit" painted thereon.

30. The washing limits of the river which has its source in Salazie and which flows into the sea at Anse Vaulbert after running through the properties of Adam Moosa, Mrs. Raba and Cote D'or, the said river to be known henceforth as Salazie River, are fixed at a point indicated by posts and boards with the words "Washing Limits" painted thereon, and situated about 50 yards below the Government reservoir and settling tank erected in the course of the river to supply the district with pure water.

31. The washing limits of the which river has its source on the property known as Civine and flows into the sea at Grand Port after running through Terrain Grand Court and Nouvelle Decouverte, the said river to be known henceforth as River Civine, are fixed at a point indicated by posts and boards with the words "Washing Limits" painted thereon, and situated on the property of Terrain Grand Court in order to supply the locality with pure water.

32. A post and board with the words "Washing Limit" shall be erected in the course of the River "Pickwood" at Grand Anse, Praslin, at a point one hundred and seventy feet from the public road on the mountain side.

33. A post and board with the words "Washing Limit" shall be erected in the course of Anse Marie Louise River, Praslin, at a point one thousand six hundred feet from the bridge (known as Pont Gardener) on the mountain side.

34. A post and board with the words "Washing Limit" shall be erected in the course of the river "Ma Catherine" at Anse Takamaka, Praslin, at a point two hundred and fifty-five English feet from the public road on the mountain side.

V

La Digue

35. A post and board with the words "Washing Limit" shall be erected in the course of the following rivers at the points specified hereunder:-

- (a) River Anse Severe, where the river flows across the property of Heirs K. C. Chetty at a point upstream measuring 583 feet from the public road.
- (b) River Frederick Payet, where the river flows across the property of Mr. Duphay Payet at La Passe, at a point measuring 200 feet from the source.
- (c) River Charles Morel, where the river flows across the property of the Heirs Hossen at a point measuring 100 feet from the source.

- (d) River MacGaw, where the river flows across the property of the Heirs MacGaw at a point upstream measuring 400 feet from the public road.

36. Any person washing clothes, bathing, casting therein dirty or polluted liquid or excrement or in any other way defiling the said the said rivers, above the aforesaid washing limits shall for every such offence be liable to a fine not exceeding one hundred rupees.

[SECTION 95 (b)]

G.G. 3/4/1950

**PUBLIC HEALTH (THE NORTH MAHE) (POLLUTION OF BEACHES)
REGULATIONS**

[3rd April, 1950]

1. These regulations may be cited as the Public Health (North Mahe) (Pollution of Beaches) Regulations.

2. In these regulations-

"beach" includes all the portion of the foreshore adjacent to the sea which is alternately covered and uncovered by the sea at high and low water during the new and full moons and up to the limit reached by the sea water during spring tides;

"refuse" includes any fish, fish offals, fish guts and any part of the body thereof.

3. No person shall gut any fish, deposit or throw or allow to be deposited or thrown any refuse on that part of the beach of Beau Vallon and Bel Ombre lying between the points specified in the schedule to these regulations except in receptacles provided for that purpose.

4. Any person contravening the provisions of the foregoing regulation shall be liable on conviction to a fine not exceeding Rs. 50.

SCHEDULE

(1) From the boundary line of the properties of the Roman Catholic Mission and J. Délorié to the estuary of the stream behind J. Délorié's house.

(2) From one hundred yards after the estuary of the stream behind J. Délorié's house to the west boundary line of Mrs. Louis Albert's property.

(3) From the boundary line of Mrs. Louis Albert and the Wireless Station to the east boundary line of the Wireless Station.

[SECTION 95 (k)]

PUBLIC HEALTH (MARKET) REGULATIONS*

G.N 47/1910.
G.N.54/1926.
G.N. 75/1947.
G.N.292/1951.
SI. 25/1960
SI. 50/1962.
SI. 60/1966.
SI. 104/1975

ARRANGEMENT OF REGULATIONS

1. Citation.

2. Market hours.
3. Market to be closed till opening hour.
4. No meat or fish to be sold outside the market.
5. Licence to sell in market.
6. No fresh meat, turtle or fish to be sold elsewhere.
7. Unfit, tainted meat, etc., removed and destroyed.
8. Commodities exposed for sale to be sold to purchaser.
9. Articles sold to be removed.
10. Articles sold may not be resold within market.
11. Barrels, cases, etc., not to be kept in market.
12. Hawking prohibited.
13. Dogs.
14. Smoking.
15. Begging.
16. Disturbance
17. Sitting on stalls etc., prohibited.
18. Loitering inside market prohibited.
19. Lighting fires.
20. Damage to buildings.
21. Name of seller to be posted up.
22. Blocks to be provided by butchers.
23. Blown meat to be prohibited.
24. Cleaning of butchers' and fishmongers' stalls and other stalls.
25. Butchers to be clean.
26. Vessels for offal.
27. Scales and weights.
28. Penalties.
29. Sale of shark regulated.
30. Sale of dangerous fish prohibited.

31. Verification of weights.

32. Fees.

*These Regulations consolidate the La Digue, Victoria, Mont Fleuri, Les Mamelles, Praslin and South Mahe Market Regulations.

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

2. (1) The opening hour of a market on days other than Sundays and public holidays shall be-

- (a) 5.00 a.m in La Digue
- (b) 5.30 a.m in Les Mamelles, Mont Fleuri and Victoria.
- (c) 6.00 a.m in Praslin; and
- (d) 6.30 a.m in South Mahe

(2) The closing hour of a market, on days other than Sundays and public holidays, shall be-

- (a) 5.30 p.m in Les Mamelles, Mont Fleuri and Victoria; and
- (b) 6.00 p.m in La Digue, Praslin and South Mahe.

(3) On Sundays and public holidays market may be kept open-

- (a) from 5.00 a.m to 8.00 a.m and from 3.00 p.m to 6.00 p.m in La Digue;
- (b) from 5.30 a.m to 12.00 noon and from 1.00 p.m to 4.00 p.m in Les Mamelles, Mont Fleuri and Victoria;
- (c) from 6.00 a.m to 9.00 p.m and from 3.00 p.m to 6.00 p.m in Praslin; and
- (d) from 6.30 a.m to 9.30 am and from 3.00 p.m to 6.00 p.m in South Mahe.

(4) A bell shall be rung 15 minutes before closing time and again at closing time when the gates shall be closed.

3. The market shall be cleaned at the end of every day and shall be closed and remain closed until the opening hours of the following morning.

4. No person who has not disposed of any fish or meat before the closing of the market for the day shall sell any such fish or meat outside the market.

5. No person shall sell any commodities in the market before having taken out a licence in accordance with the provisions of the law relating to licences.

6. (1) No fresh meat, fish or turtle shall be sold or exposed for sale within the limits prescribed in subregulation (2) in any place other than the market.

(2) The limits prescribed for the purposes of subregulation (1) are -

- (a) An area bounded by the reef on the North, boundary line separating Miss Edoxie Vidot's property from the property of Heirs Kanabady up to the mountain range on the East, mountain range on the south and from the Cross near Union Junction following the track up to the main road and from there following the boundary line separating Mr Hossen's property from Mr. Payet's property until it reaches the mountain range on the West, in La Passe, La Digue.
- (b) An area between Point Cabris at one end and the boundary between the Cotes D'Or Estate and that of Mr. James Sullivan at the other end, in Baie Ste Anne, Praslin.
- (c) An area bounded by Grosse Roche on the South East, by by Pont Bacar on the West, by the mountain side on the North and the reef on the South, in Grand Anse, Praslin.
- (d) An area bounded by a straight line drawn from Mr. Joseph Jumeau's bridge to the Junction of the Sweet-Escott Cannelles Road and from there to the bridge forming the boundary between Heirs F. Hoareau and Mr. F. Dingwall and on the third side by the sea, in South Mahe.

(3) No fresh meat, fish or turtle shall be sold or exposed for sale in Les Mamelles, Mont Fleuri and Victoria in any place other than the market.

7. No meat, fish or other foodstuff shall be sold or exposed for sale which, in the opinion of the market keeper, is unfit for human consumption or is adulterated or tainted. Any such meat, fish or other foodstuff which is unfit for human consumption, or which becomes unfit for human consumption whilst exposed for sale, or is adulterated or tainted shall be removed forthwith and destroyed by the market keeper.

8. (1) Any commodities brought for sale to the market shall be exposed for sale in places assigned for the same.

(2) All commodities so exposed shall be sold to any intending purchaser who is willing to pay the current market price of such commodities.

9. (1) All articles sold, including fish, meat, vegetables, etc., shall not be exposed in the vendors' stalls, but shall be at once removed.

(2) In the case of butchers' meat, all portions previously sold shall be marked "sold" and put aside until it may be convenient for the purchaser to remove them, provided that such removal shall take place on the day of the sale.

10. All articles sold in the market shall not be resold within the precincts of the market.

11. No barrel, basket, case, bag or other similar receptacle shall be kept in the interior of the market, except when used to contain grain, seed or other similar article.

12. No person shall hawk or sell by auction any commodity within the market premises.

(2) No person other than the market keeper, the sanitary inspectors and the vendors shall enter the enclosure reserved for vendors within the market.

13. No person shall introduce any dog within the market premises.

14. No person shall smoke within the market premises.

- 15.** No person shall beg within the market premises.
- 16.** No person shall cause any disturbance in the market in any way whatsoever or use any foul, abusive or unbecoming language in the market.
- 17.** No person shall sit on or lean against any stall in the market or sing, whistle, shout or make any noise whatsoever in the market.
- 18.** No person shall loiter inside the market or at the gates thereof. Any such person may be ordered by the market keeper to leave the market.
- 19.** (1) Stall-holders, who may require to light a fire in the market for the purpose of their trade, shall first obtain permission from the market keeper.
- (2) Such fire shall be contained in a proper iron stove or chafingdish, and the stall-holder shall not leave the market without extinguishing the same.
- 20.** Any person causing damage to the building and dependencies of the market shall be liable to prosecution, and besides the fine that may be imposed on him under regulation 28, shall be liable to pay the cost of the damage, the amount of which shall be estimated by the market keeper and, in Victoria, Les Mamelles and Mont Fleuri, by the Public Works Manager.
- 21.** The name and licence number of every butcher, baker, fish-monger, or other licensed and authorised sellers shall be posted up in some conspicuous part of his stall painted in white letters three inches in height and on a black ground and each stall shall be, in La Digue, Praslin and South Mahe, be two feet long, except stalls for sellers of meat which shall be three feet long.
- 22.** Every butcher shall provide, at his own expene, a block whereon to cut his meat. No meat shall be cut except on such block. All butcher's meat shall be exposed for sale on a clean white cloth which shall be renewed daily and covered with clean white gauze so as to prevent flies having access to the meat.
- 23.** No person shall sell any blown meat.
- 24.** (1) Every butcher and fishmonger shall be bound to have his stall, inside and outside, and his block, washed and cleaned every day to the satisfaction of the market keeper.
- (2) Every other stall holder shall clean to the satisfaction of the market keeper his stall before leaving the market every day.
- 25.** All butchers shall be cleanly dressed and wear a clean white apron or overall.
- 26.** Every fishmonger cutting up or cleansing fish in the market shall have a vessel placed close to his stall wherein to put the offal. Before vacating his stall, he shall dispose of the offal in such a manner as the market keeper directs.
- 27.** (1) Every person selling by weight in the market whether for his own or another party's account shall provide his own scales and weights. Such scales shall be suspended in such manner that when evenly balanced they shall be at least one inch above the table or stall.
- (2) The scale shall be kept clean and in proper order and the scale dishes shall be of tin or tinned copper.
- 28.** Any person contravening any of the provisions of these regulations shall for any such offence for which no special penalty is provided be liable on prosecution before the competent

court by the market keeper or any member of the police force to a fine not exceeding one hundred rupees.

29. Shark shall not be sold within the market unless it is exposed for sale apart from other kinds of fish and shall have been previously cleaned and gutted before entering the market.

30. (1) The following fish known to be dangerous shall not be admitted into the market:-

1. the suisila;
2. the otter wrasse;
3. the wrasse, alias black crab;
4. the large tartara;
5. the crab with red spots;
6. the sea urchin;
7. the hawksbill turtle;
8. the laf;
9. the boule tanguie;
10. the cheval-de-bois;
11. the chemise;
12. the flat wrasse, alias bambara;
13. the remora or sharks pilot.

(2) If any such fish is introduced within the market they shall be seized and destroyed and the retailer in whose possession they shall be found shall be liable to a fine not exceeding one hundred rupees.

31. The standard scales, weights and measures shall be deposited at the market keeper office or at the respective police stations and it shall be lawful for any buyer to request the market keeper to verify the weight of his goods and if the said weight shall not be found correct the seller shall be bound to make up the difference, and shall be liable to a fine provided for in regulation 28.

32. (1) The following market fees shall be levied by the market keeper on every carcass of an animal sold within the market -

(a)	in La Digue	Rs. Cts.
(i)	bullock	1.00
(ii)	heifer, cow, calf, turtle, pig, sheep or goat	.50
(iii)	goose and turkey	.25
(iv)	sucking pig	.05

- | | | |
|-------|----------------------------|------|
| (b) | in Praslin | |
| (i) | bullock | 2.00 |
| (ii) | heifer, cow, calf | 1.00 |
| (iii) | pig or turtle | 1.00 |
| (c) | in South Mahe. | |
| (i) | bullock | 2.00 |
| (ii) | heifer, cow or calf | 1.00 |
| (iii) | pig, goat, sheep or turtle | 1.00 |

(2) The following market fees shall be levied by the market keeper from each stall holder in a market in La Digue on each of the following items-

- | | | |
|-----|--|---------|
| (a) | furniture (for every six months) | Rs.2.00 |
| (b) | charcoal and firewood | Rs.1.00 |
| (c) | infused tea and coffee (for six calendar months) | Rs.1.00 |

(3) Every butcher wishing to sell the meat of any animal in a market at victoria shall pay a fee of fifty cents for the use of each stall for a period of two consecutive daylight periods of twelve hours.

SECTIONS 120 AND 121

SI. 35of 1963

THE PUBLIC HEALTH (HEALTH AND SANITATION) (CONTROL OF PIGS) REGULATIONS

[1st August, 1963]

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Definitions.
3. Prohibitions to keep pigs within the scheduled area.
4. Pigs may be kept in the town of Victoria outside scheduled area subject to certain conditions.
5. Powers to Medical Officers of Health and health inspectors to control pig keeping.
6. Powers of entry and inspection.

7. Offences and penalties.

1. These regulations may be cited as the Public Health (Health and Sanitation) (Control of Pigs) Regulations.

2. In these regulations-

"scheduled area" means that part of the town of Victoria comprised within the boundaries defined in the schedule;

"town of Victoria" means the town of Victoria as defined in the Schedule to the Town of Victoria (Boundaries and Divisions) Act (Cap 238).

3. No pigs shall be kept within the scheduled area.

4. (1) Pigs may be kept in the town of Victoria outside the scheduled area in properly constructed pig-sties which shall conform to the following requirements:-

- (a) the pig-sty must be at a distance of not less than 30 feet from the nearest dwelling-house;
- (b) the pig-sty must have a superficial area of not less than 3 feet by 5 feet for each pig housed therein and must be covered with a roof so as to protect the floor from sun and rain;
- (c) the floor of the pig-sty must be paved in masonry and cemented mortar and adequately sloped to an outside drain;
- (d) the drain attached to the pig-sty must be properly cemented throughout and lead to a cess pit not more than 10 feet away from the pig-sty;
- (e) the cess pit attached to the pig-sty must not be less than 3 feet deep and must be cement lined and protected with a concrete cover or such other cover as may be approved by the Medical Officer of Health or a health inspector;
- (f) the pig-sty shall be constructed to the satisfaction of a Medical Officer of Health or health inspector who may give directions as to the place where it should be situated;
- (g) the pig-sty shall be kept in good repair and in a clean and sanitary condition to the satisfaction of a Medical Officer of Health or a health inspector.

(2) A Medical Officer of Health may in individual cases whenever he is satisfied that a nuisance shall not be occasioned thereby give written dispensation for all or any of the provisions of Subregulation (1). Such dispensation may subsequently be withdrawn or modified at any time.

5. (1) Where in the opinion of a Medical Officer of Health or a health inspector a person keeps a pig in such a situation or in such a manner as to be offensive or injurious or dangerous to public health such Medical Officer of Health or health inspector may cause to be served upon such person or, if such person cannot be found or ascertained, upon the occupier or owner of the land or premises on or from which such nuisance arises, a notice to remove the pig from such land or premises and to cease keeping pigs or to abate the nuisance, setting out

short particulars of the measures which in the opinion of such Medical Officer of Health or health inspector are the most practicable and expeditious means of abating the nuisance. The notice shall set out a reasonable time within which the addressee is required to comply with the notice. The person issuing such notice may extend the time specified therein by written documents signed by him.

(2) A person on whom a notice has been served in conformity with the provisions of subregulation (1) shall be bound to comply with the directions set out therein within the specified time limit.

(3) This regulation shall apply throughout Seychelles.

6. It shall be lawful for a Medical Officer of Health or a health inspector at any time between 8 a.m and 6 p.m, to enter upon and inspect any land or premises for the purpose of ascertaining whether any nuisance is being caused by the keeping of pigs or whether the provisions of these regulations or of any directions issued thereunder are being complied with.

7. (1) Any person who keeps a pig or any owner or occupier of land or premises who allows or permits a pig to be kept on such land or premises, in contravention of any of the provisions of these regulations shall be guilty of an offence.

(2) Any person who fails to comply with any direction contained in a notice under regulation 5 within the specified time limit shall be guilty of an offence.

(3) Any person who obstructs an officer exercising any power or performing any duty conferred or imposed upon him by these regulations shall be guilty of an offence.

(4) A person convicted of an offence under this regulation shall be liable to a fine not exceeding five hundred rupees.

SCHEDULE

The scheduled area shall be that area comprised within the boundaries shown on a plan registered in Register A.33 No. 3095 and filed in the Mortgage and Registration Office in Tin Box 23 at folio 57:

Provided that where the scheduled area is defined as bounded by the sea all the portion of the foreshore adjacent to the sea which is alternately covered and uncovered by the sea at the highest and lowest tides and all estuaries shall be deemed to be comprised within the boundaries of the scheduled area.

THE PUBLIC HEALTH (HEALTH AND SANITATION) (PREVENTION OF DEFILEMENT OF RIVERS AND STREAMS) REGULATIONS

SI. 4 of 1970

[21st January, 1970]

1. These regulations may be cited as the Public Health (Health and Sanitation) (Prevention of Defilement of Rivers and Streams) Regulations.

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

"rivers" and "streams" include all springs, natural rivers of water and water courses but do not include artificial water courses.

3. (1) No dwelling house, kitchen, slaughter-house, latrine, urinal, stable, cow shed, cattle yard, pig-sty, poultry yard, poultry house, distillery or other manufacturing premises shall be placed within fifty feet of any river or stream except under and in accordance with any conditions in a permit in writing granted by a medical officer of health.

(2) Any person who-

- (a) constructs or permits to remain in position any of the premises referred to in subregulation (1) otherwise than under a permit or;
- (b) contravenes or permits the contravention of or fails or permits the failure to comply with any conditions of a permit,

granted under this regulation, shall be guilty of an offence and liable to a fine of one thousand rupees.

4. Any premises referred to in regulation 3(1) or any collection of water, sewage, dung, manure, rubbish, refuse, garbage or similar fluid or solid matter or any sewer, ditch or drain so situated that any fluid or matter therefrom can defile any river or stream shall be deemed to be a "nuisance" within the meaning of section 16 of the Act and all the provisions of that Act for the investigation, remedying, abatement, prosecution, and punishment thereof shall apply.

SECTION 46

PUBLIC HEALTH (TUBERCULOSIS) REGULATIONS

SI. 54 of 1964

[5th October, 1964]

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Duty to consult medical officer of health and to submit to medical examination.
3. Power of medical officer of health to call upon person to submit to medical examination. Compulsory examination.
4. Offences against regulation 3.
5. Offences against regulation 4.
6. Power of medical officer of health to direct person to submit to hospital or domiciliary treatment.
7. Removal and detention of person in hospital or sanatorium for treatment.
8. Offence by detained person who escapes or attempts to escape.
9. Power of medical officer of health to prescribe conditions of domiciliary treatment.
10. Offence by person who does not submit to, or follow, domiciliary treatment.
11. Misuse of food or drugs obtained free of charge or at a reduced price

12. Penalty.

1. These regulations may be cited as the Public Health (Tuberculosis) Regulation.

2. (1) Any person who suffers from or is infected with tuberculosis or who has reason to believe that he suffers from or is infected with tuberculosis shall consult a medical officer of health and shall submit to such medical examination as may, in the opinion of the medical officer of health, be necessary to finally determine whether he suffers from or is infected with tuberculosis.

(2) In the case of a child his parent or guardian shall cause the child to consult a medical officer of health and submit to the required medical examination.

3 (1) A medical officer of health on being satisfied that a person may reasonably be suspected to suffer from or to be infected with tuberculosis may call upon such person to submit to such medical examination as may, in the opinion of the medical officer of health, be necessary to determine whether he suffers from or is infected with tuberculosis. On being called upon as aforesaid, such person shall be bound to submit to such examination.

(2) In the case of a child his parent or guardian may be called upon to cause the child to submit to the required medical examination and on being so called upon he shall have the duty to cause the child so to do.

(3) If on being called upon as aforesaid such person fails to submit or to cause the child to submit to such medical examination, the medical officer of health may cause such person or such child to be removed to a hospital or other suitable place and to undergo such examination as aforesaid, if necessary without such persons's consent or without the consent of such child's parent or guardian.

4 (1) A person who fails to consult a medical officer of health or to submit to medical examination in contravention of the provisions of subparagraph (1) of regulation 3 is guilty of an offence.

(2) A parent or guardian who fails to cause a child to consult a medical officer of health or to submit to medical examination in contravention of the provisions of subparagraph (2) of regulation 3 is guilty of an offence.

5. A person who when called upon by a medical officer of health to submit or to cause a child to submit to a medical examination in accordance with the provisions of regulation 3 fails to submit or to cause the child to submit to such a medical examination is guilty of an offence.

6. Where in the opinion of a medical officer of health a person is suffering from or is infected with tuberculosis he may direct that such person shall submit to treatment in a hospital or sanatorium or to domiciliary treatment.

7. A person in respect of whom a medical officer of health has directed that he shall submit to treatment in a hospital or sanatorium who refuses or fails to submit to such treatment may be removed to and detained in such hospital or sanatorium in accordance with the provisions of section 36 of the Act for the purposes of treatment.

8. A person detained in a hospital or sanatorium in accordance with the provisions of section 36 of the Act for the purpose of treatment for tuberculosis who escapes or attempts to escape is guilty of an offence.

9. A medical officer of health may prescribe in respect of a person whom he has directed shall submit to domiciliary treatment any or all of the following matters:-

- (a) the extent to which such person may move beyond the curtilage of his home;
- (b) the extent to which he may or may not associate with members of his family or other persons;
- (c) his course of medication;
- (d) his attendance at a hospital or other place for examination or treatment;
- (e) his mode of life;
- (f) his diet;
- (g) the manner in which his food and utensils are to be separated from those of others;
- (h) the vocational and recreational activities in which he may or may not engage.

10. A person directed by a medical officer of health to submit to domiciliary treatment shall comply with all the conditions prescribed by the medical officer of health for such treatment. Such person who fails to submit to such treatment or who contravenes or fails to comply with any of the conditions prescribed by the medical officer of health is guilty of an offence.

11 (1) No person shall, for purposes other than for tuberculosis treatment, sell, buy, obtain, give away or use food or drugs which are obtained free of charge or at a reduced price for purposes of such treatment.

(2) Any person who contravenes the provisions of paragraph (1) is guilty of an offence.

12. A person guilty of an offence under these regulations is liable to a fine of one thousand rupees and to imprisonment for twelve months.

SECTION 48 AND 96

PUBLIC HEALTH (EPIDEMIC) REGULATIONS

[Published on 17th April, but see regulation 2(1)]

SI. 27 of 1961
SI. 95 of 1975
SI. 104 of 1975
SI. 72 of 1976

ARRANGEMENT OF REGULATIONS

PART I

General

- 1. Citation.
- 2. Operation.

3. Interpretation.
4. Scope.
5. Form of epidemic orders.
6. Emergency establishments.
7. Administration of temporary hospitals.
8. Additional medical officers.
9. Auxiliary health inspectors.
10. Duties of employers.

PART II

Precautionary

11. Scope.
12. Control of movement between ships and shore.
13. Quarantine of agents and stevedores.
14. Precautions on shore.
15. Duties of masters, agents, etc.
16. Extirpation of rats.

PART III

Infected Areas

17. Scope.
18. Speedy burial.
19. Control of movement into and out of the area.
20. Medical examination.
21. Medical observation centres.
22. House to house visitation.
23. Aid centres.
24. Disinfection.
25. Vacation, etc. of buildings.

General

1. These regulations may be cited as the Public Health (Epidemic) Regulation.
2. (1) These regulations come into operation from time to time and is specified areas by virtue of orders under section 49 of the Act.
(2) These regulations operate concurrently with the Infectious Disease Regulations.
3. In these regulations, unless the context otherwise requires -
"the area" means, in each regulation in which the expression occurs, the area in which that regulation is in operation.
4. These regulations apply to cerebro-spinal meningitis, cholera, plague, smallpox, louse-borne typhus, yellow fever and any disease declared by notice in the Gazette pursuant to section 47 of the Act to be a formidable epidemic disease.
5. Epidemic orders may be in the forms in the appendix to these regulations.
6. The Chief Medical Officer may establish additional and auxiliary hospitals, medical examination stations and medical observation camps as and where he deems it advisable and practicable to do so.
7. All additional and auxiliary hospitals, whether in requisitioned premises or in premises made available without requisition, shall be administered in accordance with the Hospitals and Dispensaries Regulations.
8. The Chief Medical Officer may appoint any registered medical practitioner to be an additional medical officer or an additional medical officer of health, either on a full-time basis or in conjunction with his private practice and in either case on such financial terms as the Minister approves. Every officer so appointed shall be deemed to have all the powers of a medical officer or medical officer of health, as the case may be.
9. (1) The Chief Medical Officer may appoint persons of either sex to be auxiliary health inspectors and prescribe their duties.
(2) As far as practicable male auxiliary health inspectors shall be employed on duties relating to men and female auxiliary health inspectors on duties relating to women and children.
(3) Every male auxiliary health inspector shall be deemed to have all the powers of a health inspector and every female auxiliary health inspector shall be deemed to have all the powers of a health inspector and of a public health nurse but all auxiliary health inspectors shall act under the directions of a medical officer of health and, as far as practicable, in conjunction with a health inspector or public health nurse.
(4) Every auxiliary health inspector while on duty shall wear a distinctive arm-band.
(5) Auxiliary health inspectors who are not serving members of the staff of any department of the Government shall receive such remuneration as the minister prescribes.
(6) All auxiliary health inspectors shall receive such travelling and subsistence allowances as the Cabinet minister prescribes.
10. A medical officer of health may give such directions as he thinks advisable to employers generally, or to particular classes or groups of employers, or to any employer

individually, concerning special records to be kept and returns made of the attendances and absences of employees, the incidence of sickness and the names, addresses and movements of employees and also concerning administration of prophylactics, provisions for antiseptic ablution and any other precautionary measures whatsoever and every employer shall comply with such directions and shall do everything in his power to ensure compliance therewith by his employees.

PART II

Precautionary

11. The regulations in this part are generally applicable to epidemic precaution area but all or any of them may be brought into operation in an infected area at the discretion of the Minister.

12 (1) In this regulation "ship" means a sea-going vessel on an international voyage.

(2) Every ship entering the area shall be anchored at an anchorage designated by the Harbour Master with the concurrence of the Chief Medical Officer.

(3) Before any vessel from the shore approaches a ship the masters shall cause the ropes to be used for mooring to be fitted with rat-stops available contrivance and precaution to prevent movement of rats between such vessel and the slip.

(4) No vessel from the shore shall be moored to or alongside any ship except when her presence is immediately necessary for the service of the ship or the landing or discharging of her cargo.

(5) Not more than one gangway shall be lowered from a ship at any one time and each gangway shall be raised when not required for use.

(6) No rope ladder shall be lowered except when it is immediately necessary to enable a person to board or leave the ship and every rope ladder so lowered shall be raised immediately after use.

(7) At all times when a gangway is lowered a guard of at least two persons shall maintain a continuous watch to prevent any rat from entering or quitting the ship and, if possible to destroy any rat.

(8) Every gangway, while lowered, and every mooring rope, shall be brightly lit throughout the night.

(9) No person other than an embarking passenger or a person whose presence is essential for the service of the ship or the lading or discharging of her cargo shall approach or board the ship.

(10) No passenger in transit shall visit the shore.

(11) Desembarking passengers shall be subject to quarantine or to such other precautionary measures as the medical officer of health prescribes.

13. No person who has boarded the ship and no member of the crew or working party of any vessel which has been moored to or alongside the ship shall return to the shore without the written permission of the medical officer of health and all such persons shall be subject to quarantine or to such other precautionary measures as the medical officer of health prescribes while the ship is anchored and for such period after her departure as he prescribes.

14 (1) Every vessel which has been moored to, or from which any person has visited, or which brings any cargo or other thing from, a ship in the area shall leave the ship and the anchorage as soon as practicable and shall return to the shore at a place designated by the Harbour Master with the concurrence of the Chief Medical Officer.

(2) Every such vessel shall slow down, and if necessary stop, fifty fathoms from the designated place until signalled to berth.

(3) Every person aboard such a vessel shall be deemed to be a contact and shall submit to such quarantine, medical observation or surveillance, prophylaxis, antiseptic ablution or other precautionary measures as the medical officer of health prescribes.

(4) The ropes mooring every such vessel shall be immediately fitted with rat stops to be provided by the owners of the vessel and shall be kept brightly lit throughout the night and a guard of at least two persons shall maintain a watch to prevent any rat from entering or leaving such vessel and shall, if possible, destroy any rat in, from or near her. Such watch shall be maintained until the vessel (not being a lighter) leaves the berth unless sooner released by the medical officer of health.

(5) All the precautions against rats mentioned in subregulation (4) shall continue to be applied to a lighter until her cargo is completely discharged.

15. The master, officers and members of the crew and the agents and the clerks and servants of the agents of every ship in the area and the master and the members of the crew and working party of every launch, lighter or other vessel visiting or having visited any such ship shall comply and shall, as far as is within their power, ensure compliance by every person subject to their orders or directions, with the provisions of regulations 12, 13 and 14.

16 (1) The occupier of every building in the area shall use his utmost endeavours to extirpate rats from the building and its curtilage.

(2) A medical officer of health or health inspector may serve on the owner or occupier of any land or building in the area a notice to take such measures for the extirpation of rats from such land or building as are specified in the notice.

PART III

Infected Area

17. The regulations in this part are generally applicable to infected areas but all or any of them may be brought into operation in an epidemic precaution area at the discretion of the Minister.

18 (1) The bodies of all persons who die in the area shall be buried or cremated within twelve hours of death.

(2) Where the burial is by an undertaker the body shall be buried with all the disinfectants and other precautions prescribed by the (Infectious Disease) Regulations.

(3) If at any time it becomes impracticable for the local undertakers to comply fully and punctually with subparagraphs (1) and (2) the Chief Medical Officer may appoint a place or places for speedy burial or cremation and may cause trenches to be dug and lined with lime or other disinfectant and where it appears to a medical officer of health or health inspector that the body of any person who died in the area cannot otherwise be promptly and safely buried he shall cause such body to be conveyed forthwith to a place so appointed and there to be buried or cremated.

(4) The Director shall appoint as many health inspectors and auxiliary health inspectors as he shall think necessary to supervise burials or cremation at each place so appointed and to make and preserve records showing the names of the persons whose bodies were so buried or cremated on each day and the names of the persons by whom the bodies were identified. Such records shall be handed to the Chief Officer of the Civil Status as soon as is practicable.

19 (1) The Chief Medical Officer may establish control of movement into and out of an infected area and thereafter no person shall enter or leave the area at any place other than a place designated for that purpose; such a place is called a control post.

(2) Any person desiring to enter or leave the area shall stop at a control post and if so directed by the officer in charge of the control post shall submit to medical examination.

(3) Every such person shall answer to the best of his ability every question put to him by any officer on duty at the control post concerning his movements and concerning any other matter relevant to his state of health or to that of any person with whom he has recently associated.

(4) Any medical officer of health or health inspector, or the officer in charge of a control post when so directed in writing by a medical officer of health, may forbid any person to leave or enter the area and order such person to return whence he came and may forbid any vehicle to be taken into or out of the area whether the driver thereof is personally forbidden to enter or leave, or not.

20. A medical officer of health or health inspector may direct any person to go to a specified place for medical examination or may send any person to such a place under the escort of a health inspector or auxiliary health inspector. Any person who refuses or unreasonably delays to comply with such a direction or absconds from such an escort may be arrested without warrant by any police officer or health inspector and detained in custody until he has been medically examined.

21 (1) The Chief Medical Officer may establish a medical observation centre at any place.

(2) Where a medical officer, or medical officer of health, after examining any person considers it advisable that such person should be detained in a medical observation centre he shall, by order in writing, commit such person to such centre and every person so committed shall remain in such centre until released by the medical officer in charge thereof or transferred to a hospital.

(3) Any person who absconds from a medical observation centre may be arrested without warrant by any police officer or health inspector and detained in any place prescribed by a medical officer or medical officer of health until he is released by the medical officer in charge of such place or transferred to a hospital.

22. The Chief Medical Officer may require the health inspector and auxiliary health inspectors to undertake house to house visitation throughout the area or in such portions thereof as he may specify and thereupon the health inspectors shall forthwith organise a scheme under the supervision of a medical officer of health and cause every house in the area or specified portion to be visited by a health inspector or auxiliary health inspector who shall make such reports and returns as the medical officer of health prescribes.

23 (1) The Chief Medical Officer may establish, maintain and discontinue such aid centres as may from time to time be required at any place in the area.

(2) An aid centre may be a place for all or any of the following purposes -

THE SCHEDULE

<i>Regulations</i>	<i>Areas</i>
Part I	Throughout Seychelles
	<i>Epidemic Precaution Areas</i>
	<i>Infected Areas</i>

Dated this day of 19

MINISTER

The Public Health Act

PUBLIC HEALTH (EPIDEMIC) REGULATION (CESSATION) ORDER

NO. OF 19

WHEREAS by Epidemic Order(s)

No. of 19 published in Notice No. in the Gazette dated 19 it was directed, inter alia, that the Epidemic Regulations specified in the first column of the schedule hereto should come into operation in the areas respectively specified in the second column of the said schedule; and

WHEREAS it appears that such regulations are no longer required:

BY THIS ORDER I DIRECT that such regulations shall cease to apply to such areas.

THE SCHEDULE

<i>Regulations</i>	<i>Areas</i>
Dated this	day of 19

MINISTER

Note. This order effects a partial revocation only; certain Epidemic Regulations continue in operation in (S. Mahé).

SECTIONS 56 AND 96

PUBLIC HEALTH (REQUISITION AND COMPENSATION) REGULATIONS

[19th April, 1960]

SI. 26 of 1960
SI. 95 of 1975
SI. 104 of 1975
SI. 72 of 1976
SI. 61 of 1985
SI. 41 of 1991

ARRANGEMENT OF REGULATIONS

1. Citation.

2. Interpretation.

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3. Application to immovable property.
4. Procedure on requisition of immovable property.
5. Procedure on taking possession.
6. Requisition report.
7. Provisional rent.

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Derequisition

8. Derequisition.
9. Vacation report.
10. Mode of assessing rent.
11. Objections to vacation report.

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12. Offer of compensation.
13. Basis of compensation.
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24. Duty of Directors' agent.
25. Requisition report.
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28. Goods in bulk.
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PART VI

Derequisition and return

31. Procedure on derequisition.

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Restoration of and compensation for; moveable property requisitioned

32. Moveable property on requisitioned premises.
33. Return of moveables to owner.
34. Disposal of articles not returned.
35. Compensation for used or second-hand articles.
36. Compensation for retail goods.
37. Compensation for wholesale goods.
38. Procedure in case of dispute.
39. Reference to court on point of law.
23. Procedure on requisition by Director.

PART VIII

Destruction of infected buildings

40. Compensation to be agreed if practicable.
Appraisal.
Fees of appraiser.
Payment.

1. These regulations may be cited as the Public Health (Requisition and Compensation) Regulations.

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

"owner," includes an authorised agent in Seychelles of an owner in Seychelles or abroad.

PART II

Requisition of Immovable Property

3. Where any immovable property is requisitioned in pursuance of the Act regulations 4 to 22 shall have effect in so far as they are applicable to each particular case.

4 (1) On receipt from the Minister of the requisition the Director shall immediately inform the owner of person in apparent control of the property, if his identity and whereabouts are known, and the occupier (if a different person) and the manager, caretaker or other like person, if any, on the premises of the fact and purpose of the requisition and shall give to each of them if he so desires, a copy of the requisition.

(2) The Director shall himself visit the property, or depute another officer to do so on his behalf, to arrange on the spot the best method of vacation and taking possession.

(3) The Director shall in writing appoint by name an officer to execute the requisition.

(4) The Director or officer appointed shall inform the officer in charge of the police station nearest to the property of the fact and effect of the requisition.

5. The officer executing the requisition shall, on taking possession of the property, immediately inspect the whole of it and of any moveable property thereon or therein, whether included in the requisition or not, and shall cause any moveables not included in the requisition and say moveables included in but not required for the purpose of the requisition to be separated. If and in so far as the circumstances of the requisition admit -

- (a) the owner shall be permitted to remove such moveables from the premises; or
- (b) such moveables shall be stored on the premises in a separate part thereof suitably secured; or
- (c) such moveables shall be removed to some other place where they can be suitably secured and stored.

6 (1) The officer executing the requisition shall, as soon as practicable after taking possession of the property, cause the property to be inspected by an architect, appraiser or other qualified person who shall give notice of his appointment to the owner, if he can be found within a reasonable time. The owner shall be entitled to appoint a similarly qualified person to attend the inspection on his behalf. The same person may act for both parties, if they consent.

(2) The inspector shall prepare a report, to be termed the requisition report, on the state of the property, with schedules of defects and delapidations to the structure and fixtures and separate schedules of any furniture or equipment in or on the property and included in the same or any other requisition.

(3) Unless the rent has already been agreed the requisition report shall include the inspector's estimate of a reasonably monthly rent for the property.

(4) A copy of the requisition report shall be given to the owner.

(5) If the owner was not represented at the inspection he may give notice to the Director that he disputes the report, giving particular of the specific errors or omissions of which he complains. The Director shall cause such further investigation as is practicable and shall cause the result thereof to be recorded and a copy of the record to be given to the owner and the record shall form part of the requisition report.

(6) It shall be presumed, unless and until the contrary is proved, that all statements in a requisition report, at the making of which the owner was represented or to which he did not object at the earliest reasonable opportunity, were correct.

7 (1) The rent specified in the requisition report shall be termed the provisional rent and shall be calculated from the date of taking possession to the end of the next following calendar month and shall be paid by the Principal Secretary of the Ministry of Finance to the owner for that period, and for each subsequent month, not later than the fifth day of the next succeeding month.

(2) The provisional rent shall be an interim payment only and shall in no way affect the rate at which the rent shall be finally assessed. It shall not be necessary either for the Director or for the owner to give any notice that he pays or receives the provisional rent under protest. When the rent is finally assessed the difference between the final and the provisional rent shall be paid to the owner by the Principal Secretary of the Ministry of Finance or repaid by the owner to the Principal Secretary of the Ministry of Finance, as the case may be, unless offset.

(3) Either the owner or the Principal Secretary of the Ministry of Finance may at any time, but not at intervals shorter than six month, give to the other notice of intention to claim on final settlement that the provisional rent is too low or too high, as the case may be, but such notice shall not affect the amount of the provisional rent, except by consent.

PART III

Derequisition

8 (1) The Director may at any time give to the owner notice of his intention to derequisition the property. The period of such notice shall be not less than one month and shall expire on the last day of a calendar month and the notice shall direct the attention of the owner to the provisions of regulations 9 and 32.

(2) The premises shall be vacated on or before the expiration of the period unless in the meantime the Minister has cancelled the notice in which even the cancellation shall operate as a fresh requisition.

9 (1) Immediately after vacation an architect, appraiser, or other qualified person appointed by the Director shall inspect the property. The inspector shall give reasonable notice to the owner who may attend or appoint a qualified person to attend the inspection on his behalf. The Inspector shall take the requisition report into consideration and shall thoroughly inspect the property and prepare a detailed report on the property with schedules of dilapidations and deficiencies. As far as practicable the inspector shall consult the owner or his representative if either attends and shall investigate any damage or losses alleged to have occurred during the period of requisition and shall endeavour to reach agreement as to the fact and extent of all dilapidations, damage and losses during, or due to, the occupation of the property under requisition and shall record particularly and matters which appear likely to be disputed and the results of his investigation thereof. The report of the inspector shall be termed the vacation report and a copy thereof shall be given to the owner.

(2) The vacation report shall deal with questions of damage, loss and depreciation primarily as matters of fact and need not contain any depression of opinion as to the amount or value thereof in terms of money, except where such amount or value is agreed, but the inspector shall record such matters regarding value as he shall think fit and may at his discretion embody some or all of such matters in the report.

(3) The inspector may at his discretion call in one or more qualified persons to assist him in reporting on any special or technical matters and may embody their advice in his own report or annex their separate reports as he shall think convenient. Any such annexures shall be deemed to form part of the vacation report.

10 (1) The vacation report shall include a considered opinion as to what would be a fair rent for the property, either for the period of the requisition as a whole or for different parts of the period.

(2) Where the property requisitioned was in fact let to a tenant at the date of the requisition, or at any time near enough to that date to be relevant as an indication of value, the inspector shall endeavour to ascertain the rent actually paid, or agreed, and the terms and conditions of the letting and shall take matters so ascertained into consideration in forming his opinion.

(3) Where comparable property was, at any time relevant to the requisition, in fact let to private tenants at rents not controlled by the provisions of any Act, the inspector shall take such rents into consideration in forming his opinion.

(4) Where no such comparable rents are known the inspector shall assume that at the date of the requisition, the owner was willing to let the property for a period equal to the whole period of the requisition, as subsequently ascertained, on condition that the tenant should be responsible for repairs, and that a prospective tenant was willing to take the property on that condition. He shall also assume that there was more than one such prospective tenant, that comparable properties were available for letting and that neither party was under such pressure of circumstances as would cause him to bargain at a disadvantage and shall state what rent in his opinion, would in such an event have been agreed upon between the owner and the hypothetical tenant.

(5) For the purpose of forming his opinion as to the fair rent the inspector shall not take into consideration any reluctance of the owner to let the property or any inconvenience he may have suffered owing to the urgency or other circumstances of the requisition or any consequential expenses he may have incurred.

(6) The inspector shall state in his report the basis on which his opinion as to the fair rent was formed.

11 (1) The owner may, within one month, give to the Director notice that he objects to any part of the vacation report.

(2) An objection to the rent proposed in the vacation report shall be by a separate notice, confined to the question of rent alone.

(3) A notice of objection relating to matters other than rent shall contain, or have annexed, definite particulars of the errors or omissions alleged, of the corrections for which the owner contends and his estimate of the value of any articles or matters alleged to have been omitted.

(4) On receipt of a notice of objection the Director shall make such further enquiry as he considers practicable and necessary and may cause the vacation report to be amended.

PART IV

Compensation

12. The vacation report, as finally settled, shall be considered by the Minister responsible for Finance who shall, as soon as practicable, make a written offer of compensation.

13 (1) The compensation shall comprise -

- (a) a fair rent;
- (b) restoration of the premises to the state in which they were at the date of the requisition;
- (c) reimbursement of any actual expenses incurred by the owner as a direct result of the requisition,

but shall not include any allowance for loss of amenity or mere inconvenience not being an actual financial loss:

Provided that if any person was ordinarily residing on the requisitioned premises and was ejected therefrom, reasonable compensation for disturbance in addition to the actual cost of transport and of any unavoidable increase in the cost of accommodation shall be allowed.

(2) The Minister responsible for Finance shall not be bound by the vacation report but if he offers a lower rent than the rent proposed in the report or a lower amount than that proposed in the report for any other item of compensation as to which the inspector expressed his opinion in terms of money, the Minister responsible for Finance shall state in writing his reasons for so doing.

(3) The Minister responsible for Finance may, at his option, restore the premises at the public expense or pay the actual cost of restoration. Where it is not practicable to restore the premises without in fact improving them the Minister responsible for Finance shall be entitled to recover from the owner, or deduct from the amount paid as the actual cost of restoration, the estimated value of the improvements.

14. If the Minister responsible for Finance elects to restore the premises the rent finally awarded shall continue to accrue until the premises are available for re-occupation. In any other case such rent shall continue to accrue for a period estimated to suffice for restoration if the work is completed as expeditiously as is reasonably practicable in all the circumstances existing during the period immediately following vacation.

15 (1) Instead or proceeding under regulation 13, the Minister responsible for Finance may offer immediate payment of a lump sum in settlement of all claims or in settlement of all claims other than rent.

(2) An offer of a lump sum may, at the discretion of the Minister responsible for Finance, exceed the amount estimated by him to satisfy the claim if assessed in accordance with regulation 13. Any such excess shall be deemed to have been intended to facilitate settlement by agreement and to have been offered without prejudice and in the event of the offer not being accepted the fact and amount thereof shall not be disclosed in any subsequent proceedings.

16 (1) Except in cases under regulation 15 the written offer shall state which mode of restoration the Minister responsible for Finance proposes to adopt and shall state the amount offered under each of the heads of compensation in regulation 13.

(2) The written offer shall be handed to the owner or sent to him by registered post.

17 (1) An owner who does not accept an offer under regulation 15 or 16 may give to the Minister responsible for Finance notice that he claims -

- (a) higher rent than the rent offered; or
- (b) compensation for matters not included in the offer; or
- (c) higher compensation for matters stated in the offer.

(2) Such notice shall specify separately the amount, or additional amount, claimed under each head. Where higher rent is claimed the basis of calculation or mode of estimation shall be stated the definite particulars of the manner in which other amounts are made up shall be stated or appended and where practicable such amounts shall be vouched.

(3) Such notice shall be given within one month from the date of receipt of the offer, except where parties having interest in the property are abroad, in which case provisional notice may be given within one month and a further notice complying with subregulation (2) may be given within three months.

18. If the owner does not give notice under regulation 17 he shall be deemed to have accepted the offer.

19 (1) On receipt of a notice under regulation 17 the Minister responsible for Finance shall make such further enquiries as he considers expedient and if agreement does not result, shall send to the owner by registered post a final offer specifying the amounts offered under each of the heads of compensation in regulation 13.

(2) The owner may, at any time, give notice to the Minister responsible for Finance that he accepts the amounts offered under some heads without prejudice to his contention that the amounts offered under other heads are inadequate. Any amount so accepted shall be paid within one month or shall bear simple interest at five per centum per annum from the date of communication of acceptance to the date of payment.

20 (1) On the expiration of three months from the date of despatch, a final offer shall be deemed to have conclusively settled the amount of compensation unless in the meantime the owner has applied to the Supreme Court to increase the amount.

(2) No application to extend the time fixed by this regulation shall be entertained.

21 (1) Subject to these regulations the procedure in an application under regulation 20 shall be governed by the rules and practice of the court and shall be by originating motion and with the motion paper the applicant shall lodge so many of the following documents as are relevant to his case:-

- (a) The requisition report;
- (b) the vacation report;
- (c) a copy of the notice under regulation 11;
- (d) the written offer under regulation 12;
- (e) a copy of the notice under regulation 17;
- (f) the final offer.

The respondent shall be deemed to have notice of all the matters mentioned in paragraphs (a) to (f) and they need not be served on him.

(2) The applicant shall also lodge with the motion paper an affidavit or affidavits specifying seriatim the amounts, if any, which he accepts, the amount which he claims under each applicable provision of these regulations and definite particulars of the mode by which such amount has been estimated or ascertained.

(3) The notice of motion shall be served on the Attorney General unless he has previously appointed an attorney to represent him as respondent.

(4) Affidavits may be filed on behalf of the respondent.

(5) Either party may give notice requiring the other party to produce deponents for cross-examination. No other oral evidence shall be adduced save with leave of the court in special circumstances.

(6) The onus of proof shall be on the applicant and unless he establishes that, having regard to the applicable provisions of these regulations, the amounts offered are inadequate the application shall be dismissed.

(7) Costs shall be in the discretion of the court, provided that the applicant shall not recover from the respondent a sum in respect of costs greater than the amount by which the award of the court, excluding any interest allowed thereon, exceeds the final offer.

22. Where the amount of compensation under any head is increased by the court the whole amount awarded under that head shall bear simple interest at five per centum from the date of the final offer to the date of payment.

PART V

Requisition of vacant or moveable property

23. When any vacant land or unoccupied building or any moveable property is to be requisitioned the Director shall make out and sign a requisition which may be in the form appended to these regulations with such variations as are adapted to the circumstances and hand it to the officer or other person named therein (referred to in these regulations as the agent of the Director).

24. The agent shall go to the place where the property is and explain the requisition to the owner or person having charge of the property and give to each of them, if he so desires, a copy of the requisition and shall arrange the mode of taking possession or delivery.

25. Where the property includes land or a building the agent shall make or cause to be made a requisition report, as nearly as practicable in accordance with the regulations for requisition of occupied premises, and in the case of vacant land recording particulars regarding any neighbouring land which may be affected by the use of the land under requisition.

26. Where the property is a vehicle the agent shall make in duplicate a short description stating its apparent age and general state, the state of its tyres and other equipment, mentioning any apparent damage or deficiency to or in the vehicle and the presence or absence of its equipment and spares. Any accessories not likely to be needed for the purposes of the requisition shall be handed to the owner and the fact noted.

The duplicate shall be handed to the owner.

27. Where the property is a tent or other assembled equipment the agent shall similarly record its main dimensions, general state and the presence or absence of accessories.

28. Where the property comprises goods or stores in unbroken bulk in the hands of a dealer or warehouseman the Director's agent shall, if practicable, ascertain from the relevant invoices or otherwise the owner's source of supply and the actual or approximate dates of receipt by him of the goods requisitioned.

In any event the Director's agent shall make, or cause to be made, a list in duplicate of the goods delivered to him under the requisition, as nearly as practicable in the form usual in the trade concerned on sale of similar goods in comparable quantities and shall note thereon particulars of any damage to bales or packages or other indication of deterioration. The duplicate shall be signed by the Director's agent and handed to the owner or person in charge of the goods.

29. Where the property consists of goods in the hands of a retailer the Director's agent shall proceed as nearly as practicable in accordance with the next preceding regulation.

30. In any case where property which has already been used is comprised in a requisition the Director's agent shall record a short description of the property, mentioning its apparent age and state of preservation or depreciation.

PART VI

Derequisition and return

31. When any land or building requisitioned by the Director as vacant or unoccupied is no longer required for the purposes of the Epidemic Regulations such property shall be derequisitioned and restored to the owner and compensation shall be assessed and paid in accordance with the regulations applicable to property requisitioned by the Minister, with such variations as may be necessary in the circumstances of each case.

PART VII

Restoration of and compensation for, moveable property requisitioned

32. (1) Where any furniture or equipment on requisitioned premises was requisitioned so much thereof as may be serviceable at the date of vacation shall be returned to the owner and a reasonable allowance for depreciation shall be paid to him or, at his option, compensation shall be paid for such furniture or equipment.

(2) Where the owner desires that any such furniture or equipment shall be returned to him he shall, at the time of inspection under regulation 9 or within seven days thereafter, segregate the articles to be returned and give a list thereof to the inspector.

33. (1) Where any vehicles, furniture, equipment or other articles of kinds subject to depreciation were requisitioned after having been taken into use and are no longer required for the purposes of the Epidemic Regulations and are identifiable as the property of an owner who can readily be traced the Director shall give notice to the owner of a time and place at which he may inspect them and the owner shall be entitled to elect either to have all or any of such articles returned to him with a reasonable allowance for hire or depreciation or to receive compensation therefor.

(2) If the owner cannot readily be traced the value of the articles as at the date of the requisition shall be determined by an appraiser in accordance with these regulations and the

amount thereof shall be recorded in the office of the Director and in the Treasury and shall be paid to the owner, or to his legal personal representative, on proof of identity or title to the satisfaction of the Principal Secretary, of the Ministry of Finance.

34. All requisitioned articles, whether serviceable or unserviceable, which are not returned to the owner shall, on assessment of compensation, belong to the Government and shall be sold or otherwise disposed of as the Minister may direct.

35. (1) Compensation for the requisition of any vehicle or article of furniture or equipment which was in use before requisition and which is not returned to the owner shall be assessed by ascertaining the actual local market price, at the date of the requisition of an identical article or of an article of the same type, size and quality or, if no such article was then available, of the most closely similar article available or, if no similar article was available, of whatever article a reasonable person would buy if he wished to replace the requisitioned article with one as nearly resembling it in nature and quality as was practicable and by deducting from such price a reasonable allowance for depreciation having regard to the age and condition of the article at the date of the requisition.

(2) For the purpose of this regulation "available" in relation to imported articles includes procurable within a reasonable time by ordering from a supplier in the ordinary way of business.

(3) If any article cannot be valued by reference to the foregoing provisions its value at the date of requisition shall, unless agreed, be estimated by an appraiser at the cost of the Government.

36. Compensation for new or unused articles requisitioned singly or in retail quantities shall be assessed by ascertaining the value according to the foregoing provisions, with due allowance for depreciation in the case of articles which though unused were shop-soiled or had otherwise deteriorated.

37. Compensation for goods requisitioned in bulk or in wholesale quantities shall be assessed by ascertaining the actual cost to the owner of buying, transporting, insuring and clearing the goods, including any tax or duty or charge for storage elsewhere than on his own premises, actually paid by him and by adding five per centum to the cost so ascertained, but subject to a reasonable allowance for depreciation in the case of any such goods having suffered damage or deterioration.

38. (1) If a dispute arises as to the amount of compensation or allowance in respect of the requisition of any moveable property, other than an amount determined by an appraiser, the Minister responsible for Finance shall make such further enquiries as he considers expedient and, if agreement does not result, shall make a final offer in writing stating the mode by which the amount offered has been ascertained in accordance with these regulations.

(2) If the owner of the property rejects the final offer the dispute shall be referred to an appraiser or other qualified person chosen by the parties or in case of disagreement by the Registrar of the Supreme Court. The referee shall consider the matter in the presence of both parties or their agents and shall make his award.

If the award exceeds the amount of the final offer the Principal Secretary of the Ministry of Finance shall either pay the fee of the referee or contribute thereto an amount equal to the amount of such excess and the balance of the fee or in any other event the whole of the fee shall be deducted from the compensation or allowance.

39. (1) Any owner dissatisfied with the award of an appraiser or referee may apply to the Supreme Court to review the award. Such an application shall allege that the referee or appraiser adopted a method of valuation which was wrong in law and no other question shall be

argued. If the court decides that the method adopted was wrong in law the court shall state the correct method and either assess the value or refer the matter to the Registrar for assessment.

(2) The provisions of regulation 21 shall apply, as far as applicable, to proceedings under this regulation.

PART VIII

Destruction of infected buildings

40. (1) Where a building or part thereof which cannot be efficiently disinfected has been vacated under section 40 of the Act the medical officer of health shall, if practicable, explain to the owner of the building and to the owner of any article which cannot be disinfected the reasons for the destruction and shall endeavour to reach agreement as to the amount of compensation to be paid. If the amount cannot be settled by agreement the medical officer of health shall procure the attendance of an appraiser.

(2) The appraiser shall value separately the building and articles in the presence of the medical officer of health and of each owner or some adult member of his family, if such person can be found within a reasonable time. A memorandum of the valuation, signed by the appraiser and the medical officer of health, shall be given to each owner or his representative, if present.

(3) The medical officer of health shall inform the officer in charge of the nearest police station of the time and proposed method of the destruction.

(4) The building and articles, if any, shall be destroyed as soon as practicable under the supervision of the medical officer of health.

(5) The fees and expenses of the appraiser shall be paid from public funds.

(6) The owner may at any time claim compensation and when he has proved to the satisfaction of the Principal Secretary of the Ministry of Finance that he is the person entitled to receive the compensation for the building or the articles or both the Principal Secretary shall forthwith pay to him the amount of the valuation.

(7) In any particular case of hardship the Minister may make a supplementary grant to assist the owner of a destroyed house to re-house his family.

APPENDIX OF FORMS

THE PUBLIC HEALTH ACT

[SECTION 50]

AQUISITION OF MOVEABLE PROPERTY

An Epidemic Order made the _____ 19 _____ and published
in the Gazette as Notice No. 19 _____ being

now in operation, the vacant land or unoccupied building and the moveable property specified in the schedule hereto being needed for the purposes of the Epidemic Regulations are hereby REQUISITIONED and

and

are hereby required to permit and facilitate the use of such land and building and to deliver such moveable property to me or to for the purposes of the Epidemic Regulations.

THE SCHEDULE

Dated this 19

Director.

THE PUBLIC HEALTH ACT

[SECTION 61]

AND

THE REQUISITION AND COMPENSATIONS REGULATIONS

[REGULATIONS 3 TO 7]

REQUISITION OF IMMOVEABLE PROPERTY

An Epidemic Order made the 19 and published in the Gazette as No. 19 being now in operation, the immovable property known as and more particularly described in the First Schedule hereto, is hereby REQUISITIONED and

and

and all others the owner or occupiers of the said property are hereby required to vacate the same and to facilitate the use thereof and of the equipment and other materials therein, specified in the Second Schedule hereto, for the purposes of the Epidemic Regulations and THE DIRECTOR is hereby authorised and required to take possession of and to utilise the said property for the said purposes, for which COMPENSATION shall hereafter, be assessed and paid in accordance with the Requisition and Compensation Regulations.

FIRST SCHEDULE

SECOND SCHEDULE

Dated this day of , 19.

SECTIONS 58 AND 96

S.I.6/1965

.PUBLIC HEALTH (VENEREAL DISEASES) REGULATIONS

[8th February, 1965]

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Interpretation.
3. Duty to consult medical officer of health and to submit to medical examination, isolation or treatment.
4. Duty to continue to submit to treatment.
5. Power of medical officer of health to call upon person to submit to medical examination, isolation or treatment.
6. Compulsory treatment.
7. Duty not to expose others to infection.
8. Sufferers disqualified from certain employment.
9. Disclosure of contacts and other information.
10. Duty of medical officer of health.
11. Offences and penalties.

1. These regulations may be cited as the Public Health (Venereal Diseases) Regulations.

2. In these regulations, unless the context otherwise requires, the expression "medical officer of health" shall include all medical officers and medical practitioners.

3. Any person knowing or having reason to believe or to suspect that he is suffering from or is infected with a venereal disease shall consult a medical officer of health and shall submit to such medical examination, isolation or treatment as may be deemed necessary or expedient by such medical officer of health. In the case of a child his parent or guardian shall cause the child to consult a medical officer of health and submit to the required medical examination, isolation or treatment

4. Any person undergoing treatment for a venereal disease shall continue to submit to treatment until the medical officer of health under whose treatment the person shall be is

satisfied that he is cured or free from such disease in a communicable form. In the case of a child his parent or guardian shall cause the child to continue to submit to treatment.

5. (1) A medical officer of health on being satisfied that a person may reasonably be suspected to suffer from or to be infected with a venereal disease may call upon such person to submit to such medical examination, isolation or treatment as may be deemed necessary or expedient by such medical officer of health. In the case of a child his parent or guardian may be called upon to cause the child to submit to the required medical examination, isolation or treatment and on being so called upon he shall cause the child so to do.

(2) If on being called upon as aforesaid such person fails to submit or to cause the child to submit to such medical examination, isolation or treatment, the medical officer of health may cause such person or such child to be removed to an hospital or other suitable place and to undergo such examination, isolation or treatment as aforesaid, if necessary without such persons's consent or without the consent of such child's parent or guardian.

6. A medical officer of health on being satisfied that a person may reasonably be suspected to suffer from or to be infected with a venereal disease may, whether or not the procedure set out in regulation 5 has been followed or such person or, in the case of a child, the parent or guardian of such child consents, take or cause or direct to be taken such action (including the forcible injection and application of any other treatment whether of the like nature or otherwise) as he may consider necessary or expedient to safeguard or restore the health of such person or to prevent the spread of venereal disease. All actions of a medical officer of health or other person action under this regulation or in pursuance of directions given thereunder shall be lawful.

7. No person knowing or having reason to believe or to suspect that he is suffering from or is infected with venereal disease shall do or permit any act likely to lead to the infection of any other person with such disease.

8 (1) No person while suffering from or infected with a venereal disease in a communicable form shall accept or continue in employment in or about any workshop, factory, shop, hotel, restaurant, house or other place in any capacity entailing the care of children or the handling of food or food utensils intended for consumption or use by any other person, unless at the material time he did not know or suspect and had no reasonable means of knowing or suspecting that he was so suffering or infected.

(2) It shall be lawful for an employer to dismiss summarily with payment of wages up to the date of dismissal any employee employed in any manner referred to in subregulation (1) of this regulation if the employer has reasonable cause to suspect that the employee is suffering from or is infected with a venereal disease and such employee refuses to submit himself to medical examination.

(3) No person shall employ or continue to employ any person suffering from a venereal disease in a communicable form if, by reason of such employment, such person is required or permitted to have the care of children or to handle any food or food utensils intended for consumption or use by any person other than the person employed, reasonable means of knowing or suspecting that the person so employed by him was suffering from or was infected with such disease.

9 (1) A person suffering from or infected with a venereal disease shall, when called upon to do so by a medical officer of health or a health inspector, disclose to them the name and address of contacts and such other information which may lead to the identification of sources of infection as he may possess.

(2) All information supplied in good faith to a medical officer of health or a health inspector for the purposes of these regulations or the treatment of venereal disease shall be deemed to be communicated in pursuance of a statutory duty.

10. Every medical officer of health who attends or advises any patient in respect of venereal disease shall -

- (a) direct the attention of the patient to the infectious nature of the disease and to the penalties prescribed by these regulations for exposing any other person to infection with such disease;
- (b) warn the patient against contracting marriage unless and until he has been cured of such disease or is free from such disease in a communicable for; and
- (c) give to the patient such printed information relating to the treatment of venereal disease as may be supplied by the Director.

11 (1) A person who contravenes or fails to comply with the provisions of regulations 3, 4, 5(1), 7, 8(1), 8(3) and 9(1) is guilty of an offence.

(2) A person guilty of an offence under these regulations is liable to a fine of one thousand rupees or to imprisonment for twelve months.

SECTION 61

PUBLIC HEALTH (LEPROSY) REGULATIONS

[18th January, 1960]

SI. 7 of 1960
SI. 95 of 1975

TABLE OF REGULATIONS

1. Citation.
2. Interpretation.
3. Leprosy Superintendent.
4. Examination os suspect.
5. Discharge.
6. Classification.
7. Out-patients.
8. Leproseries.
9. Admission to leproseries.

10. Absconders.
11. Duties of teachers.
12. Patients in prisons and other institutions.
13. Fees, maintenance and assistance.
14. Liability of patients and guardians.
15. Committee of patients estates.
16. General penalty.

1. These regulations may be cited as Public Health (Leprosy) Regulations.

2. In these regulation, -

"patient" means a person suffering from, or suspected of being infected with leprosy;

"superintendent" means the Leprosy Superintendent and includes any other medical practitioner appointed under regulation 3.

- 3 (1) The Director shall appoint a Medical Officer to be the Leprosy Superintendent, whose duties shall include the administration of the law relating to leprosy, the administration of leproseries and the medical and general care and supervision of inmates of leproseries and of out-patients.

- (2) The Director may appoint any other medical officer or practitioner to act temporarily as Leprosy Superintendent or to perform in conjunction with or in place of the Leprosy Superintendent, such duties as the Director may specify in relation to a leproseries or to particular patients. All such medical officers and practitioners shall act under the general control of the Director.

- (3) The Director may himself perform any particular functions of the Superintendent.

4. The Superintendent shall examine every patient coming or brought to him and may require such patient to submit to such tests and the taking of such specimens for examination by microscope as the Superintendent shall think advisable.

5. If as a result of examination under regulation 4, or of any subsequent examination, the Superintendent finds that there is no sufficient reason to believe that a patient is infected with leprosy the Superintendent shall record his finding and thereupon the patient shall be discharged and shall cease to be a patient within the meaning of these regulations and on his request the Superintendent shall give him, without fee, a certificate of such finding.

6. If after examination under regulation 4 a patient is not discharged the Superintendent shall classify him as a sufferer, or suspected sufferer from leprosy and shall direct him to submit to medical surveillance or to treatment either as an out-patient or as an inmate of a leproseries.

A patient may be reclassified from time to time, as the Superintendent may think advisable.

7 (1) The Superintendent shall specify the place of residence of each out-patient and shall prescribe the extent to which he may move about within the place, or its curtilage, or beyond its curtilage and shall also prescribe his course of medication, his attendance at a hospital or other place for examination and treatment, the extent to which he may or may not associate with members of his family or other persons, his mode of life, the manner in which his food and utensils are to be separated from those of others, the vocational and recreational activities, in which he shall, or may, or may not engage and any other matters whatsoever which the Superintendent thinks conducive to the success of his treatment or to his general welfare.

(2) The patient, and every person residing with the patient, shall comply with all the directions of the Superintendent.

(3) The Superintendent shall examine every out-patient, and shall review, and if advisable amend, his prescribed regime and may reduce his regime to medical surveillance.

(4) Where the Superintendent finds that an out-patient can be discharged or released from medical surveillance without danger to his health or to the health of others, the Superintendent shall discharge or release him and on his request shall give him, without fee, a certificate of such finding.

8 (1) The Minister may establish such leproseries as are required.

(2) The Director shall make standing orders for the management of each leprosy and for all matters affecting the treatment, control, occupation, recreation, segregation and association of inmates.

(3) The Superintendent may, on particular occasions or in respect of particular inmates, give any orders or directions whatsoever, provided that such orders and directions are not inconsistent with any regulation or standing order.

(4) Every inmate and every member of the staff of a leprosy shall comply with standing orders and with the orders and directions of the Superintendent.

9. Where the Superintendent directs a patient to become an inmate of a leprosy the Superintendent shall send the patient to the leprosy in the care of a health inspector or some other person appointed for the purpose.

10. Any patient who absconds from the care of the person taking him to a leprosy, or from a leprosy, may be arrested, with or without a warrant, by any police officer or health inspector, and forthwith taken in custody to a leprosy or, if the Superintendent so orders in writing, to a prison.

11. When it appears to the head of any school that one of his scholars is, or may be, infected with leprosy the head shall forthwith give notice of the fact to the medical officer of health.

12 (1) Where a person detained in a prison or mental hospital, or in any other hospital or institution is found by the Superintendent to be suffering from leprosy the Director shall make such enquiries as he considers necessary regarding the state of the patient and the circumstances of his imprisonment or detention and may make an order in writing for such patient to be transferred to and detained in a leprosy. The order shall be served on the person having the custody of the patient who shall forthwith transfer the patient to a leprosy under the directions of the Superintendent.

(2) An order by the Director under this regulation shall supersede but shall not abrogate the sentence or order under which the patient was previously detained.

(3) A patient who absconds from a leprosy in which he is detained under this regulation shall be deemed to have escaped from the custody to which he was subject by virtue of the sentence or order under which he was previously detained but on re-arrest he shall be taken in custody to a leprosy.

(4) The Director may appropriate a particular leprosy, or part of a leprosy, for the accommodation of inmates detained under this regulation and, subject to the approval of the Minister, may make supplementary standing orders relating to such inmates.

(5) Where the Superintendent is of opinion that a patient detained under this regulation need not continue to be so detained and the sentence or order under which he was previously detained has not expired the Superintendent shall transfer the patient to the custody in which he was previously detained or to such custody as the Minister directs.

(6) On the expiration of the sentence or order under which a patient detained under this regulation was previously detained he shall cease to be subject to the supplementary standing orders but shall continue to be an inmate of a leprosy until he is reclassified as an out-patient.

13. The Minister may prescribe scales of fees for the maintenance of inmates of leprosies and for the medical treatment of out-patients and scales of grants to assist out-patients who cannot adequately maintain themselves. Such scales may be graduated according to the means of the patient or his family.

14 (1) Where a patient possesses any income or property, he and his estate shall be liable to pay fees for his maintenance and treatment in accordance with the prescribed scale.

(2) Where any property or income devolves upon a patient, fees, according to the applicable scale, shall be deemed to have accrued from the date of classification and to constitute a debt due to the Treasury which shall be recoverable from the patient or his estate.

The Minister may in his discretion remit the whole or any part of such debt.

(3) Any person who is legally liable to maintain a patient shall be liable to pay fees for his treatment and maintenance according to the prescribed scales.

15. Where a patient possesses any property which he is unable to manage effectively the Minister responsible for Finance may appoint a fit and proper person or the Curator of Vacant Estates to be the committee of the estate of the patient. A committee other than the Curator shall furnish such security as the Minister responsible for Finance directs.

Subject to the terms of his appointment a committee shall have all the powers of a receiver and manager and the Minister responsible for Finance may in writing confer upon him any additional powers which in particular circumstances may be in the interests of the patient or his estate.

16. Any person who infringes or fails to comply with any of these regulations is liable to a fine not exceeding Rs.500.

SECTION 64

NOTIFICATIONS OF AUTHORISED BURIAL GROUNDS

G.N. 257 of 1958

PUBLIC CEMETERY AT TAKAMAKA

[25th November, 1958]

The plot of land of an arpent situated at Takamaka and purchased by deed transcribed at the Registry of Deeds in Vol. 45 No. 413 is an authorised burial ground and has been opened as a public cemetery.

ANSE LOUIS CEMETERY

G.N. 98 of 1960

[14th March, 1960]

A plot of land measuring one arpent distracted from the property of Mr. Marcel Jorre de St. Jorre at Anse Louis is declared to be an authorised cemetery.

GLACIS CEMETERY

G.N. 389 of 1961

[20th November, 1961]

The following plot of land situated at Glacis, MahÃ©, is declared to be an authorised cemetery -

An area of 0.94 arpent belonging to the Government of Seychelles described in Memorandum of Survey of G. Ah-Yave, Esq., Government Surveyor, registered in Register A. 32 No. 748.

[22nd March, 1993]

SI. 18 of 1993

The plot of land described in the Schedule is hereby declared to be an authorised cemetery

SCHEDULE

A plot of land of an area of 1771 square metres (0.177 hectares) situated at Glacis and bearing parcel No. H3287, the plan of which is filed in the office of the Director of Surveys.

Section 6

Public Health (Water Examination) Regulations

1. These Regulations may be cited as the Public Health (Water Examination) Regulations.
2. In these Regulations -

"drinking water" means water used for drinking or domestic purposes;

"swimming pool water" means water in a swimming pool used for public bathing purposes, where contamination can result in involuntary consumption of the water, and whether or not admission to the pool is gained by payment.

3. (1) The standard relating to the wholesomeness, purity, and quality of drinking water is specified in Schedule 1.

(2) Drinking water shall conform to the standard specified in Schedule 1.

4. (1) The standard relating to swimming pool water is specified in paragraphs 2, 3, 4, 7 and 9 of Schedule II.

(2) Swimming pool water shall conform to the standard specified in subregulation (1).

(3) No swimming pool shall be used or made available for use unless all the provisions in Schedule II are complied with.

5. An environmental health officer authorized under the Public Health Act may enter any premises at any time to take samples of drinking water for examination, to ascertain the wholesomeness of the water issued, served or used in those premises or at source for drinking or domestic purposes, and to ascertain the purity levels of swimming pool water.

6. (1) Where the Medical Officer of Health is of the opinion that any drinking water in any premises is unwholesome or polluted or does not conform to the standard prescribed in these Regulations, he may, by notice in writing, direct the occupier or the person having the charge, control or management of the premises to cease from issuing, serving or using the water for drinking or domestic purposes.

(2) The Medical Officer of Health may, by notice in writing, direct the owner or person having the charge, control or management of any swimming pool (including those owned by the Government) to close the swimming pool within a time specified in the notice if -

(a) he fails to comply with any of the provisions of these Regulations relating to swimming pools;

(b) there is an outbreak of an infectious disease which may endanger the health of any persons using the swimming pool.

(3) The Medical Officer of Health shall revoke a notice issued under subregulation (1) or (2), where he is satisfied that the drinking water or the swimming pool or the swimming pool water, as the case may be, referred to in the notice has conformed to the standards or requirements prescribed in these Regulations or that there is no danger of any outbreak of an infectious disease.

(4) Where an owner or person having the charge, control or management of a swimming pool has been directed under subregulation (2) to close a swimming pool he shall ensure that all access to the pool is effectively closed or barricaded.

7. The owner or person having the charge, control or management of a swimming pool shall not permit any person who suffers from any cut, wound or sore to use a swimming pool.

8. (1) The Minister shall appoint an analyst for the purposes of examination of drinking water and swimming pool water.

(2) The Director of the Public Health Laboratory of the Ministry of Health shall, until an appointment is made under subregulation (1), be an analyst for the purposes mentioned in that subregulation.

9. The Medical Officer of Health shall take immediate investigative action if either E. Coli or total coliform bacteria are detected in any water by the analyst and shall take action to have the cause determined and any further pollution prevented.

10. No person shall obstruct the Medical Officer of Health or an environmental health officer in the performance of the functions under these Regulations.

11. Any person who fails to comply with a notice under regulation 6(1) or (2) or contravenes regulation 6(4), 7 or 10 is guilty of an offence and is liable on conviction to a fine of R1000.

SCHEDULE 1

STANDARD FOR THE QUALITY OF DRINKING WATER

1. Escherichia coli organism or thermotolerant coliform bacteria must not be detectable in any 100 ml sample of all water intended for drinking or any treated water entering or in the distribution system. Whilst there could be some coliform bacteria of no sanitary significance in untreated supplies of water, within a distribution system of treated water, there should be no total coliform bacteria in 95% of multiple samples taken throughout any 12 month period, and not more than 3 in consecutive samples.
2. The following are the Maximum Contaminant levels of chemicals and physical properties of drinking water.

Inorganic Chemicals	MCL (mg/litre)	
& Physical Characters		
Arsenic	0.01	
Chlorine	5	(for effective disinfection there should be a free chlorine residual at least 0.5 mg/litre after 30 minutes contact time at pH less than 8)
Chromium	0.05	
Fluoride	1.5	
Lead	0.01	
Mercury	0.001	
Nitrates (as N)	10	(when used for infants and only as a Guideline Value)
Sodium	200	(only as a Guideline Value)
Turbidity	5 NTU	(Immediately before disinfection, and only as a guideline value)
Odour	3 Threshold odour number	
pH	6.5 - 8.5 120	

SCHEDULE II - STANDARDS FOR SWIMMING POOL WATER AND REQUIREMENTS OF SWIMMING POOLS

1. The pumps, filters, disinfectant and chemical feeders, flow indicators, gauges, and all related parts of the water purification system of a pool shall be kept in working condition whenever the pool is available for use and for such further periods as may be necessary to maintain the water in the pool in a clear and disinfected condition.

2. (1) The continuous circulation and purification system shall be operated and maintained so as to keep the water in the pool clear and clean at all times to an extent that a 19SWG platinum wire can be seen at a depth of 2 metres.

(2) The colour of the water as determined in Hazen Unit shall not exceed 5.

3. (1) The pool shall be continuously disinfected by chlorine or any other chemical approved by the Medical Officer of Health.

(2) Where chlorine is used, a chlorine residual of not less than 0.4 milligram per litre and not more than 1.5 milligrams per litre shall be maintained at the outlet.

(3) Where other halogens or approved chemicals are used, a disinfectant residual shall be maintained at a level approved by the Medical Officer of Health.

4. The water in the pool shall be maintained in an alkaline condition as indicated by pH 7.2 to 8.4. Nitrates should be absent.

5. A testing kit for measuring the concentration of the disinfectant shall be provided and maintained in good working condition at each pool complex.

6. A testing kit for measuring the pH value of the water in the pool shall be provided and maintained in good working condition at each pool complex.

7. If an algicidal agent is required, then only copper sulphate may be used provided the concentration of copper sulphate determined as copper shall not exceed 0.2 milligram per litre.

8. No other chemical shall be used for any purpose without the prior approval of the Medical Officer of Health.

9. The bacteriological quality of the water in the pool shall be as follows:

(a) no sample of the water shall contain any *Escherichia coli* organism in 100 millilitres of water;

(b) not more than 1 out of 5 samples of the water shall contain any coliform organism in 100 millilitres of water and in any case none of the 5 samples shall contain more than 10 coliform organisms in 100 millilitres of water; and

(c) no sample of the water shall contain a total of more than 200 bacteria per millilitre as determined by the 24 hour plate count at 37^o Celsius or by the membrane filter method.

10 (1) No floating scum, sputum and debris shall be allowed to accumulate in the pool.

(2) All floating materials shall be removed continuously either by skimming or by maintaining the water level in the pool.

11. All the surfaces of the pool including the decks shall be kept clean of slime, dirt and algae.

12. (1) All parts of the pool and pool complex including all auxiliary equipment shall be maintained in good condition.

(2) The bottom and side walls of the pool shall be kept free of cracks and other defects.

13. The entire pool area shall be kept clean, and free of litter and vermin.

14. Notices directing every swimmer to use a foot-bath and a shower before entering the pool shall be displayed in conspicuous places.

15. Every foot-bath shall be adequately provided with an approved disinfectant.

16. All shower rooms, toilets and changing rooms shall be well ventilated with at least 10 air changes per hour.

17. All toilets, urinals, showers, wash basins and other plumbing fixtures shall be maintained in a clean condition and in good repair,

18. All bathing suits and towels furnished or rented out by the management of the pool shall be laundered and cleaned, and caps shall be sanitized after each usage.

19. (1) The chlorine gas feeding equipment room of the pool shall be well ventilated.

(2) The room shall not be below ground level and shall be provided with vents close to the floor level.

(3) An approved extractor fan capable of providing at least 10 air changes per hour shall be installed near the floor level and the discharge point shall be away from neighbouring premises.

20. (1) An approved gas mask designed for use in a chlorine atmosphere shall be kept in an unlocked cabinet outside the chlorine gas feeding equipment room.

(2) In addition, a replacement canister shall be provided and a record shall be kept of the use of the gas mask to ensure that the mask shall be serviceable when needed.

21. (1) Diagramatic illustrations of Cardio-Pulmonary Resuscitation procedure shall be posted so that they are clearly visible from any nearby deck.

(2) An adequately equipped first-aid box and a telephone shall be installed in a conspicuous place.

22. All records of tests taken daily on the pH value of the water in the pool and the residual chlorine therein shall be kept and shall be made available for inspection by the Medical Officer of Health or an environmental health officer.

23. Samples of the water in the pool shall be submitted to the Analyst for chemical and bacteriological analyses at least once a month or at such other intervals as may be stipulated by the Medical Officer of Health.

Public Health (Formidable Epidemic Disease-SARS) Notice

[5th May, 2003]

In exercise of the powers conferred by section 47 of the Public Health Act, the Minister of Health hereby declares Severe Acute Respiratory Syndrome (SARS) to be a formidable epidemic disease.

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